

*Security Intelligence Service*

child could understand, the Bill seeks to set out rules within which the security service must operate.

When the second reading debate was held and there were comments made about the Royal Canadian Mounted Police, there was no suggestion that that was irrelevant or something which could not be discussed. During the committee hearings there were representations reviewed by the committee which dealt directly with whether the security service should become completely a civilian service or whether it should stay under the aegis of the Royal Canadian Mounted Police. When this question was being discussed in committee by witnesses who put forward their propositions and submissions from briefs that were filed by other witnesses, it did not seem to be such a bizarre notion to be discussing whether it was appropriate to remove the security service entirely from the aegis of the RCMP. It is important that people understand that this security service which is receiving this set of rules and regulations as set out in this Bill is not something that will suddenly take effect the day after the Bill receives Royal Assent. It has been in existence for many years. The security service has been a mix of many things. While it is under the aegis of the RCMP, not everyone in it is a member of the RCMP.

● (1130)

The Commissioner has been operating the service and has been responsible to the Solicitor General for its operation. All that this present Bill does is replace the Commissioner with a Director. That is one of the simplest effects of the Bill. The essential purpose of the Bill is to place the rules by which the security service will operate into law. This Bill would still stand if it were amended to read "Commissioner" of the RCMP instead of "Director" except for some consequential amendments. We have made it quite clear which of our amendments would be consequential. The mandate would still exist.

The mandate can apply easily to a service under the aegis of the RCMP or a service under the civilian Director. In other words, the purpose of this Bill is not to create a new security service. It simply sets down some rules for a security service that already exists. All of this talk about a new security service, especially in the media, is, with great respect, inaccurate. There is nothing new about it.

I think it is appropriate at this time to put on the record what the Minister said in committee to support the fact that this security service has been in place for many years and will continue to exist with the same people. This Bill will make many of the present regulations and rules that have been applied by the Solicitor General (Mr. Kaplan) mandatory after the unfortunate troubles of over a decade ago. I put this question to the Minister in committee:

The fact is, Mr. Minister, that for many months now—for many years in fact—since the revelations in the House of Commons in 1977 and the action which was taken consequently, the security service has been working as a part of the Royal Canadian Mounted Police. The commissioner has been reporting to the Solicitor General effectively, competently and in a manner in which I am sure you would agree meets with your approval. You testify that this has been done in a manner which meets the appropriate sensibilities of the Canadian public. Is that not so?

The Solicitor General replied:

Yes, that is so.

It is important that we understand what we are doing here and that the Canadian public realizes that this exercise is not to create anything new at all. We are laying down the set of rules into law under which the security service, which has been in existence for these many years, will have to operate. In fact, we are putting rules into statute form that are already in place. The passage of this Bill is, to a remarkable degree, a firming of the rules that were established after the revelations of the wrong-doing in the early 1970s that were brought to the attention of the House in 1977. I point out that it has been seven years since the matter was raised in the House of Commons and 14 years or more since some of these wrong-doings that were complained about took place.

I also want to refer to some of the comments of the Solicitor General during second reading debate. This is what the Hon. Solicitor General said in the House about the principle of the Bill at second reading:

Mr. Speaker, the proposed legislation before us today represents a major turning point for Canada's security intelligence system. We are asking Parliament to provide for the first time in Canada's history a legal framework more comprehensive and more detailed than that of any other security system in the world.

Notice that he says "We are asking Parliament to provide a legal framework". I agree completely with what the Hon. Solicitor General said because I suggest that that is the basis of this legislation. He went on to say:

The purpose of this bill is, therefore, to a large extent, to provide a new set of guarantees and controls that do not exist at the present time in order to protect the rights of Canadians against undue interference.

The Solicitor General was explaining at second reading stage what this Bill is all about. It does not take much imagination to realize that all of that is just as applicable to a security service that reports through the Commissioner of the RCMP as it is to a security service that reports through a civilian director.

There has been much talk about great change. However, the fact is that all those who have been in the security service all of this time will still be there when this Bill is passed. This Bill will set out the legislative mandate, through the rules that have been passed by the House of Commons of Canada, which they must apply. That is the purpose of this Bill. I would ask you, Mr. Speaker, to take that into account when you consider your preliminary ruling.

● (1140)

I am trying as best I can not to deal in this discussion with your preliminary comments which do not affect my motions. There are others who seem to be quite able to argue their own case and I do not want to stray into that area, Mr. Speaker. Unfortunately, and I am sorry to have to advise your Honour of this, I had made some careful notes on my own copy of your ruling of yesterday which would have enabled me to get through my submission more quickly this morning than I am going to be able to because somehow that copy has been