

*Security Intelligence Service*

journalists' notes—the security service could break into any place, home, or doctor's office with a warrant.

The procedures for safeguarding the abuse of warrants are not adequate.

There were over 800 applications last year and not one rejection for a search warrant. The applications allowed the opening of first-class mail.

Despite the McDonald Commission's recommendation that these powers not be used against Canadians who are not engaged in espionage or terrorism, this recommendation was not accepted. The existing security service does not have those powers. When it acted as if it had those powers, it acted illegally. We have the situation that, instead of the Government bringing the security service into line with what is lawful, what it wants to do is to make lawful a whole lot of things which are simply immoral, currently unlawful and contrary to what decent Canadians think we should have as principles for the operation of our security service.

● (1620)

One of the recommendations made by the Pitfield committee, which was rejected by the Government, was that before granting a warrant for intrusive powers, the security service would have to convince a judge that the invasion of privacy was outweighed by the nature of the material to be gained. In other words, there would have to be some proportion. Intrusive measures could only be used for a very serious threat. It could not be used idly. It could not be used for all kinds of activities such as fishing trips and so on which are permitted in Bill C-9 as it is currently drafted.

A judge can authorize the interception of any communication or the obtaining of any information, record, document or thing. The security service may enter any place or open or obtain access to anything; may search for, remove or return, or examine, take extracts from or make copies of or record in any other manner the information; may install, maintain or remove anything. These are enormous powers. They are scandalous powers and totally unacceptable powers. Our Party has fought against these powers initially in the House and then in committee. Voluntary organizations have spoken out against them. Churches are speaking up. We all continue to receive mail from concerned citizens saying that these powers are excessive and that what we are going to end up with is a security service with powers which are totally inappropriate for the task at hand. The irony of it all is that this is a security service which is supposed to protect Canadians, to protect the values we stand for, and it is now to be given powers which will themselves undermine the very things we treasure about Canada, the freedoms we have and the high standard of civil liberties we enjoy in Canada and we want to see protected.

The provisions in Bill C-9 for controls through an Inspector General are really very weak indeed. The Inspector General would be appointed by the Solicitor General (Mr. Kaplan), so that does not bode very well. The Opposition would be consulted, but that does not necessarily mean there would be any acceptance of any of the advice given. The Inspector General

would be bound by an oath of secrecy. In other words, this is a very internal appointment bound by secrecy and there is absolutely no manner of control over the operations of the security service through the Inspector General.

What we need to have is a parliamentary committee which would be given adequate access to information, with safeguards of course. This is indeed possible. Other countries have shown they can use parliamentary committees and have done so without any threats to their national security. I believe that is a reasonable level of control which we could expect from Canada.

**The Acting Speaker (Mr. Herbert):** Order, please. I regret to interrupt the Hon. Member but her time has expired.

**Ms. McDonald:** Could I have unanimous consent, Mr. Speaker, to continue my remarks?

**The Acting Speaker (Mr. Herbert):** The Hon. Member has requested unanimous consent to continue her remarks. It would require the unanimous consent of all Members present in the House. Is there unanimous consent?

**Some Hon. Members:** Agreed.

**Mr. Pinard:** I understand the Hon. Member was about to conclude her remarks, so if it is a matter not exceeding five more minutes, we agree. It is conditional on the fact that it should not exceed five more minutes.

**The Acting Speaker (Mr. Herbert):** There would appear to be unanimous consent of the House to allow the Hon. Member up to five minutes to conclude her remarks.

**Ms. McDonald:** Thank you, Mr. Speaker. I believe I can conclude in less than five minutes.

[*Translation*]

Bill C-9 will mark a milestone in our history. For the first time in Canada, the mandate, powers and controls governing the operations of the new Service, with the conditions to which it would be subject, will be established through legislation. It is a laudable step, at least on paper. Unfortunately, the Government cannot be congratulated on the contents of this Bill. If measures to control the Service are inadequate, the principle of legislative controls will not suffice. Principle alone can do nothing. We must have both the principle of legislated controls and adequate measures in the Act.

[*English*]

This is a monstrous piece of legislation. It goes beyond all proportion. The controls for which we have argued and for which concerned citizens of this country have argued, are simply not there. It is very important that the Government listen and accept amendments. It should listen to the wisdom of people who are concerned and who know something about the issue and who are making these points constructively.

We have a number of amendments to bring to this legislation. We very much hope that the Government will accept these amendments. We cannot realistically expect the Govern-