

neys General of the provinces can designate anyone they care to choose as their agents and that these persons then have authority to commence the process of wiretapping; they have authority to issue permits without the approval of a court, under the emergency provisions. We have just been debating the question whether or not they should avoid the judicial process. If we recall the statistics quoted earlier, the evidence was that the RCMP initiated 663 wiretaps in the year 1972-73. Consider the number of conversations overheard on those wiretaps; they must have run into the hundreds of thousands. Now consider that under the bill as it stands there is no real restriction on the number of people who can initiate these kinds of proceedings. I suggest that by leaving in the bill the provision to which I have called attention, we invite the consequences that all of us fear, namely, that we shall move closer to a police state, as was ably advocated this afternoon by the hon. lady from Louis-Hébert (Mrs. Morin).

I do not think it is proper that we should pass legislation which places no limit upon the number of people who can initiate this kind of proceeding. While we may have confidence in the Minister of Justice, the Solicitor General and in the various Attorneys General—after all, three of them are NDP Attorneys General—expanding the capacity to initiate wiretapping as is being done in this section simply opens the door to further abuse.

I said that theoretically every peace officer in the country could be specially designated. Indeed, the agent need not be a peace officer; he or she could be anyone an Attorney General might think to be an appropriate person. The other day the Minister of Justice (Mr. Lang) suggested we should take another look at the bill before us because, he said, it was a very good bill and one which really did safeguard privacy. I did so, but I kept finding other provisions which suggest that rather than safeguarding privacy, it is basically an open cheque to the police to engage in as much surveillance as they deem necessary. In almost every circumstance mentioned in the bill one can think of ways in which the restrictions contained in it could be overcome.

Consider the information which must be supplied to a judge before authority is granted. Assume an agent, having been given authority, goes to a judge. If he knows who the person is, he must divulge this information. If he does not, he must divulge the place he intends to wiretap. If he does not know the place, then at least he has to tell the judge what means he intends to use in order to wiretap. This affords very little protection to the public since it is entirely feasible that the police might suspect that tenants in a certain apartment block were engaged, say, in drug trafficking, in which case they might tap or bug the whole apartment block.

I am bound to revert to the position I have already taken. When you open this door you have opened a Pandora's box, and it cannot be closed again despite all the tinkering that may be done, all the amendments that may be adopted. In our heart of hearts we know that wiretapping is an immoral act and, as such, it is an act in which we do not want the police to participate. As the hon. member for Louis-Hébert would have it, we should let the police do anything they like as long as they catch crimi-

nals. In those circumstances I suggest there would soon be many more criminals for the police to catch, because people would lose respect for the means by which the law is enforced. That kind of society is not one in which I think most of us in this House would wish to live. What the hon. lady said, really, was this: We have to fight fire with fire. If criminals have the means, then we must have the means. If criminals kill, then we had better kill.

Mr. Speaker, we have been trying to get out of the mire of that kind of criminal society for the last thousand years, and if we follow the logic of the hon. member we shall go back to that mire. It is the first rule of society that there be respect for law and order. But it must be the kind of law and the kind of order that merits respect; and when you get involved in wiretapping you are engaged in an immoral activity which none of us respect.

It is not good enough for a person to say, "I have nothing to hide and therefore I do not mind being under surveillance." That is straight from George Orwell's "1984". It reflects the madness that enters society when everyone's activity is constantly under surveillance and the privacy of the individual is lost. Freedom of speech is lost. It is lost because of self-censorship. It is lost because if you get on a telephone and think your words are being overheard, you will be less inclined to say what you think.

Consent to wiretapping is one of the most insidious things which can be foisted on a population. It is insidious because it grows imperceptibly. Surely we in this House should, above all, be concerned about respect for the individual and his rights within a free society. If all this is to be thrown away on the ground that we are protecting people from criminals, it will not really be worth living in society because all that will emerge is a totalitarian state.

Directing my attention, now, to the specific amendments which have been proposed, I think it is important to restrict the number of people who can initiate this wiretapping procedure. To do so is to say to the people of Canada, "We respect your privacy and we want you to enjoy the protection which we believe any civilized society should afford to its citizens." But that does not only mean protection from criminals; it means protection from government, or it might also mean protection from multinational corporations who wish to spy on their employees.

I know the hon. member for Louis-Hébert feels strongly about this. I hope she will look at the other side, because there is another side. I hope she will look at the other side in the way the hon. member for Saint-Hyacinthe (Mr. Wagner) did, who took time to examine all the evidence. On balance, I think she will rethink her position. I know she is not a person of such firm and fixed ideas that she is not interested in listening to others, because she spends so much time in the House.

● (1740)

I urge the House to endorse this package of amendments because I think it says something to the people of Canada. We do not wish to have any abuse of wiretapping law, and this is one of the ways we have of saying that.

Mr. Speaker: The hon. member for St. Paul's (Mr. Atkey).