

access to Cabinet documents in the control of this service. This means that the Minister and the Government can effectively hide behind Cabinet documents and in that way escape full accountability for their actions. Until there is full access to such documents, there cannot be full review. Without full review, there cannot be complete accountability.

I remind the House that we are here today because of the fact that over the course of the last decade the Government refused to accept any semblance or scintilla of ministerial responsibility with respect to its activities. We are precluded by virtue of the exclusion under freedom of information or any other legislation to look at the documents and gain any assessment of the pressures put on the security service to produce the goods regardless of the tactics used.

It is inconceivable that a Cabinet could sit around and be oblivious to what was going on, with what was happening and the kind of information it demanded from the security service of the RCMP in the early 1970s. There is no question in my mind that the Government and the Prime Minister put the finger on the security service to get the goods on the FLQ. When we do not have access to Cabinet documents, accountability in this country is a very pale shadow of the standard one would expect in a free and democratic society.

I could speak continuously about specific provisions of the legislation. They are woolly; they are not precise. There are certain principles for which we in the Progressive Conservative Party stand. One is that government under the rule of law is absolutely fundamental and essential in a free and democratic society. We in the Progressive Conservative Party have been concerned about the activities that have taken place. In terms of this legislation we understand that we have an awesome responsibility as the Opposition, because the Minister has stated on the floor of the House that he is prepared to put through this Bill as perfection in its present form. I am not alone in terms of my apprehension and concern with respect to this legislation. This is why I said on behalf of my Party that there are a number of reasons, which we will be able to examine during the course of this debate and during the course of committee hearings, why this legislation in its present form is unacceptable to us.

We want to be reasonable and to take our responsibilities seriously, but different signals are coming from the Government side. In conclusion, the Chairman of the Standing Committee on Justice and Legal Affairs, the Hon. Member for Rosemont (Mr. Lachance), had the following to say about Bill C-9:

It's not the kind of topic six months or eight months before an election that is really very high on the priority; you just don't, I guess, win an election with the passage of that kind of a Bill.

He continued:

So I don't sense very much of a pressure on the part of the caucus, be it on the Quebec side or the rest of the Liberal caucus, to have this Bill passed expeditiously.

As a member of the Opposition, I have a responsibility in our parliamentary system, as do my colleagues, to give careful scrutiny to legislation which comes before us to ensure that the

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rights and liberties of individual Canadians are fully protected. We intend to carry out that responsibility and to become involved as Members of Parliament to ensure that the right balance between national security and the fundamental principles of a free and democratic society will be achieved. We in the Progressive Conservative Party can settle for nothing less.

Some Hon. Members: Hear, hear!

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I rise today to take part in the debate on what is undoubtedly one of the most important pieces of legislation to come before this Parliament. The Senate committee, in examining the predecessor Bill, Bill C-157, referred to a delicate balance between on the one hand the security interests of the nation and on the other hand the fundamental civil liberties and rights of all Canadians. In examining the provisions of Bill C-9 which is presently being debated in the House, I believe that we must carefully question whether or not that delicate balance has in fact been achieved. Having reviewed the provisions of the legislation, not using as a yardstick the previous Bill or even the Senate committee report, but using the recommendations of the McDonald Commission and the basic standard which must be applied out of respect for civil liberties, it would be my submission that this Bill falls short of the minimum standards in this essential area.

Previous speakers have given some background of how we arrive at this position today. Not many people would have expected, when Corporal Robert Samson blurted out in a Quebec courtroom in 1976 that he knew of a few activities by the security service in which perhaps the Canadian people might be interested, what kind of Pandora's box he in fact was opening. As a result of the events which flowed from that outburst in a Quebec court, Hon. Members will know that the government of the day appointed the McDonald Commission in July, 1977 to conduct a comprehensive review of all aspects of security legislation in Canada, in particular to examine those activities which were not authorized by law.

The McDonald Commission held extensive hearings, heard from a broad cross-section of the community and from many different witnesses, and issued its report to the Government. In August, 1981 the Government responded to the recommendations of the McDonald Commission by saying that it was prepared to accept the fundamental recommendation of a civilian security service, that is, separation of the security service from the RCMP. However, in what was at the time certainly viewed by many as a monumental act of arrogance, the Government rejected the central underpinnings of the McDonald Commission report. It went so far as to obtain a second legal opinion, an opinion written by former Supreme Court Justice Spence and Toronto lawyer, Robert Wright, which effectively discarded the reasoning of the McDonald Commission. Certainly that was an immediate cause for concern to those of us who recognized our responsibility to move forward with changes in this area but not at the price of civil liberties.