of 15 years we have had appointed bodies of every description looking at this legislation.

● (1430)

I am making a specific point of this because I think it is important for the people of Canada to understand that this is the first time that people who must seek election from the people of Canada, who reflect their point of view and are sensitive to the points of view of average Canadians, have had an opportunity to consider this legislation. If ever there was any evidence required to show this administration's disdain and contempt for the House, it is shown in the way we were treated with respect to this legislation.

I want to talk about the work of the Senate committee. I think it was immediately obvious to the honourable Senators from both sides as well as independents on that committee that the legislation they were to study was a complete catastrophe. When the committee finally reported, it was unanimous in its castigation of the Bill. In what amounted to a clause by clause analysis and denunciation, the report recommended changes to almost every aspect and area of the Bill.

While it would take far too long for me to discuss all the recommended changes, let me touch upon some of the major proposals for reform. There was no question in the Senators' minds that the mandate for the force was far too loose and ambiguous. How could a force with such extraordinary powers operate under a sense of direction that did not make clear when those powers could be used? Of course, that could not happen if we want to retain freedom and liberty in this country. The Senators responded by making and proposing certain changes to tighten the mandate. They wanted to make it clear just what was meant by "threats to the security of Canada". They wanted to ensure that the force would do what was strictly necessary and no more. I want to deal with that particular and important aspect of the response of the Minister in due course.

The Senators also tried to grapple with the powers that the new force was to have. According to the old Bill, once a warrant was obtained employees of the force were pretty much free to do what they pleased. They could have access to income tax returns, statistical reports, census reports, doctors' files and psychiatric files, just to name a few. It would have been able to eavesdrop and wiretap anybody, any place, anywhere and at any time.

Mr. Kaplan: With judicial approval.

Mr. Hnatyshyn: You may think that these are pretty broad powers, Mr. Speaker. Indeed, I think any reasoning Canadian would say they are broad powers.

Mr. Kaplan: With judicial approval.

Mr. Hnatyshyn: You might think that such powers should be handed out only with a great deal of care and only under exceptional circumstances.

The Solicitor General says "by judicial warrant". He has made so many amendments with respect to this provision, after the scrutiny of the Senate, that one can only wonder what was in his mind when he used the term "judicial warrant" in the original proposal.

I want to deal with that because I think it is absolutely fundamental and essential. As I estimated, over half of the Solicitor General's remarks today concerned an area with respect to the vehicle upon which this agency should operate and whether it should be civilian or attached to the RCMP. I suggest to the Solicitor General that he should direct his attention to the primary condiserations that we should be giving to the Bill, which are the implications of the powers, the accountability and the mandate of this new security service. I suggest to the Minister that these are the areas for which we, as legislators, have a very important responsibility.

In the original proposal the Solicitor General made provision to allow a judge to hand out a warrant authorizing such powers if he was convinced that it was necessary to allow the Force to perforn its duties. Therefore, of course, there is judicial involvement. But the guidelines were absolutely missing from that whole scenario. It was highly discretionary on the part of the judge who would be considering that application.

The Senate committee characterized that standard as unreasonably low. I would go further. I would call it unconscionably low. It is, perhaps, a good example of what I would call the indifference to basic principles of justice that characterized that entire Bill.

There was a response to that flaw. The report in fact recommended stiffer standards for obtaining warrants, fixed time limits on the life of warrants and provisions to eliminate the potential for judge-shopping. The Solicitor General referred to that this morning.

The committee did not make any suggestions, however, regarding the tremendous power the force was to be granted. The report of the Senate committee dealt with this particular issue in one or two paragraphs. I believe this is an area that we in the House of Commons should carefully scrutinize. Indeed, the chairman of that committee, Senator Pitfield, has said himself, notwithstanding the fact that he had completed his responsibility of chairman of that committee, that there are areas that still require serious consideration by the House of Commons. If the chairman of the Senate committee believes that we still must give serious consideration to these matters, I am not one to question that.

With respect to the question of mail opening and access to medical records, the fact is that I want to have an opportunity to look at these items as a member of the committee so we can consider the appropriateness of these legislative proposals.

The Hon. Member for Sarnia-Lambton (Mr. Cullen), who served on that committee, I know will share my concern even though he is on the government side. He has demonstrated very often his independence and consideration for the rights of civil liberties for Canadians.