

extensive debate. I know there has been a good deal of debate so far, but I think the principles of the Bill should be debated extensively, rather than the details. It is the principle of the Bill that we debate on second reading.

I wish to state very briefly, Mr. Speaker, that I am not in favour of the motion to terminate debate on second reading and move this Bill into committee, and it is my intention to vote against the motion before the House.

Mr. Vic Althouse (Humboldt-Lake Centre): Mr. Speaker, I should like to take a few minutes to deal with the background of Bill C-9 which has evolved from Bill C-157, presented to the House some months ago. I should also like to discuss some of the rights and freedoms that I think the Bill ignores, and I should like to talk about the lack of parliamentary accountability in the legislation.

As many Members of the House will know but some of my constituents may not remember, in 1976 it was revealed that the RCMP security service had been involved in a number of criminal wrongdoings in the Province of Quebec. In 1977, the McDonald Royal Commission was established to inquire into the activities of the security service of the RCMP. It sat from 1977 until 1980 and issued a report which was very critical of the activities of the security service, particularly some of the activities which took place during the 1970s leading up to what is now popularly known as the FLQ crisis in the Province of Quebec.

The Commission found that there had been widespread institutional lawbreaking by the members of the RCMP security service. So far none of its members have been charged in court for any of the illegalities that occurred outside the Province of Quebec. The Government refuses to prosecute for breaches of federal statutes under its jurisdiction. No disciplinary action has been taken against members of the RCMP security service as a result of wrongdoing within the service although a number of trials are presently under way in the Province of Quebec.

The bottom line is whether the rule of law, which is the foundation of our Canadian judicial system, has been subverted. The law must apply to all Canadians, whether security service members or not. That is the position that is at issue today. Those of us who oppose the Bill going to committee say that Canadians should be treated equally before the law. If there are times when the security service or the police forces have temporarily to take action which is contrary to the law, they must do so only after having received an order from a judge permitting such action.

The McDonald Royal Commission report was made public in August, 1981, when the Minister announced on behalf of the Government that it was accepting the key recommendations of the report that a civilian security service outside the framework of the RCMP would be established. The new agency, with its sweeping powers and lack of accountability will be a step backwards, in our view. The Minister appointed a task force to draft legislation flowing from the McDonald Commission report. The Bill which resulted was tabled in

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May, 1983, as Bill C-157. It rejected many of the key recommendations of the McDonald Commission and was denounced across the country by provincial attorneys general, civil libertarians, academics and a broad cross-section of the Canadian community.

One of the problems with the Bill is in its definitions, particularly for the protection of the individual rights and liberties of Canadians at the same time as for dealing adequately with genuine threats to national security. As the Senate committee under Senator Pitfield said, this is a very delicate balance to reach. We agree that it is a very delicate and necessary balance and we think that this Bill fails to meet the test.

The major problem of the security service has been, and under this Bill would continue to be, the absence of political accountability, which on occasion has led to a failure to distinguish between dissent and subversion among the groups and individuals being investigated.

This Party suggests that the improved version of the Bill which came from the Senate subcommittee still falls short of the recommendations of the McDonald Commission. An example of this was brought to light by Edward Greenspan, a well-known lawyer from Toronto. He believes that the present version of the Bill would grant the agency that would be created the right to tap telephones not only for one year, which was supposed to be a protection for Canadians, but that an extension of the original warrant would result in the service being able to monitor people's telephones forever. There is no limit to the secondary application that the service is required to make once the application for the first year runs out.

Mr. Kaplan: We think he is wrong about that.

Mr. Althouse: Mr. Greenspan has pointed out that he believes that under the Bill Canadians can have their conversations bugged without any suggestion of lawbreaking or foreign control. He believes that there are no guidelines governing how closely judges must scrutinize wiretap applications and that there are no effective controls over the length of the surveillance.

This particular shortcoming of the Bill engaged Mr. Greenspan's interest. He thinks that the evidence would indicate that Canada is becoming a "wiretap happy country" compared to the United States. On a per capita basis, there are 20 wiretaps in Canada for every one in the United States. This would indicate that we have a much higher propensity among our secret service to place wiretaps than is the case across the border, Mr. Speaker.

One of the most serious problems with the Bill is the apparent lack of a watchdog agency to monitor what kinds of activities the secret service is engaged in. There has been an attempt to improve parliamentary accountability with the introduction of a Security Intelligence Review Committee, which would be a very limited committee operating under the auspices of the Privy Council. The members of that Council would be sworn to secrecy and could not report their findings in a general way, so that Members of Parliament, who are not