

Security Intelligence Service

the power to provide security assessments for the work of the federal Government. Third, in one of the provisions, which has been largely overlooked by the media, the security service would in effect have the right to operate in an area which has nothing whatsoever to do with national security. This has been in fact acknowledged by the Solicitor General in his testimony before the Senate committee. I am speaking now, Mr. Speaker, of the area of providing knowledge and information which might assist Canada in the conduct of external affairs. That has nothing whatsoever to do with national security. I will come back in a moment to deal with some of the very serious threats which are posed by this Bill under that particular heading.

In dealing with the proposed mandate of the security service with respect to threats to the security of Canada, I note that the definition which is contained in Bill C-9 is still significantly broader in a number of ways than that which was recommended by the McDonald Commission. Certainly there has been an improvement of Bill C-157 in Bill C-9. However, it remains a fact that Canadians who have broken no law whatsoever, but fall within the very sweeping mandate of this Bill, are subject to the intrusive powers which are set out in the legislation. The mandate has been denounced by such people as Attorney General Roy McMurtry, as being dangerously vague. That comes from one who is not known in this country as being a particularly strong defender of civil liberties. It is still the case, Mr. Speaker, under the provisions of this Bill, that a church group, trade union movement or any other organization which chooses to send funds to the African National Congress in southern Africa to support that country's liberation group which is in opposition to a system which is inherently violent, or to a Central American liberation movement, or, for that matter, to Afghan rebels, could have its membership targeted and all the intrusive techniques in this Bill could be used against it. Cruise missile protesters could possibly be targeted under the provisions of subsection (b) in this proposed legislation, if some over-zealous director felt they came under the influence of some foreign power. We need only look south of the border to see there has been some suggestion of that.

In defining the potential targets of this proposed legislation, surely we should be as careful as possible to ensure that we are dealing with legitimate threats to national security, whether it be espionage or terrorism, as is carefully and properly defined because, Mr. Speaker, we have seen all too often that where there exists the possibility for abuse in the surveillance of innocent Canadians, unfortunately that possibility will be taken advantage of. The security service opened files on over 800,000 law abiding Canadians.

I believe that the potential scope of the legislation, in terms of its potential targets, remains far too broad. However, in many ways the heart and guts of this Bill and the most important element of the Bill are the powers which are accorded to the new security service. It is in this area of the powers, which we are being asked as a Parliament to grant to this body—which will not remain accountable to a parliamentary

committee—that I believe the greatest danger lies. It is in this area, Mr. Speaker, that the new civilian security service is being given powers far beyond those which are possessed by the present security service within the RCMP. The new security service would have the power literally to break into any place, anywhere in Canada. That would apply whether it be MPs' offices, doctors' offices, government offices—in fact, they would not have to break into government offices under the Bill because they would have access to those records as a matter of right—or into one's home. No place is sacred under the legislation.

● (1520)

Mr. Kaplan: With a judicial warrant.

Mr. Robinson (Burnaby): The Government would have access to literally all government records—I am sorry, the security service would have access to all government records, whether they be family allowance records, unemployment insurance files, income tax records, you name it. There would be *carte blanche* access to government records under the provisions of the legislation. As well, it would have access to all private records, medical records, psychiatric records, records of a lawyer, records of a clergyman, upon application to a federal court judge and upon the issuance of a warrant. Nothing is sacred.

Mr. Kaplan: There is an important safeguard.

Mr. Robinson (Burnaby): Statistics Canada managed to obtain an exemption of the census records but beyond that, all records are subject to the scrutiny of the new security service.

What did the McDonald Commission have to say about the availability of records to the security service? It said that the security service should not be able to use any intrusive technique against Canadians who are suspected of engaging in subversive activities. It suggested that in dealing with those who are suspected of espionage or those who are suspected of terrorism, some intrusive techniques may be appropriate. It said very clearly that no intrusive technique, be it mail opening, be it access to government records, be it wiretapping, must be used against Canadians who are suspected of subversive activity. The Bill rejects entirely that fundamental recommendation and makes everyone the subject of these intrusive techniques.

The Solicitor General asks about the availability of a warrant. He says that they have to get a warrant. Certainly they have to get a warrant, just as the police forces today have to obtain warrants for wiretapping. If one looks at the statistics of applications under the provisions of the Criminal Code, one will find that over the last four years, out of a total of 2,000 or 3,000 applications, perhaps 15 or 16 have been rejected. What kind of safeguard is it when dealing with intrusive techniques to suggest that a federal court judge is going to act as a vetting device?

Mr. Manly: Dial a judge.