

*Government Orders*

horror I guess, that these are not phones, they are sophisticated CB radios. Believe it or not, people using sophisticated scanners can listen in to conversations and tell the world about them.

• (1555)

I find that an invasion of privacy. I think it is totally uncalled for. I think that the government of the day as reflected in this bill has the right to move on that particular front to solve that problem. I think that when two people are talking on what they believe to be a real telephone they have a right to privacy. It is as plain and simple as that. They have a right to privacy. I do not think anybody has a right to poke their nose into someone else's business, regardless of how titillating it may be to journalists, radio reporters, television reporters, and certainly the public at large.

I think the government was on the right track when it brought the bill in. It saw a problem and felt it had the answer to it and that was to sort of—I am not a lawyer—to criminalize this area. If you are found scanning these conversations, if you report them in a certain way and the matters come to public light, you would be violating under this bill, the amended Criminal Code, and either go to jail or face a fine.

I along with my colleagues believe that notwithstanding the good motivation of the minister in this particular case think he is prescribing the wrong antidote or the wrong solution. There is a better way. It is through a technical answer.

When a problem of this kind faces us, do we go to the source of the problem or do we seek an answer elsewhere? I would humbly submit that we go to the source. If you prevent someone from being able to invade a conversation in the first place, if you can do that with technology, through some technical means, surely that is the best way of doing it. Apparently the Americans as recently as 1992 did exactly that by banning scanners instead of allowing people to snoop, to invade people's privacy. If people hear something that they find rather titillating that they would like to relay and actually do relay, they would find themselves in trouble under this bill.

Why not nip it in the bud? Why not go to the source and stop the snooping in the first place through technol-

ogy? Surely that makes much more sense than allowing the process to proceed to a certain spot and then have the law intervene and say: "Sorry, you have gone too far; you have gone too far, you have broken the law, you have violated the Criminal Code, and because of that you are either going to go to jail or you are going to be fined".

Let's face it, that is an expensive process. It costs the state money to fine people; it costs the state money to send people to jail. How many are we prepared to fine? How many are we prepared to send to jail if we are really going to be serious about this.

In some ways it is rather impractical and there is a better way. We have proposed the technical solution. As the member for Mount Royal said earlier, our privacy commissioner favours just that, a technical solution. I want to quote him. He says: "I favour a technical answer if one can be found". He went on to say: "If limitations on the manufacture and distribution of scanning equipment were the answer, I would favour that, too".

That is what they are doing in the United States and I think that is what we should be doing here. This government is very fond of talking about a level playing field. In many ways we have turned Canada and the United States into a common market. Well, what about telecommunications? What about this area of using this new technology called telephones? Does it really make sense that the United States of America bans almost all kinds of scanners while we take a different approach?

• (1600)

We say it is fine to use the scanners but if you snoop or go too far then we are going to throw you in jail or fine you. I think this is one place where perhaps the two countries should be moving in parallel lines. They should be moving together.

The United States attacked this problem first through banning scanners. I think we should do the same. Perhaps not all scanners should be prohibited. If we were to revisit this matter at some other time and look at it from a different angle, we may decide that there should be one or two kinds of scanners allowed for particular purposes.

We could discuss that at length. We could really study that. That is something that we could put off to another time. I think right now we have to reiterate and make the