

ment's refusal to provide adequate knowledge and information about what is going on in government, and to provide the people of this country with an adequate law which establishes their right to know what is going on, this becomes very apprehensive.

Liberties do not disappear with a bang, they usually rot away. That is what is happening in this country right today. If one looks at what is happening in Italy, for example the kidnapping there of a former Prime Minister, and compares that with the situation here, one will see that we are heading down the road in the same direction. I am sure somewhere in the streets and sidewalks of Italy there is probably a future dictator waiting for the chaos which is developing there to provide the impetus for the establishment of a führer or Il Duce. We went through this a number of years ago in this world and there is no reason to believe we have any immunity from it in this country.

I quite accept the fact that the public is entitled to adequate protection and a guarantee of a measure of stability and law which will allow the people of Canada the opportunity to continue to exercise the democratic process, and walk the streets in peace and security. However, when, in the name of securing that, we give the government and its bureaucrats the kinds of rights which are contained in this measure, then I think we are going much too far.

Relevant to the issue I was dealing with a little while ago, I have been handed a document by the learned hon. member for Central Nova (Mr. MacKay), which contains a provision of the Migratory Birds Convention Act, Section 11, which says in part that any game officer or peace officer may enter any place or premise where he has reason to believe migratory game exists. That kind of provision is followed in almost every statute which is passed today and I refer to that right to search and seize; and it is not just given to police or peace officers.

The proposed competition act contains the widest possible powers. Practically every piece of legislation this government brings to this House contains the demand that we give to it the kind of authority contained in this measure. I worry about that. I am worried and concerned about the mood of resentment that exists on the part of the public of Canada today, brought on largely by the actions of this government, by what I consider to be the corruption, tainted with incompetence, stupidity and arrogance of this government.

We have no assurance that the safeguards which now exist, and they are very limited, will continue. The checks and balances upon which any democratic system must flourish have long since degenerated in this parliament. The powers which the government has taken and the limitation placed upon the right of the House to challenge and scrutinize the government, together with the limitations on our opportunities to find out exactly what is going on, have brought to the minds of the public of Canada a mood of cynicism, distress, and lack of co-operation which, in my opinion, will at some time provide a climate for a complete change.

As bad as our system of government is, it is still the best system of government known to society. I want to keep it that

Criminal Code

way. When the government takes the responsibility of bringing in legislation of this kind, allowing it to do legally what it has been doing illegally in the past, I think it should hedge that legislation with the best possible safeguards obtainable. I am going to suggest a few now which I think may appeal to some members of the House, although perhaps not to the government.

Too often government ministers come in here to read departmental briefs. We often talk about ministerial responsibility. The only information the ministers come in here with is the information that their officials think they are safely capable of handling. All too often the decisions they make are the decisions made by their departments.

I hope the Solicitor General may be persuaded to take a very hard look at some of the reasonable criticism that has been made of this bill and some of its provisions. I hope the Minister will take a serious look at some of the difficulties in the bill as well as some of its dangerous clauses, and then return to the House at the committee stage in a spirit of co-operation and flexibility. I do not know whether the hon. gentleman is really aware of that word "flexibility", because he has not shown much yet. It may well be that if he survives long enough he will understand flexibility.

We should look at some of the provisions which provide for this matter of Crown liability. It is all very well for the parliamentary secretary to suggest that this constitutes a safeguard. When you look at the Crown Liability Act you will find there are very wide loopholes, yet the parliamentary secretary and the Solicitor General are attempting to convey to this House and the public that it constitutes adequate safeguards. There may be circumstances in which the provisions of this act have been abused because there are very wide discretions and exemptions. There is one section which says that if a peace officer discloses information he has for what he believes is in the best interests of the administration of justice, he is exempt. Now, I do not think that is very adequate in terms of providing a means by which the government can be held in restraint in the way it exercises the provisions and powers which are given to it under this bill.

● (1602)

I do not think that a peace officer or a servant of the government should have the right to pass on information to another person which he has received as a result of an interception made under this legislation under the guise he is advancing the interests of justice. That is giving him a discretion, almost a judicial discretion, which enables him and the government to escape the consequences of their bad judgment and their breach of the law, which would be the case but for that exemption. Mr. Speaker, I suggest that is not sound. I suggest this evidence, obtained improperly and illegally, may well be used both in civil and criminal cases. This is a very dangerous precedent, and I would hope the committee will have a good hard look at it.

The word wilfully which appears in proposed section 178.32 is a very dangerous word. I think that word should be taken