

Security Intelligence Service

for the service. That is a motion standing in the name of the Member from Vancouver South.

Motion No. 14 has a fundamentally different objective. Motion No. 14 would require that the Prime Minister, after consultation with the Leader of the Opposition in the House of Commons and the Leader of any Party which has at least 12 members, should appoint the Director and that the Director could only be appointed following such consultations.

Motions Nos. 13 and 14 are totally unrelated and in no way, Mr. Speaker, I submit, should Motion No. 13 be grouped for debate with Motion No. 14. Just to illustrate a somewhat surprising position in which we would be left under the suggestion that an affirmative vote on Motion No. 13 would obviate the need for a vote on Motion No. 14, let me say that an affirmative vote on Motion No. 13 would state that the Director has operational responsibility for the service. Let us assume there is an affirmative vote on that. That in no way, Mr. Speaker, deals with the scope and the objective of Motion No. 14, which calls for consultation before the Director of the service is appointed. I am not sure what the objective of the Chair was in grouping those motions. I hope the Speaker recognises that an affirmative vote on one would not dispose of the other. They are separate points and should be grouped separately and voted upon separately.

Turning to a paragraph 6 of the Speaker's preliminary ruling, which deals with Motions Nos. 15, 76, 84, 117 and 175 on the question of the introduction of the principle of a parliamentary oversight committee into the Bill, the Chair notes that this is a concept which is not in the Bill as introduced or as read a second time, and refers back to Motion No. 4. The Chair suggests it is a new idea which was not contemplated in the Bill as agreed to at second reading.

With respect, Mr. Speaker, this question of the possibility of a role for Parliament in the oversight of the operations of the new civilian security service is a question that was dealt with repeatedly by this House at second reading. It is a question which many Members of the House, including Members of the Opposition, view as being one of the central issues to be addressed in this Bill. Even the Solicitor General suggested that he was prepared to hear debate on the question of parliamentary oversight. He was prepared to hear representations by witnesses with respect to the amendment I was proposing on that question. Indeed, even Members of the Liberal Party were prepared to support the concept of parliamentary oversight.

● (1720)

To suggest that this concept or principle is one which is novel, or one being introduced for the first time, flies in the face of the debate itself. It flies in the face of the fact that this is a concept which was dealt with on many occasions by many speakers from all Parties—not just on the Opposition side of the House but on all sides—at second reading.

I will not take the time of the House to read some of the representations which were made by Hon. Members at second

reading on the question of a parliamentary oversight committee.

Mr. Kaplan: Go ahead, read them.

Mr. Robinson (Burnaby): Unless the Solicitor General so insists.

Mr. Kaplan: You want this to last forever. You might as well read them.

Mr. Robinson (Burnaby): I will certainly note that many witnesses dealt explicitly, at the suggestion of the Solicitor General, with the question of parliamentary oversight.

What motions are referred to in paragraph 6? First, there is a suggestion that before the Director of the new civilian security service is appointed, that appointment must be ratified by the parliamentary oversight committee. Surely that does not go beyond the scope of this legislation. Surely it is not unreasonable to suggest that Parliament should play a role in the appointment of the Director. That, I suggest with respect, flows directly from the Bill itself and from the principles underlined in it.

Similarly, Motion No. 76 suggests that the appointment of the Inspector General must only be made pursuant to ratification by the parliamentary oversight committee, again a function which is essential and which in no way derogates from the underlying principles of the legislation.

Motion No. 117 is the one which explicitly would establish this parliamentary oversight committee. This is the motion which the Speaker suggested went beyond the scope of the Bill. The motion suggests that the report prepared by the Security Intelligence Review Committee—and that Committee is already established in the Bill—on an annual basis, together with any special reports which are prepared, should be referred to a special committee of the House of Commons or a special joint committee which would be established by Parliament for the purpose of engaging in effective and comprehensive oversight of the administration and policies and operations of the service, and they would have access to the information.

That in no way transgresses the principles of this Bill. Indeed, the Solicitor General has argued on numerous occasions that there will be a role for Parliament to play pursuant to the provisions of the legislation. All this is doing is codifying the role that Parliament will play in this essential question of oversight by elected representatives. Therefore, I must take very strong exception to the suggestion that it is somehow beyond the scope of the Bill to include the concept of a parliamentary oversight committee.

There was never any suggestion at committee, either by the chairman of the committee or any member thereof—and I see a number of the members of the committee in the House today—that this concept of parliamentary oversight, which would help to ensure that the committee would not become a political tool in the hands of the government of the day, should not be included. This concept has indeed been adopted in other