

*Security Intelligence Service*

**Mr. Fraser:** Mr. Speaker, I can understand the point that you are making. The fact that this is particularly aimed at a parliamentary overview committee made up of parliamentarians to overview the security service may take it out of the general proposition which you have advanced to me for my consideration. I have to argue that that would be my reply to the proposition which you have raised.

We also have to look at the common sense of it. There was a great deal of discussion in committee about whether there should be a parliamentary overview committee and what its powers should be. In fact, the committee went to the trouble of bringing two distinguished public servants from Washington to give us extensive testimony on how the United States Senate overview committee on security matters operates and is supported and staffed and, although not in as great detail, some interesting information with respect to a similar committee of the House of Representatives.

Nobody suggested at that time that to organize it, to go to the trouble of bringing them here and hearing these witnesses, would somehow be discussing a matter which was outside the principle of the Bill. I would argue and I would urge upon Your Honour that, to the degree possible, you would view this amendment and other amendments seeking the same objective which have been filed by my learned friends as not being something that is foreign to the Bill but is very much part and parcel of a principle which is in the Bill, and that is the principle of a review.

The other thing that is important is that the basis of the acceptance of the security service in the mind of the Canadian public is trust. To our great dismay and to the dismay of all decent Canadians, revelations were made in 1977 concerning things that were done that ought not to have been done over a decade ago. When they were made public, there was dismay. Apart from the detailed acts, what hurt us all, including a great institution as well as the institution of this Parliament, was that it was clear that there had been an absence of adequate control by political Solicitors General and perhaps even the Prime Minister. What hurt most was the sense that our trust had been betrayed.

As Your Honour, we in this House and the public of Canada know, notwithstanding all the laws we pass, that we run a civil community, with decency and fairness under the rule of law, to a great degree on trust. In the context of trust, it would be beneficial to have an overview, oversight or review committee consisting of Members of Parliament. Members of Parliament, whatever their faults or their occasional indiscretions—

**Mr. Pinard:** That is not a point of order. You are debating the Bill.

**Mr. Speaker:** Order. I invited comment by the Hon. Member concerning the proposal that this motion is inadmissible. In fairness to Hon. Members, the Chair is giving a fair amount of latitude, as was the case of the previous speaker, in hearing argument. Following the argument, the Chair proposes to deal with the matter as the Chair is obliged to do.

**Mr. Fraser:** Mr. Speaker, I will not be overly long. I will sum it up by saying this. There is an overview committee provided for in the Bill. All this amendment is doing is making a special arrangement whereby this House can appoint Members of Parliament to review our security service. I am suggesting that that is not outside the spirit of the Bill. Members of Parliament are in contact with the public at all times. As I was saying, despite whatever sins of commission or omission they commit, or whatever their frailties, on a daily basis they have to respect that relationship of trust between the public and those they send here to pass the laws and govern the country. I do not need to overstate the case, but that is the position I am trying to make.

I will deal briefly with the various motions which we are introducing. As I indicated to the Table yesterday, when you take away the consequential motions which would only pass if our Motion No. 11, the retention of the security service under the aegis of the RCMP, were passed, we have before Your Honour only nine motions and part of two others. That is not hundreds. I want to get them on the record very quickly so that we understand what they are.

I have dealt with Motion No. 3 to amend Clause 2, which deals with the very important amendments in the definition section. I dealt with Motion No. 11 which amends Clause 3. If it were passed, the security service which presently reports through the Commissioner of the Royal Canadian Mounted Police would continue to do so. Motion No. 32 amends Clause 12. The purpose is to make it abundantly clear in the legislation that the collection of information and intelligence by the security service should be limited to "strictly necessary for the purpose of protecting the security of Canada". I do not think Your Honour would find that motion out of place.

Motion No. 49 to amend Clause 20 would require the Attorney General of a province in which alleged unlawful acts occurred to be informed by the federal Attorney General unless it would not be in the public interest. In that case the Attorney General of Canada would have to certify his reasons and forward them to the review committee. The reason for that motion was that there was ample testimony before us indicating that the relationship between the federal Government, the provinces and the other police forces is one which must be respected and dealt with appropriately.

● (1200)

Motion No. 53 amends Clause 21 which deals with warrants. Again, very briefly, the effect of this amendment would be that warrants would not be granted for ordinary domestic activities on the basis that the need for warrants for these matters had not been demonstrated. That is consistent with what Commissioner Simmonds of the Royal Canadian Mounted Police said when he appeared before the Justice Committee. He said that the intrusive powers envisioned by the Bill which is presently before us would be of only marginal use to such investigations.

The other part of that same amendment provides that warrants should only be granted where there are reasonable