

tive powers, and any illegalities must be reported by the Minister to the Attorney General.

Second, there will be an external Security Intelligence Review Committee, made up of respected "outsiders" who have no vested interest in the service. At least three and up to five Privy Councillors who are not sitting in Parliament will be appointed by Order in Council, after the Prime Minister has consulted with the Leader of the Opposition and the leader of each Party in this House with at least 12 sitting Members.

The Review Committee will have full access to detailed information on the activities of the service. It will receive regular reports from the Director of the service and from the Inspector General. It will conduct an ongoing review of policies and procedures, making recommendations to the Minister as it sees fit. It will investigate complaints against the service and will review the security screening process affecting immigration and government employment, investigating specific cases, if necessary. This opportunity to seek review by citizens who are denied government employment, denied promotion within the Government, or denied various immigration possibilities, is something new, created for the first time by this legislation. It should also be considered a great step forward for civil liberties.

Finally, this Review Committee will report annually to Parliament and under present rules this report would be referred to a standing committee. Thus, an important role of the Review Committee will be to highlight any concern about abuse of powers within the service and to bring particular issues of policy into the field of public and parliamentary debate.

[*Translation*]

At the risk of appearing to be repetitious, I would like to emphasize the fact that all the provisions of the Bill, including the legislated terms of reference, the powers defined by Parliament, the judicial control and the review by an external organization, are new and are all necessary to maintain a proper balance between national security and the civil liberties of Canadians. None of these guarantees do exist at the present time. We are breaking new ground with this Bill, and as always, this is not easy to do.

Every Government in the world is reluctant to provide a detailed legislative framework for security intelligence activities. The reason for this is obvious. Whenever people are asked to think about the powers required to ensure the efficiency of security intelligence, they feel deeply concerned. It is thus easy for critics to keep stressing the dangers inherent to these powers and to avoid mentioning the provisions set up for their use.

[*English*]

Shall I call it one o'clock?

The Acting Speaker (Mr. Herbert): It being one o'clock, I do now leave the chair until two o'clock p.m.

At 1 p.m. the House took recess.

Security Intelligence Service

AFTER RECESS

The House resumed at 2 p.m.

[*Translation*]

The Acting Speaker (Mr. Herbert): The Hon. the Solicitor General.

Mr. Kaplan: Mr. Speaker, having almost completed my remarks, I should like to resume where I left off.

The Government is attempting to deal openly and frankly with the issue of national security. We believe that the best way to protect civil liberties is to establish publicly a legal framework which will enable us to define and control intelligence activities. We also believe that such a framework cannot be effective unless we have the support and understanding of the public.

• (1410)

[*English*]

Few people would deny the need for legislation in this area. With the Charter of Rights and Freedoms we have demonstrated and affirmed our commitment to individual liberty. We have acted on that commitment with initiatives such as the Freedom of Information Act, the Privacy Act, and the Young Offenders Act. In the context of these accomplishments, Bill C-9 responds to a significant gap, a gap that could seriously undermine the genuine achievements of this Parliament. That is why this legislation is vitally important.

Bill C-9 is the result of a long and difficult process which began 15 years ago. The Government has shown its good faith on the issue. We are not after Orwellian security service and we are not out to transform Canada into a police state. On the contrary, we have listened to public comment on our proposals and, while I may have felt that some criticisms were exaggerated, I recognize that the concerns were real. I have done my best to accommodate those concerns in Bill C-9 and I believe this Bill is a better piece of legislation as a result.

These are the proposals, Mr. Speaker. I would like to see these important safeguards put in place and as soon as possible; but that is up to Parliament. After 15 years of discussion and debate I think the real issue today is this: We can give the people of this country clear statutory assurance that their rights and freedoms will be respected, or we can leave our security intelligence system in a prolonged state of uncertainty, with no legislative framework, no public mandate, no judicial approval role, no independent or external review; in short, none of the safeguards we all believe are important to the rights and freedoms we enjoy in this society. Whatever we do during this parliamentary session, we will be forced to make one of these choices. I think, Mr. Speaker, the right choice is obvious.

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, I am pleased to finally—and I underline the word "finally"—have the opportunity to enter into debate on the floor of the House of Commons on this most important piece of legislation. There should be no mistaking the fact that this Bill under consider-