

Security Intelligence Service

Mr. Munro (Esquimalt-Saanich): Mr. Speaker, I am glad to have that question because I did not manage to get around to all the criticisms I have of this particular Bill. The Hon. Member has made some rather important criticisms of the Bill. If, as he says, the Bill provides the Government, particularly the two Ministers mentioned, with information gleaned from within Canada, this certainly goes beyond what it should. I wonder why they were so generous in excluding Canadian citizens who might be involved in some of these activities. Unfortunately, in the past we have known of Canadian citizens who have been involved in some of the activities which might be the object of interest of the security service. Had I had more time I might have gotten around to asking about why Canadian citizens are excluded. I do not really see that that is an appropriate exclusion.

• (1250)

Mr. Hnatyshyn: Mr. Speaker, we appreciate the remarks of the Hon. Member for Esquimalt-Saanich (Mr. Munro) who has taken a great interest in this legislation. I see that the Solicitor General (Mr. Kaplan) has been listening attentively to the matters raised by my colleague. In light of the questions put to the Hon. Member by the Hon. Member for Burnaby (Mr. Robinson), I would challenge him to stand in his place and tell us about one time when, on the floor of the House of Commons, his Leader has taken any position *vis-à-vis* this legislation. It seems to me that he has been silent on the issue. The Hon. Member for Burnaby will understand that when his Leader stands up it is usually to speak against a position taken by the Hon. Member for Burnaby, as in the case of the prostitution Bill, where his Leader was vociferous in his rejection of the Hon. Member's position. In the case of the divorce Bill, the position taken by the Hon. Member for Burnaby was reversed by his Leader.

With respect to the position of this Party, I must say that as this is the first time the matter has been addressed on the floor of the House of Commons, I have questioned the Solicitor General in my capacity as spokesperson on matters in his Department, after the Senate report, to see when we could have the early introduction of this legislation and at that time the Solicitor General said he was taking the report under advisement. In the Justice and Legal Affairs Committee I have raised the question of the position taken by the Solicitor General *vis-à-vis* the report of the Senate committee and I repeat that we have not had an opportunity in the House of Commons to deal with the matter.

I will not elaborate on that, Mr. Speaker, but simply say by way of comment on my colleague's remarks, which were very helpful, that we take our responsibilities regarding this legislation seriously. We want to give it serious consideration. The Solicitor General and the Government will have to demonstrate that they are prepared to be amenable to looking at some of the powers proposed to be vested in this agency. We want to make sure that there is full accountability, that the powers of the agency are under control and that we have a situation where there is a clear and precise definition of those powers and the ability of the agency to carry out its responsi-

bility. As I mentioned in my remarks on Friday, the fundamental principle which we must all abide by in this country is government under the rule of law, and that includes any agency of government.

Mr. Hawkes: Mr. Speaker, I should like to ask a brief question of the previous speaker. I have some concerns about the appeal and review procedures that would enable people who are investigated to have an adequate opportunity to clear their name. Would the Hon. Member like to comment on that aspect of the Bill?

Mr. Munro (Esquimalt-Saanich): Mr. Speaker, I had prepared notes on this for my comments and I am sorry that I did not have time to get around to them. This is a shortcoming of the Bill. I have not been able to discover the means whereby a person may re-establish his good name if he is unjustly wiretapped and it comes to the public attention that he is possibly a potential spy for a foreign power or someone engaged in sabotage activity, this is one of the areas we will have to examine carefully in order to make sure that an individual who is completely, utterly and entirely innocent will have every opportunity to re-establish his good name and that the Minister responsible for the agency that allowed the misdemeanour, the slander, to occur will be held responsible in the House for having done so.

The good name of Canadian citizens is important to Canada. We must not allow this particular agency to besmirch those names, and if it is done in error there must be a means whereby the good name can be restored. The Minister is going to be held responsible, personally, in the House for having allowed that to occur.

The Acting Speaker (Mr. Herbert): The period for questions and responses has expired.

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, this is one of the most critical and crucial Bills to come before Parliament. It has been a long time aborning. It goes back to the history of the Mackenzie Commission of 1969, the McDonald Commission of 1981 and the very unfortunate Bill C-157, which raised the fears and concerns of Canadians from coast to coast. Now we have before us Bill C-9.

I look at this Bill in a particular way, Mr. Speaker. To me the most precious possession of each and every Canadian is his or her basic freedoms and liberties. They are so much more important than personal wealth, material goods or status in society. Basic freedoms and liberties have evolved over the centuries; they began with the Magna Carta and have become entrenched in our parliamentary tradition. The most important thing that each and every Member of Parliament can do in this House is to make sure that we strive unceasingly to protect those rights and freedoms and not in any way, shape or form to allow anything to constrain or restrict them. We must not leave this House having seen the rights and freedoms of Canadians diminished. For me, that is what the Bill is all about.