

● (1610)

When we look at the Bill, we must measure it against an objective standard. That standard can be explained in two very simple statements: First, does the Bill protect the individual rights and liberties of citizens? Second, in the process of operation, does the Bill have some kind of accountability to the political forces of this country—to the Parliament of Canada? In both cases, unfortunately, we must say no.

Bill C-9 was introduced in the House last January and has been discussed off and on since that time. In the next week, as we discuss the Bill we must look at the provisions in the Bill which are unacceptable. We must either eliminate them, or entirely eliminate the Bill. Consequently, our position is that we will not support the Bill as it stands. We will support a civilian force if there are safeguards in the Bill which we think are necessary and, incidentally, which many groups of people across Canada think are necessary. These are groups which have spent a lot more time thinking about and discussing this particular kind of protection than we have in this House.

In conclusion, I would say that it is very necessary that any threat to the security of Canada be balanced with threats to the civil liberties of the citizens of Canada.

The Acting Speaker (Mr. Herbert): For continuing debate, the Hon. Member for Broadview-Greenwood (Ms. McDonald).

Mr. Robinson (Burnaby): Mr. Speaker, I rise on a point of order. Before the Hon. Member for Broadview-Greenwood (Ms. McDonald) takes the floor, I wonder if there might be a Conservative Member who wishes to take her place. There have been four speakers from the New Democratic Party and we would welcome the intervention of at least one member of the Official Opposition on this important Bill. Perhaps, they are going to let it slide through the House the way they did in committee.

The Acting Speaker (Mr. Herbert): On that point of order, which is not a point of order, it is entirely up to Members to decide whether they want to debate that point. The Hon. Member for Lethbridge-Foothills (Mr. Thacker) on a point of order.

Mr. Thacker: Mr. Speaker, on that point of order, you will note that we are dealing with the first motion of the Hon. Member for Burnaby (Mr. Robinson) which would delete the title of the Bill. They are blocking our right to discuss Clause 2 which deals with definitions; Clause 12 which deals with powers; Clause 16 which deals with the collection of information; Clause 21 which deals with warrants; Clause 30 which deals with the Inspector General; Clause 34—

The Acting Speaker (Mr. Herbert): Order, please. That also is a point of debate. The Hon. Member for Broadview-Greenwood (Ms. McDonald).

Ms. Lynn McDonald (Broadview-Greenwood): Mr. Speaker, I have watched the debate on Bill C-9 for the last number

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of months with some concern. As well, I am very concerned with the way in which the Government is pushing the legislation through and the extreme reluctance which it has shown in accepting the necessary amendments to curb the unprecedented powers which would be given to the security service if Bill C-9 is passed.

[*Translation*]

The powers given the Canadian Security Intelligence Service in this legislation are too vast and are unprecedented in our system. The Government will have access to all governmental and private documents, excepting the data of Statistics Canada. For instance, the Canadian Security Intelligence Service will, if this Bill is adopted, be able to enter the offices of doctors, lawyers, priests and ministers, psychologists and private homes. A judge may issue a warrant authorizing the persons to whom it is directed, and I am quoting from the Bill:

(a) to enter any place or open or obtain access to any thing;

(b) to search for, remove or return, or examine, take extracts from or make copies of or record in any other manner the information, record, document or thing; or

(c) to install, maintain or remove any thing.

Perhaps I may note that among all these measures, there is a lack of any sense of proportion.

A person applying for a warrant for instance, to intercept and open mail or install bugging devices, is not obliged to establish the probability that a crime will be committed or the threat of a crime or a real or serious threat to the security of Canada!

Another serious shortcoming of Bill C-9 is the lack of any process of accountability.

The MacDonald Commission proposed that the Service's activities should be controlled by a parliamentary committee. The Bill before the House today gives the appearance of such controls but the powers granted to the parliamentary committee are inadequate. The proposed committee will have no right of access to Cabinet documents. As a result, it will be unable to judge whether or not activities undertaken by the Service are indeed necessary. The Government can always say that the committee does not have the necessary information to understand why interception procedures were carried out.

In other countries, including countries with security problems that are far worse than ours, these parliamentary committees do exist. In the United States and West Germany, parliamentary committees oversee security services, and have access to all information in the possession of these services.

[*English*]

The powers proposed in Bill C-9 are sweeping and unprecedented. Access to all private and government records, with the exception of the census documents of Statistics Canada, is a very modest amendment which was accepted. It was accepted probably for the reason that census records would not be very useful for security purposes. What would be useful are medical and psychological records, income tax returns, legal files,