

Oral Questions

● (1420)

LABOUR RELATIONS**WEST COAST GRAIN HANDLERS' DISPUTE**

Hon. James A. McGrath (St. John's East): Madam Speaker, I have a related question directed to the Prime Minister in the absence of the Acting Minister of Labour and of the Minister of Transport. Would the Prime Minister tell the House what the Government intends to do about the grain handlers' dispute in Vancouver, which is going from bad to worse and which resulted over the weekend in no grain being moved through the Port of Vancouver? What steps does the Government intend to take to ensure that grain continues to move and that the farmers of western Canada will not be held up to ransom?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I believe the Hon. Member heard the answer from the Minister of Employment and Immigration last week, who was, I believe, answering on behalf of the Minister of Labour, that the Government is monitoring the situation and that we are happy at this time to see the parties themselves engage in an attempt to solve their problems. If it ever should happen that the public weal calls for government intervention, we would then consider intervention.

REQUEST THAT MEDIATOR BE APPOINTED

Hon. James A. McGrath (St. John's East): Madam Speaker, government intervention perhaps can be avoided if the Government will take its responsibility now. I ask the Prime Minister if the Government intends to move in to try to mediate this dispute before it goes from bad to worse. Obviously, the next step will be a work to rule situation by the grain handlers, which will again slow down the movement of grain out of Vancouver. Does the Government intend, at least at this stage, to give consideration to appointing a mediator because, as the Prime Minister knows, the basis of the dispute goes back to the conciliation report on the last work stoppage in Vancouver in 1974?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Hon. Member heard the Minister answer that it would not be appropriate nor conducive to a settlement at this time to bring in the services of a mediator. However, I repeat, the Government is following the situation.

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CANADIAN SECURITY INTELLIGENCE SERVICE**MCDONALD ROYAL COMMISSION RECOMMENDATIONS
RESPECTING JUDICIAL WARRANTS**

Hon. Edward Broadbent (Oshawa): Madam Speaker, my question is directed to the Solicitor General. The Minister knows that when a state grants to security services new powers of intrusion in the name of protecting freedom, the result is that there actually is less freedom to protect. For this reason

Justice McDonald recommended certain crucial safeguards which the Minister has discarded. I would like to ask him about some of these. Why did the Minister discard the requirement that the Security Service would have to meet very specific tests in applying to a judge for permission to do certain acts which otherwise would be quite illegal? And why did the Minister abandon the sensible anti judge shopping clause which Justice McDonald recommended?

Hon. Bob Kaplan (Solicitor General of Canada): Madam Speaker, to take the last first; as far as the anti judge shopping clause is concerned by requiring reference to a federal judge, there was already a considerable limitation of the number of judges who could be approached since there are only 16 federal judges and there will only be a small increase in that number in the foreseeable future. My anticipation also is that the Chief Justice of the Federal Court will develop a duty roster type of system so that it will be a matter of a small number of judges available at any particular time. In other words, there is no counterpart in this situation to the situation which exists within the Criminal Code, where I do not believe judge shopping occurs to a degree which amounts to a serious problem but where, nevertheless, structurally there are hundreds and hundreds of judicial officials available who can authorize the issuance of the judicial warrant.

On the question of the balance between the safeguards which are required for the exercise of obtaining a judicial warrant, and the effectiveness of the Service, I will simply say that I recognize very well the need for a balance. However, at the bottom of it Hon. Members of the House must recognize that national security is an intrusion on privacy and on civil liberties. Our goal is to try to develop a system of safeguards and controls which do not exist under present arrangements. We are seeking to create them, which will ensure that the intrusions are the minimum and that the safeguards and controls are adequate to ensure that the service will not unduly violate the privacy and civil liberties of the Canadian people.

ACTIVITIES WITHIN CANADA OF FOREIGN SECURITY AGENTS

Hon. Edward Broadbent (Oshawa): Madam Speaker, it was precisely to deal with that important realm of freedom, at the same time as meeting the security requirements, that Justice McDonald laid down very specific tests which security agents should have to meet before they are given such extraordinary powers. It is those specific tests which the Minister has discarded, and he has not told us why.

I would also like to ask him why he provided a clause in the Bill which will permit foreign agents, for example, from the CIA, to act in Canada in a way which, if they acted in terms of Canadian laws which exist now, would be perfectly illegal, but in terms of the new Bill would be quite permissible. Why did he do that? In answering that, would the Minister also acknowledge that this Bill permits security agents in Canada,