

*Protection of Privacy*

it seems to me the point which is before us is a narrow one, one which has been debated fully in its substance on earlier occasions. For this reason, we believe hon. members should say quickly and briefly what needs to be said about the issue before us and allow the matter to be brought to a vote so that members may express their opinions upon it in the hope that a bill which would protect privacy in this country by making illegal the possession and use of private electronic devices can become law. In this spirit I close my remarks by expressing the hope that members will join in seeing this measure to a successful conclusion so that Bill C-176 to protect privacy in this land may become law.

**Hon. Robert L. Stanfield (Leader of the Opposition):** Mr. Speaker, I take part in the debate on this bill for the first time since the measure came before the House. I should like to begin where the minister ended by expressing the hope, as he did, that we can bring this matter to a successful conclusion—although perhaps not in the sense he meant it, as I shall make clear as we go along. The bill on the protection of privacy is before us again because the government and, more precisely, the Minister of Justice (Mr. Lang) failed to support a decision of the standing committee on Justice and Legal Affairs, and the decision of the House itself on the issue of notice.

**Some hon. Members:** Hear, hear!

**Mr. Stanfield:** I have no intention at all of getting involved in a non-productive and futile debate on the rights and responsibilities of the Senate to amend legislation sent to it by this House. What does concern me, and what concerns my party, is that because of the obvious stubbornness of the government this legislation may die on the order paper.

**Some hon. Members:** Hear, hear!

**Mr. Stanfield:** Should this happen, it would mean a tragic waste of effort covering several years to protect Canadians from unauthorized electronic intrusion upon their privacy, and it would constitute a serious indictment of the inability of the minority Liberal government to manage the business of parliament effectively. It would mean that the Minister of Justice, having failed to get his way, is prepared to see the bill scuttled rather than take the steps necessary to salvage the work of several years.

**Some hon. Members:** Hear, hear!

**Mr. Stanfield:** My party considers the passage of this bill to be so important that we are not only prepared to sit here until this objective is accomplished, but we believe other members of parliament have a duty to sit here until this is done. It is not good enough for the government in these circumstances to sit back and let nature take its course by putting the bill before the House for one day.

**Mr. Lang:** At a time.

**Mr. Stanfield:** One day. We are discussing this now on the basis that the bill is before the House for one day. There is no sense in the Minister of Justice sitting in his seat muttering. The only thing we know is that the bill is before the House today. We have absolutely no undertak-

[Mr. Lang.]

ing that the bill will be brought back if the matter cannot be brought to a successful conclusion today, and there is no sense in the minister trying to pretend anything else.

**Mr. Lang:** On a question of privilege, Mr. Speaker. It is bad enough that the Leader of the Opposition should impugn my conduct in relation to this bill when what we have before us is a motion which represents a genuine attempt on my part to be flexible in reaching a solution, but it is worse of him, when starting a debate, to treat it as though the debate was ending. The debate has started today.

● (1520)

**Mr. Stanfield:** If that is the Minister of Justice's idea of a question of privilege, it is no wonder that this bill is in trouble. I am sorry that the Prime Minister (Mr. Trudeau) is not here, but I want to say that it is not good enough for the Prime Minister to shrug off his responsibilities with the remark that some bills are always left on the order paper at the end of a session.

This bill is not just another bill. It can in no way be dismissed under the general category of "some bills which die at the end of a session". The protection of privacy bill is at least the fourth piece of such legislation to be considered by parliament. A bill on the same subject was given first reading on June 28, 1971; it died at the end of that session in February, 1972. Another effort was made on February 21, 1972; this bill was considered by the same committee and reported back to the House on June 14 of that year with amendments. Once again events intervened and the bill died on the order paper.

That does not end the chronology, for a private member's bill was introduced by the hon. member for Winnipeg North (Mr. Orlikow) back in 1969 or thereabouts. The Standing Committee on Justice and Legal Affairs reported that bill on March 11, 1970, but no further action was taken by the government and the bill died when the session ended in October of that year. In light of all that time and effort expended by parliament and its committees, surely it would be irresponsible for the government to let it all go by default. This is why we in this party are prepared to stay here to see this bill through its final stages.

The Standing Committee on Justice and Legal Affairs, in its unanimous report of March 1970, recommended that a provision respecting notification be included in any legislation to protect privacy. When the hon. member for St. Paul's (Mr. Atkey) spoke on this bill on second reading on March 7, 1973 he urged the minister to include a mechanism for notifying a citizen that his privacy had been invaded. During the consideration of the bill by the standing committee, the hon. member for Fundy-Royal (Mr. Fairweather) again urged the minister to have his officials prepare an amendment covering notification. When the minister failed to respond to these urgings, the hon. member for St. Paul's moved an amendment which was adopted by the standing committee and subsequently by the House. I thought that this sequence of events, this little chronological story, was important since some have claimed that the action of the standing committee and the House regarding notification was hasty and ill-considered. Nothing could be further from the truth.