

However, what do we do with radio-based communication? Do we not as well need some protection that works in the 1990s and beyond? We know that our ability as a nation for example to control the airwaves is much more difficult today than it was 30 years ago. I am thinking of full broadcast, television and radio, that knows no boundaries. We were unable to prevent the satellites from sending the signals into Canada from the United States so we put in place mechanisms to ensure that there were some kind of controls and protection for Canadian culture.

However, technology has outstripped some of our abilities. I think the government is trying with this bill to find a way to allow our ability to communicate using radio and telecommunication devices to happen and also to provide some kind of protection for the information sent over those airwaves.

I know that a lot of concern has been expressed around whether or not it is appropriate to prevent, through the Criminal Code, the rebroadcasting of this information.

Someone with a scanner or a fixed frequency receiver and a steno pad and a tape recorder sits down and transcribes the communication between two civil servants in the province of Quebec or a cabinet minister in British Columbia and then publishes or airs that information. That is where we focused a lot of our discussion, but I think we forget that there are more users of cellular phones and hands-free phones than just politicians and bureaucrats. There are business people out there who use them in conducting their daily business; traders, in terms of the stock market and financial analysts. They are business people who are making comments and passing out information on cellular phones. If someone should take that information and use it it may in fact be harmful to that individual and perhaps might even lead to charges down the road. I think we need to keep that in mind when we talk about the protections.

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We also need to keep this in mind. Say that one is on a cellular or hands-free phone at home and is ordering something from the Sears catalogue by giving one's Sears number over the phone. If somebody is scanning that frequency then they have your credit card number. While there are other protections in place to deal with the fraudulent use of that credit card, one will not know that it is being used. It is not like one lost the card or one's wallet or purse has been stolen, but that number is out of one's hand and someone is using it.

Government Orders

The same thing applies to telephone credit cards. If one uses that number over a cellular phone or a hands-free phone and somebody is scanning it then they have that number. If it is a Bell card it is fairly easy for them to use it.

Let us talk about our own cards, which is the government line or the calling card. It is not difficult for someone who is in the business to scan the airwaves in our neighbourhoods or around Parliament Hill to catch many of us dialling our 1-800 numbers to get into the government service or dialling the local numbers. They can capture those numbers. At the same time, if we are verbally giving out our calling card number then they have that number too. They can in effect steal access to the government lines.

There is more than just the question of the publication of the conversation at risk here. Legislation particularly in these areas is a matter of balance between the protection of the individual and the rights of society. I think on balance, having thought about it, these particular amendments, although probably going a bit further than all of us would like, are about the only tools that are realistic in today's electronic age.

I want to turn from the telephone aspect in terms of the personal communications that we have to some of the other elements in the bill. I think at the outset I have to say that again we make choices, look for balance and need to balance the rights of the individual with the needs and protections that society requires.

Look at the question of wire-taps where a police force is authorized to go in and intercept the communications either on a land line, radio telephone or what have you. We gave them that tool to ensure that they could do their job to protect us. We also put in place protections for society and the individual whose phone was tapped. Due process had to be entered into. The police could not do it on their own, which is the way it used to be. They could just go in and tap those phone lines and sit there in some dingy basement and listen in to all our conversations.

We as a society stepped in and said that that is no longer good enough. We needed to have some rules in place and that is what we did. We set up a system where they would have to go and get a court order. They were able to do it for a particular period of time and then they had to cease if they did not get the evidence they required.