

Security Intelligence Service

shown for the House of Commons when one tries to close off debate on a Bill that is clearly controversial and clearly unpopular among most Canadians.

This is evidence of the hypocrisy of this Government that can bring in a Charter of Rights and Freedoms, to which most of us in this House assented and which most of us find to be a good piece of legislation, while in the same Parliament it can bring in a piece of legislation which will take away or limit some of those rights and freedoms.

In the few minutes available to me this afternoon, I want to relate a personal experience which shows how this Bill would threaten the right of Members of the House of Commons to conduct themselves freely in representing their constituents. This experience took place in the fall of 1979. I had been a Member of the House for a matter of three or four months then. Indeed, the House had been sitting only a few days when circumstances started that led to the whole business that I am going to relate. The first chance I had to ask questions in the House of Commons occurred on October 12, 1979. I raised a couple of questions concerning the new fighter program. At the time they related to both the F-18 and the F-16. I directed these questions to the then Minister of National Defence, the Hon. Member for Victoria (Mr. McKinnon). In one of the questions I raised I referred to a report from a Government Department which indicated that one of the two companies that was the finalist in the competition for the new fighter aircraft had not been dealing in good faith in the opinion of bureaucrats in the Department of Industry, Trade and Commerce. In referring to that report I pointed out that it had never been officially released by the Government. I asked the Minister of National Defence to release it. I mentioned that I had a copy of the report in my possession. In answering my question in the House, the Minister of National Defence said:

Mr. Speaker, I do not agree with the philosophy of the defence critic for the NDP that this is going to be something that will not be absolutely necessary. We do not enter into these purchases lightly.

As far as the report is concerned alleging that the competition was a sham, I believe the report was not quite the one that it is purported to be. It was leaked some time ago. I did not find it worth while commenting on at the time. It was turned down at the first level of review. I am sorry the hon. member has taken it so seriously. The leaking of reports on a serious matter like this makes it more difficult to carry on negotiations, but negotiations have been carried on in a fair and competitive manner despite the leaking of that report.

That can be found in *Hansard* at page 123. I quoted from *Hansard* to indicate that the Minister said rather clearly that the report was really inconsequential, that it was peanuts as far as the government of the day was concerned.

After this exchange had occurred and about a month and a half later, the home of an Ottawa journalist, the journalist who had been researching material relating to that leaked report, was raided by the RCMP. I rose in the House on November 26, 1979, to question the then Prime Minister about this raid. I asked him to release guidelines which had been promised that would outline the powers of the RCMP in matters such as this. The then Prime Minister told me that this search and seizure of the reporter's papers had taken place under the authority of what he called "informal documents". He told me that these

documents were about to be replaced. He also admitted that day that these informal documents:

—had not been approved by the Government of Canada—the predecessor Government or our own—and, indeed, of whose existence until this affair I did not know.

What we had, Mr. Speaker, was a case where the Mounties at this time were operating without clear guidelines, at least none of which the Prime Minister was aware. I should hasten to point out that they were not acting on their own in this case but under the direction of a very uneasy and clearly embarrassed deputy minister of defence. A day or two later I learned that the RCMP had obtained a warrant to search my office in this building for the leaked material to which I had referred in the House a couple of months earlier, that leaked material being material which the Minister of National Defence had told me was inconsequential. As it turned out it was only as a result of a refusal by the Speaker of the day that the RCMP was not allowed to search my office.

On November 30, 1979 I raised a question of privilege, a part of which I shall read into the record as follows:

I do not believe that a member of Parliament is above the law, but as you, sir, pointed out to the RCMP when they contacted you, I am not guilty of any wrongdoing and, therefore, there should be no need for such a search. For your support and the support of the House leaders, I offer my thanks . . .

I believe that my rights and privileges will be affected by any search of my office for information it is not unlawful for me to have. Should any search be allowed, my relationship with my constituents will be adversely affected and so, too, will the rights and privileges of all members of this House . . .

Is it the policy of this government, without prima facie evidence, to authorize RCMP officers to set out on fishing expeditions in the offices of members of Parliament?

The question then, of course, was rhetorical for I surely believed that my privileges as a Member of this House could not be so easily violated. Mr. Speaker Jerome upheld my belief.

I would like to believe, Mr. Speaker, that those privileges are still held sacred, but it appears on looking at Bill C-9, that this is not the case. Early in February, 1984 I read in *The Globe and Mail* a report emanating from Ottawa which confirmed my fears. It seems that our current Solicitor General (Mr. Kaplan) has admitted he has no qualms about this new civilian intelligence agency breaking into the offices of Members of Parliament.

Mr. Kaplan: A warrant authorized by a judge.

Mr. Sargeant: If the piece of legislation we are currently debating had been in effect in 1979 and if the Solicitor General who sits across the House from us in 1984 has his way, my office could have been raided, simply on the approval of a judge.

Mr. Kaplan: With a warrant and an affidavit.

● (1550)

Mr. Sargeant: "With a warrant", the Minister says. We are talking about a state of affairs or a historical fact which has been in place since the days of Cromwell when the King