

MacDonald Commission leads to establishment of civilian security service

The federal government is creating a civilian security service separate from the Royal Canadian Mounted Police in response to a recommendation contained in the final report of a four-year investigation by a Royal Commission into the operations of Canada's national police force.

The Commission of Inquiry into the Royal Canadian Mounted Police, or the MacDonald Commission as it became known, was headed by Mr. Justice David MacDonald of the Alberta Court of Queen's Bench and included commissioners Donald Rickerd and Guy Gilbert.

"The government has arrived at its decision to establish a civilian security-intelligence agency because it is persuaded by the experience of the past 40 years and by the report of the Commission respecting the changing nature of security requirements, that a specialized organization is required to respond to the increasingly sophisticated nature of the threats to our security," said Solicitor-General Robert Kaplan in announcing the establishment of the new service.

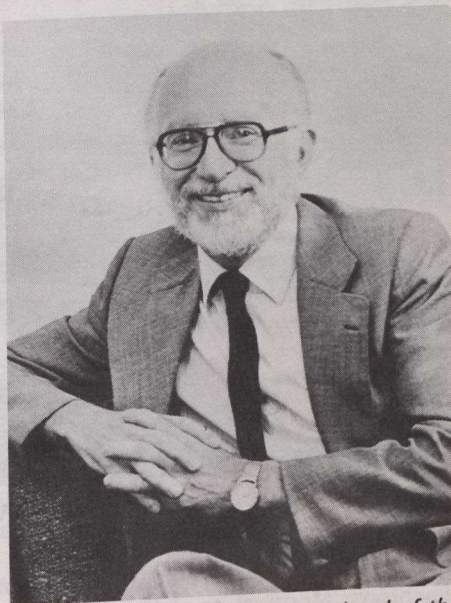
More control needed

The commissioners made 250 recommendations in their report — many of which related to its recommendation for a separate agency. Mr. Kaplan said that the government "recognized that it must take a more active part in the direction and control of matters including individual operation".

"This should not be done," he said, "within the RCMP because the government does not believe that there should be the same detailed level of responsibility and accountability over a police force whose independence from governmental direction in relation to specific operational activities in investigating and fighting crime is a well-established tradition and remains a principle of fundamental importance."

The minister announced that the new security-intelligence agency would be headed by F.E. Gibson, a lawyer and former senior assistant-deputy minister in the Department of Justice.

Mr. Kaplan said the new agency would be set up in accordance with five basic principles that "are essential to ensuring that the requirements of security-intelligence in safeguarding our democratic society and its institutions do not give rise to uncontrolled and abusive activities threatening civil liberties".



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F.E. Gibson will take over as head of the new security-intelligence agency.

- The five basic principles are:
- an effective security-intelligence agency capable of providing information essential to the maintenance of Canada's security must be ensured;
 - the agency must have a management system that ensures effective internal direction and accountability and respect for law;
 - the agency's mandate and activities must be effectively accountable to a minister responsible to Parliament; and
 - there must be adequate external review machinery to ensure that the agency has not abused its powers or been misused by government.

Confidence remains

The minister added that although the government had accepted the recommendations of the Commission to create the civilian agency, the government had "confidence in the ability of the RCMP to carry out its duties effectively and with respect for the law and to maintain the honoured place that it has in Canadian society".

Mr. Kaplan said that the RCMP would continue to fulfil its law enforcement role in 200 Canadian municipalities and would work closely with the new agency regarding national security.

The minister said that the government was concerned by the findings of the Commission that the RCMP "has an institutionalized frame of mind that places expediency above respect for the

rule of law". Mr. Kaplan added that the government shared the Commission's conviction that "the rule of law must always be respected, but it does not agree with the Commission's interpretation of the law in many matters".

Mechanisms studied

The government's commitment to a separate security-intelligence agency will be accompanied by detailed study of appropriate control mechanisms such as those proposed by the Commission. These range from a newly defined mandate to systematic and legal bases for the use of particular techniques, authorization of investigations, use of judicial warrants for intrusive techniques, improved controls within the agency, much more active ministerial controls, and various forms of external review including review by Parliament.

Mr. Kaplan said that the government would like to set the security-intelligence agency in operation as quickly as possible "so that henceforth our security affairs will be conducted in an effective manner, consistent with the principles of ministerial control and parliamentary accountability, consistent with the requirements of law, and consistent with the freedoms essential in a liberal-democratic society including the right of democratic dissent".

Federal funding for transit system

The federal government will contribute \$60 million towards a rapid transit system for the Vancouver area.

The federal contribution to developing the system, which Vancouver officials say will cost \$330 million, is subject to negotiation of satisfactory terms and conditions between the federal government and the provincial Urban Transit Authority.

The system will link downtown Vancouver with New Westminster, Surrey and Coquitlam. The first stage of the project, connecting New Westminster and Vancouver, is expected to be completed by 1986 in time for *Transpo '86*, an international transport exposition to be held in Vancouver.

The city has chosen an advanced light rapid transit system developed by the Ontario-owned Urban Transport Development Corporation.

While 1986 is the target for the first stage to be in operation, a 1.5-kilometre test track in downtown Vancouver is expected to be in operation by mid-1983.