

Security Intelligence Service

members of the council, would be denied the fundamental information.

• (1510)

It is rather intriguing to look at the name of that particular group. It is called an "oversight agency", providing an oversight mechanism. I went to the dictionary because I was aware of two ways of interpreting the word "oversight". One definition is supervision, which I hope is the meaning which was intended in the reference in the Bill to an oversight mechanism, because the other definition of oversight is "omission to notice" or "a mistake of inadvertence". I hope that the oversight agency does not see its particular mandate as being to overlook and set aside because of inadvertence a lot of the problems and rules under which the security service is being permitted to operate.

In short, Mr. Speaker, I simply say that we in this Party propose to oppose this particular Bill going to committee for some of the reasons I have outlined. There are many more reasons for opposing this Bill, for example, on libertarian grounds and on the question of adequate parliamentary security, but since my time is up, I will resume my place.

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, it is no news to Hon. Members of the House that Bill C-9 is an Act to establish a new civilian spy agency to be called the Canadian Security Intelligence Service. This new agency will have special powers to open mail, place wiretaps, make surreptitious entries into people's homes and use government records to obtain confidential information about persons who have committed no illegal act.

While the present Bill has removed some of the injustices which this Party pointed out in the previous Bill C-157, it still does not implement many of the essential recommendations of the 1977 McDonald Commission, which was established as a result of RCMP wrongdoings in the 1970s, and we are still concerned that these wrongdoings went unpunished.

The New Democratic Party cannot support this Bill for a number of reasons which my colleagues have pointed out. However, I would like to put on the record that the most important reasons are the lack of accountability to Parliament, and the broad, sweeping powers to be given to a civilian agency which are unprecedented.

I want to congratulate the Hon. Member for Burnaby (Mr. Robinson) in particular, Mr. Speaker, for having so strongly opposed Bill C-157 and now opposing Bill C-9. His position reflects in general the views of civil rights groups across Canada and certainly of many Canadians who are convinced that both Bills undermine democracy. As usual, the Conservatives are on both sides of the fence trying to cover up their divisiveness by saying "Let us not rush it". Our Party wants to know if they are for or against Bill C-9 and what they would do if they were the government.

My colleagues have spoken at length about the problems which we find with Bill C-9, and I would like quickly to summarize the problem areas. Highly intrusive special war-

rants may be used against Canadian residents who have done nothing wrong or disloyal, and are not even suspected of wrongdoing. Intrusive techniques such as special warrants may be used against subversive, as distinct from foreign-influenced, activity. This is something which concerns us in that there are the same provisions for domestic activities as for foreign spy suspects. Advocates, protesters and dissenters are included in the security mandate if they transgress some law, however minor. I can tell you, Mr. Speaker, having picketed in many demonstrations, as have many of my colleagues, that we will probably be out there lined up with the first group of suspects.

The "anti-judge shopping" clause makes it easy for the service to avoid having to tell the judge, to whom a warrant application is made, that an early application has been denied. Judicial warrants or authorization from senior officials need not be obtained prior to infiltrating an organization. Confidential solicitor-client communications, tax returns, health records and the confessional, are still fair game. Contrary to the recommendations of both the Pitfield committee and the McDonald Commission, the judge will not have the power to refuse a special warrant where the invasion of privacy proposed far outweighs the value of any evidence.

There is no parliamentary review, contrary to the recommendations of the McDonald Commission. Therefore, there is no ultimate political accountability. Perhaps the most important criticism we have is that the review committee, the only real control in the whole scheme—or supposed control—before it pursues a complaint or conducts an audit, must let the service know that it is coming and what it is looking for. The review committee is not given access to any file anywhere, at any-time. In all three of these major areas, mandate, powers and controls, I feel it is shocking that the Minister and the Government are unrepentant.

I want to say, Mr. Speaker, that in preparing to speak to this Bill, a lot of memories were brought back to those of us who were activists during the late 1960s and 1970s and who were involved many times in the front lines of protests and work for social change. I am most concerned that this Bill will still allow intrusion into the lives of innocent people, people who are social activists, reformers and who wish to demonstrate and sometimes resort to civil disobedience. They will be suspects. We know that the RCMP had over 800,000 files on Canadians, many of whom have committed no illegal act. We do not even know what has happened to these files. Is this to continue under the new civilian security service?

I recall being very much involved with welfare rights groups during the 1970s, Mr. Speaker, militant, anti-poverty groups. I can tell you, Mr. Speaker, that no one would have listened to the poor during those days if there had not been some militant activists who were ready to go out on the front lines. Most people were so beaten down with lack of income that it was difficult for them to organize. I am sure that the names and photographs of those people, myself included, were recorded by the RCMP and probably are still on file. I know of one leader who was harassed by the police, and I do believe him when he claims that a gun was planted in his room deliberately