

Criminal Code Amendment

He said: The subject matter of this bill is something which is of wide public interest and concern. Perhaps this concern is still not wide enough. I certainly feel that the concern is not wide enough in this house on the subject of the invasion of privacy.

As hon. members know, there are several private members bills on the order paper dealing with wire tapping and electronic eavesdropping. My bill, No. C-45, like the one which was debated recently, was filed before the commencement of this parliament in an attempt to ensure that the question of the invasion of privacy by electronic eavesdropping would be examined by this house and in the hope that there would be a public investigation into the extent of electronic eavesdropping in Canada today.

Bill No. C-45 now under discussion is I believe the first bill to suggest the outlawing of electronic eavesdropping as such. The bill previously discussed did deal with wire tapping. There is, however, a much wider field for the invasion of privacy by electronic means today. This bill would outlaw wire tapping as well as all other forms of electronic eavesdropping except in cases where it is approved by a judge of a superior court of criminal jurisdiction who has been satisfied of its necessity by information under oath, in advance of the use of this investigative tool.

I am sure no sponsor of a bill such as this would suggest that law enforcement authorities should be deprived altogether of the most modern and powerful means which may be put at their disposal for the prevention of crime and the bringing of wrongdoers to justice. What this bill does suggest is that electronic eavesdropping and wire tapping are so drastic in their nature and go so deeply to the heart of our freedoms that this method should not be used in the absence of the strongest control and justification.

The police authorities themselves recognize the serious dangers inherent in present practices involving electronic eavesdropping. The chairman of the Metropolitan Toronto Police Commission, Magistrate Charles Bick, complained recently that wire tapping has become "one of the most despicable invasions into the right of privacy" and that "no one on a government level where change could be made seemed interested in any degree".

This is a serious charge by a police official, implying that the means of electronic eavesdropping available to police are much too readily available generally. It brought to our attention the fact that these methods are open

[Mr. Stanbury.]

not only to the police but to private investigators and to ordinary citizens.

There is in fact no federal or provincial law in Canada which prohibits electronic eavesdropping. It is difficult to read a daily newspaper or a current periodical without being aware that our right to privacy is in grave danger at the hands of people who would use electronic eavesdropping devices improperly.

I understand that recently the Attorney-General of Ontario said in the provincial legislature that he knew of no agency in Canada which would tell a subscriber for a fee whether or not his telephone was being tapped. It would seem to me that the attorney general of Ontario may have been closing his eyes to the existence of several hundred private investigators who are licensed in the province, and who make no secret of the fact that these facilities are available to their own clients. He could not have seen the reams of literature which are available to those who are interested in purchasing electronic surveillance equipment.

I have a number of catalogues here which are reminiscent of catalogues put out by Eaton's or Simpsons-Sears from which any member of this house or, for that matter, any person in Canada as well as in the United States can purchase the most exotic selection of electronic listening devices. Perhaps I can refer to a few of them to indicate how sophisticated they are.

Here is a "briefcase undercover automatic tape recorder". The recorder can be used outside the briefcase and with the aid of an automatic telephone tap device which can be purchased as an accessory, telephone conversations can be recorded secretly and automatically: only \$195. Then there is the "police professional listening-in device." I may say there is no indication here that it is available only to police. In fact it is generally available. The catalogue says:

This unit is for listening in on conversations away from where the conversation is taking place. With the super-sensitive microphone planted in the room, the operator can be as far away as 1,000 feet in another room, floor or even in another building. Whispers can be heard with the super-sensitive microphone as far as 12 feet away, \$119.

Another unit, a smaller edition of the same thing, costs \$45. Then customers are offered a "pocket model listening-in device, battery operated," said to be ideal for listening in on conversations away from where the conversation is taking place: only \$39.