

I am anxious to hear other Members speak during second reading debate because I believe this is an issue about which we should be non-partisan. It is an occasion when we should be examining the subject matter of this Bill in an honest attempt to do what we believe is best for the country. I am anxious for the Bill to go to committee so that various groups in Canada, such as Alan Borovoy and the Canadian Civil Liberties Association, can be heard. When we hear from groups throughout Canada we will know what they think about Bill C-9.

While Bill C-9 is substantially different from Bill C-157, it contains many clauses which should concern citizens. It is the fundamental nature of the citizens of our country to believe that we should operate under the rule of law. If I can criticize the Government for anything, it would be for its breach of that principle of the rule of law by allowing people's rights to be attacked and thus allowing them to lose the presumption of innocence. We have members in the House who have suffered from that loss of the presumption of innocence by what is almost an innuendo. People are worried about the Bill because we have lost that sense of rule of law.

Another fundamental principle for which we all stand is responsible government. Once again, Canadians are worried because they sense that political partisanship is taking over, primarily because the Liberal Party has been in power so long, because of the nature of its federal Constitution, and because of the lack of autonomy at the riding level of its executive association. Canadians have the sense that Liberal back-benchers are not holding the Cabinet responsible for that tradition of a responsible government. That is why Canadians are worried about this Bill.

The primary concern of Canadians to whom I have talked is that the Liberal Government has been in power for so long that it has lost that sense of ministerial responsibility as it exists in the United Kingdom parliament. In Britain, Callaghan resigned as minister because of a report that came in days or almost weeks ahead of the Falkland Islands' issue. As a man of honour he said that although it was only a small memo, ministerial responsibility required him to step down because the integrity of the British way of life was affected. One has to admire him for resigning.

I can relate several cases where this example has not been followed by Cabinet Ministers in the present Liberal Government. If they had done so, they would not have been greatly hurt and it would have maintained that principle of Canadian law which is ministerial accountability. I believe that is why Canadians are worried about this Bill.

If this Bill had been proposed years ago by Prime Minister St. Laurent or Prime Minister Diefenbaker, I suggest that it would have been much better received because Canadians then had a central trust and belief that the Government would do what is right under the circumstances. They do not have that trust today. Hopefully after an election and a change of government there can be a whole new group of persons in the Cabinet who will lead to that restoration of trust so that the Bill could be brought back at that time.

### *Legal Fees*

We must face the question as to whether this Bill is needed at all. Those who are in favour of it support that view by referring to the growth of the intelligence service throughout the world. Since the Second World War there has been the Soviet school of thought and the American school of thought, with the fight between the two philosophies.

May I call it four o'clock?

● (1600)

**Mr. Deputy Speaker:** It being four o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

---

## PRIVATE MEMBERS' BUSINESS— MOTIONS

[English]

**Mr. Deputy Speaker:** Shall all orders and items listed under Private Members' Business preceding Order No. 58, be allowed to stand by unanimous consent?

**Some Hon. Members:** Agreed.

\* \* \*

## ADMINISTRATION OF JUSTICE

### REIMBURSEMENT OF LEGAL FEES

**Mr. Jim Hawkes (Calgary West)** moved:

That, in the opinion of this House, the government should consider the advisability of introducing legislation to allow the reimbursement, by the government, of all professional fees and other costs incurred by an individual for his defence against any action commenced by the Crown, including by way of indictment or summary conviction and including all appeals, and all other situations where the resources of the Crown caused an individual to incur expenses to defend himself against an action of the Crown:

1. where an individual is so required to take action under any Act of the Parliament of Canada and is subsequently found to be right; or
2. where, following the commencement of proceedings against an individual, the Crown has dropped the action.

He said: Mr. Speaker, I do not intend to speak for a long time because the time for Private Members' debate is rather limited. I hope a few other Members of Parliament will speak to this issue and support it, and I hope that we might finish our debate today in time to move the subject matter to committee so we can commence action in this direction, which is what is indicated.

The thought pattern and the experience which lies behind my decision to bring this motion forward to the Parliament of Canada really arises out of my experience as an elected politician since 1979. As a private citizen, not charged with the responsibility of representing others, I was unaware of the difficulties which we have created in modern Canadian society through what I believe to be the attempt of legislators to do