

Security Intelligence Service

and with respect to Clause 2 concerning the definition of threats to security of Canada, did not accept any amendments.

The question which this raises is: What does this do to the process? When a government indicates that suggestions to improve the legislation made at committee will be seriously considered, one should be able to accept it at its word. The fact of the matter is that recent events have shown that the Government had no intention of changing one word of any of these definitions despite the fact that eminent lawyers and knowledgeable people in the field of civil rights in Canada came before the committee and made suggestions for change.

Let me address another aspect of this Bill. It is very easy for some Government Members to leave the impression that anyone who criticizes the Bill is in some way against having a security service in this country. That is not so. When questioning the many witnesses who came before the committee, I was very careful to determine whether their criticisms went as far as saying there ought not to be a security service at all. Not once did any of those critics who came before the committee go that far. There has been a security service for many years. The Solicitor General (Mr. Kaplan) agreed in committee that it has been doing its job competently, effectively and in a manner which would meet the proper sensibilities of the Canadian public. The question is not whether there ought to be a security service but whether this legislative mandate which has been presented to the House is as good as it could or should be in terms of putting the appropriate constraints on any security service for which this Bill clearly provides wide power.

I believe it was my obligation earlier today to rise in place of an Hon. Member from the Government side who unfortunately was unable to be in his seat. He is the Hon. Member for Notre-Dame-de-Grâce-Lachine East (Mr. Allmand), a former Solicitor General of Canada, who moved Motion No. 5. That motion incorporates some of the suggestions which were contained in the amendments that the Progressive Conservative Party put forward. What the Member is trying to achieve in that amendment is a more exact definition of threats to the security of Canada. He sets a number of them out. The concerns in this interpretation clause are very real. For instance, the Attorney General of Saskatchewan, at page 3 of the brief, filed by the Attorney General of Saskatchewan before the committee, said this about this definition clause:

● (1300)

The phrase "detrimental to the interests of Canada" is wide enough to include economic espionage and any other espionage that could be construed as detrimental to our interests and should be limited to the "national security interests of Canada".

That is the essence of my remarks, Mr. Speaker. These definition clauses are vital in the Act and they should be more carefully worked in order to establish more appropriate constraints on the security service.

Mr. Donald W. Munro (Esquimalt-Saanich): Mr. Speaker, this collection of amendments to which we are directing our attention now are, to my way of thinking, the very pith and

substance of this Bill. You will pardon the apparent irrelevance, but it is not irrelevant if we look at Clause 12 of the Bill where we find that the duties and functions of the service being proposed are "to collect, investigate, analyse and retain information and intelligence respecting activities that may, on reasonable grounds, be suspected of constituting threats to the security of Canada". This is the duty, the function, and the role of the proposed intelligence service. In order to combat the threats to the security of Canada. Naturally at this stage, that is, in Clause 12, it will not be possible to define what those threats are. Therefore, and as is normal in legislation, the definition clause comes early in the Bill.

We are at the present time looking at the definition of "threats to the security of Canada". We have before us a collection of amendments which are being grouped for debate, the first one being in the name of the Hon. Member for Burnaby (Mr. Robinson) that Clause 2 be eliminated. That is patently nonsense unless he just wants to eviscerate the Bill and eliminate its whole purpose.

There is some cause to examine the existence of the Security Intelligence agency as it is now and to decide whether it is working properly and is being properly administered and responsible to any of the Ministers of Government. That part of it rather suggests to me that Motion No. 2 proposed by the Hon. Member for Burnaby is a bit of a nonsense motion, if I may be allowed to say so, because the Hon. Member eliminates entirely the various definitions so essential to understanding what this Bill is about, in particular the threat to the security of Canada, to which I have referred, which appears later in the Bill in Clause 12. If the Bill is to have any meaning at all, if it is to be accepted at all, it is obvious that there have to be definitions. We have to know the duties the agency is charged to perform. Therefore, this section is essential. Essential is almost too weak a word to emphasize the importance of this clause with regard to threats to the security of Canada.

I have before me Motion No. 5 standing in the name of the Hon. Member for Notre-Dame-de-Grâce-Lachine East (Mr. Allmand), proposed by the Hon. Member for Vancouver South (Mr. Fraser) in the absence of the former. I am not entirely in agreement with the suggested amendment even though the proponent of that amendment has been, at a certain stage in his career, the Solicitor General. I cannot, for example, understand why he should abbreviate paragraph (a) of that definition—threats to the security of Canada. I do not think it will be improved by being curtailed. The shorter version which is proposed here is that threat means espionage and sabotage directed against Canada. The original version read:

(a) espionage or sabotage that is against Canada or is detrimental to the interests of Canada or activities directed toward or in support of such espionage or sabotage,

There are components of that paragraph (a) which I contend deserve a place in any definition of threats to the security of Canada, particularly the latter part, "or activities directed toward or in support of such espionage or sabotage".