

Government Orders

• (1440)

We will accept it on second reading because we want it to go to a legislative committee. It is not a good fact basis for law. I hope the government will consider this even before the committee meets and give consideration to making changes. If not then certainly our priority in committee will be scrutinizing this very carefully.

Mr. Ian Waddell (Port Moody—Coquitlam): Mr. Speaker, I rise as justice critic for the New Democratic Party to speak on this bill.

My friend from Cape Breton—The Sydneys is correct in that the bill is divided into two parts. The first part deals with matters of wiretap and so on and concerns police officers and a few others.

The second part deals with cellular phones and the like. It worries me a bit that this bill, which is such an important bill on such an important issue that affects so many Canadians, is coming at the end of a dying Parliament.

We have to get at it for some reasons. It is mainly because the courts and the police require it. The Supreme Court has directed us to make amendments and the police require them to make life safer for them. At the same time we should not go too quickly because there are some rather immense issues involved.

Let me deal with the second part just briefly, the matter of the cellular phones. My colleague from the Okanagan, who is our communications critic, will deal with this in more detail but I could not help thinking of an occurrence when I was listening to the hon. member from Cape Breton.

Brian Smith, the former Attorney General of British Columbia, got caught using the cellular phone to talk to his girlfriend of the day. She happened to be a journalist at the time. He would have liked this bill. I was thinking about the two civil servants in Quebec who were caught criticizing their boss, Robert Bourassa, the premier of Quebec over the Charlottetown accord. They would have liked the bill as well.

I told the hon. member that when I was on the gun control committee, a member of the public called me and said: "I want to give you a tape". I was sent the tape. It had on it the private conversation of a Liberal member, not the hon. member who is in the House, from the committee with his assistant. They were basically bad mouthing me in my position.

I found it shocking, quite frankly. It was not so much that he bad mouthed me. That is part of the game and I

probably deserved it that day. What I found shocking was the fact that some unknown member of the public gave me this. I could get right into the private conversation of someone like that.

I did nothing with the tape. I got rid of it and forgot about it. I indirectly warned the member that he should be careful because what he says on a cellular phone can be picked up by others. That is what the hon. member for Cape Breton—The Sydneys was saying, that Canadians have to learn that these are radios. They are not really phones as we know them which are supposed to be private, even though they are wiretapped far too often.

I am particularly concerned about this. I read an article just a few minutes ago by Ms. Cristin Schmitz who is the Ottawa correspondent for *The Lawyers Weekly* and a member of the Canadian Association of Journalists. I am not sure which publication this comes from but I can let members see it. I think it is from *The Hill Times*. She says: "The Canadian Association of Journalists last week voted to oppose Bill C-109". She mentions this is a violation of freedom of expression. Here is the argument: "Bill C-109 will certainly protect the commercial interests of cellular phone companies who pay government millions of dollars every year for licensing fees", but will hurt people's freedom of expression, particularly the news media where there will be a chilling effect.

I quote: "We can anticipate future cases where reporters will receive highly newsworthy legally-intercepted information which they will only be able to print or broadcast if they are prepared to break the law".

• (1445)

The problem I see for the journalistic community, and I am one who has spoken loud and long for freedom of speech and freedom of expression, is that there have been a lot of abuses of intercepted cellular conversations.

In the Quebec case, that was in many ways an abuse. In the civil servants' case that was published, I think it was an abuse. Look at the conversations between Prince Charles and other people, Lady Di and other people and so on. There is a right to privacy. One of the problems that journalists are going to have to deal with is that they have in fact exploited for their own purposes, to sell newspapers and to make money or to broadcast and make money just like the cable companies make money. Have they gone over the line? Does freedom of expression run into people's violation of their rights to privacy? That is what we are going to have to look at in committee.