

*Protection of Privacy*

of debate at report stage, and I gather nobody is opposed to this suggestion.

The hon. member for New Westminster (Mr. Leggatt) moves motions Nos. 5, 6, 9, 10, 14, 15 and 21 as follows:

No. 5. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting the words "or an agent specially designated in writing for the purpose of this section" in lines 37 to 39 at page 3.

No. 6. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting lines 30 to 47 inclusive at page 3 and lines 1 to 37 inclusive at page 4.

No. 9. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting lines 38 to 46 inclusive at page 4, lines 1 to 46 inclusive at page 5 and lines 1 to 21 inclusive at page 6.

No. 10. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting lines 22 to 46 inclusive at page 6 and lines 1 to 7 inclusive at page 7.

No. 14. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting lines 1 to 8 inclusive at page 11.

No. 15. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in clause 2 by deleting lines 18 to 39 inclusive at page 11 and lines 1 to 7 inclusive at page 12.

No. 21. That Bill C-176, an act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act be amended in clause 4 by deleting lines 5 to 8 inclusive at page 20.

● (2120)

**Mr. Stuart Leggatt (New Westminster):** Mr. Speaker, I will embark upon a brief explanation because I think that will suffice in showing what I had in mind in proposing these amendments. The present bill provides authorization for police to wiretap for purposes of the Official Secrets Act, the Criminal Code and for all indictable offences. The effect of the seven amendments standing in my name is this: they seek to remove authority for the police to wiretap for purposes of the Criminal Code. They would allow the provisions of the Official Secrets Act to prevail and if these amendments pass wiretapping for those purposes will still be permissible.

Let me explain first why I have excepted the Official Secrets Act. I listened carefully to the evidence Ramsey Clark gave before the committee. I think there is a rationale for considering the security of the state. For example, compare the state of international law with the state of law within a nation. It is important for the relationship between the police force and the population to be established: it is vital and important for the population to respect the police, respect the methods the police use and respect the laws which the police enforce. In international law we are in a different ball game. International law is at a very primitive level. Therefore, where the security of the state is concerned, I feel a legitimate exception can be made for the use of what I consider an immoral device for electronic surveillance.

Having said that, I wish to address a few remarks through you, Mr. Speaker, to the charming hon. member for Louis-Hébert (Mrs. Morin). She made a short address, a very interesting one, in which she told us why we need this bill. She said that we must really get down to the business of law and order, of apprehending criminals, and

[Mr. Deputy Speaker.]

we must not throw roadblocks in the way of the police. That, I take it, was the substance of her remarks.

That is the rationale used by every totalitarian state in the world. If we are to have that kind of state, that kind of system, I will move out of the country. I hope the charming hon. member will consider most carefully the question of law and order from both sides. She must consider that respect for law and order will increase only if laws are worth respecting, and that in a society such as ours which depends on consensus the devices used to enforce law and order should be ones we can honour and respect and should not be ones of which we are ashamed.

Someone has said that mine is a purist position. I do not think it is. I think it really asks both sides of this question to be examined. When you have examined it carefully, I think you will come down on the side of a complete ban on wiretapping except in those cases noted. I speak for myself on this issue and not for the caucus of my party, which has other ideas on this subject.

This afternoon the hon. member for Peace River (Mr. Baldwin) suggested that in future I might tap on the door of the Conservative Party in view of the approach I have taken to the civil libertarian issue. I must say I have always respected the Conservative Party on issues like this. More than once—this afternoon and this evening—I have heard Conservative members express concern for the rights of individuals. They do not want to see us turn into a monolithic state which does not allow freedom of speech, freedom of privacy or freedom of personality. I have great sympathy for the views of my friends to my right. It is when we come to economic issues that we part company; we are far apart on economic issues.

**Mr. Knight:** Especially on what the oil companies are doing.

**Mr. Leggatt:** A monolithic state which robs the individual of freedom is a state made up of large, multinational corporations. That is why I have been so disappointed in hearing members to my right defend large, multinational oil companies.

The hon. member for Fundy-Royal (Mr. Fairweather) mentioned the proceedings in committee and pointed out that the minister cannot have it both ways on this bill. When the minister first brought forward, this bill I am sure many in the civil liberties field congratulated him because they thought the bill provided protection of privacy. These protections are necessary and important. But the minister cannot have it both ways. When the bill was before the committee the minister suggested we were throwing roadblocks in the way. He told committee members we were unnecessarily delaying a good bill and that we needed this legislation.

I noticed, however, that after passing amendments which the Conservative Party had presented, the Minister of Justice (Mr. Lang) suddenly found that we needed to look at the bill more closely: he intended to bring together the attorneys general from all across Canada to look at the bill. He cannot have it both ways. That committee was not partisan. I echo the remarks of the hon. member for Fundy-Royal on this point. It was a good committee and because of its work I think we will wind up with a stronger bill.