

*Protection of Privacy*

provinces. I hope they were able to add to the effectiveness of the committee's work by reason of their experience.

● (2020)

We cannot be spokesmen for any one of the various groups who appeared before that committee. We are not carrying the brief of the Police Association, neither are we carrying the brief of the Civil Liberties Association, much as I respect the Civil Liberties Association—and I am a member of one such association. If I may say so, we have a larger responsibility. Our brief as MPs can and should differ from the submissions put forward by the various groups who do not have responsibility of office or of enacting and administering particular statutes.

One of the most tragic and outworn slogans of the day is that of "law and order". I am coming to the point at which I resist almost any slogan whether it be "law and order", "the just society", "one Canada" or anything else. I think they represent dangerous simplifications of very complex issues. "Law and order" has been a particularly abused slogan. What we should seek is to give the police of this country a chance really to do something about the maintenance of order and justice within the rule of law. The rule of law in this case involves giving the police a straightforward method they can use. Our amendments are put forward in good faith to this end. We do not find complicated legal procedures outlined in this bill. Police associations across the country should really not find much difficulty in getting the orders they require.

The minister says the bill is a great addition to the law. I reject the word "great". It is a good addition to the law, if passed with some of the amendments we have moved. It will be a good addition to the law, rather late in the history of law enforcement in this country. I believe the law now proposed is substantially better than it was when originally presented and referred to the Standing Committee on Justice and Legal Affairs.

I personally get upset when people claim we are being soft on criminals or that we are resisting the well motivated wishes of the police forces of this country to do something about crime, simply because we are taking some time in which to study this law. That does not follow in any way. Max Cohen put it rather well, I thought, in an article which appeared in the *Ottawa Journal* of June 7 of this year under the heading "Justice in search of itself".

Law enforcement men and agencies are by nature quite conservative. What shall be the balancing instruments: the liberal politician, private watchdogs from the universities to welfare agencies, varieties of ombudsmen together with the legislature itself, all continually monitoring the operation of a system?

It is clear that we cannot go on much longer without insisting on a high priority of intelligence and resources to be applied to the classical areas in the administration of justice.

I think if we had spent—here I use the collective "we"—a great deal more money and effort in trying to improve the professional status of the various police forces we would have been much better served. This applies not only to the RCMP, which is under the jurisdiction of the Solicitor General, but also to the city and metropolitan police forces. The police, it seems to me, are really the unsung heroes of the age. We expect so much of them, as Professor Cohen said. We ask them to be nursemaids in cases of the

[Mr. Fairweather.]

most minor traffic violations, and in the next minute they are supposed to deal with the most sophisticated aspects of syndicated crime.

The hon. member for Northumberland-Durham (Mr. Lawrence), the hon. member for Saint-Hyacinthe (Mr. Wagner), and I myself exercised, for various lengths of time, jurisdiction over provincial police or their RCMP equivalent. I for one have never called a policeman a pig, and I never expect to. None of us would, I hope, ever think of doing such a thing. What we seek is to enhance the police whether they be in a village or in the largest metropolitan areas. What we seek in this bill is an instrumentality through which they can by way of an application to a judge operate effectively under the rule of law. I commend the minister for the straightforward way in which application can be made, a simple way in which the police may in certain well-defined circumstances invade otherwise inviolable personal privacy.

I myself welcome the time which has been taken on this measure. The minister speaks of a great addition to the law; I think those were his words. Yes, perhaps he can say that after the bill has been read the third time; but I think the law will be better because of the time spent on it; I think it will be better because of the amendments many members on all sides have proposed and voted upon in committee, without political stripe. I for one am disappointed that there should be demands to circumvent what has been done in a committee which has been notable for a very low partisan quotient. The minister may rue the day when he set out to defeat, by some of the amendments he has proposed, the report of the majority of the Standing Committee on Justice and Legal Affairs.

I hope we can agree on amendments which will make some of the proposals advanced by the minister acceptable to the majority of the House. I suggest to him frankly that at the moment, on the record at least, they are not acceptable to the majority of hon. members. As the minister knows, we have tried hard to find some way out of the dilemma. I trust the minister is not too upset by some of the editorials and press reports which have appeared on the subject of this bill. I think it is an extremely healthy sign that on an issue such as this, the proposed invasion of privacy, or protection of privacy—whatever phrase commends itself—there should have been so much outspoken comment one way or the other. I think it is a good thing there is still some sense of outrage in the world.

● (2030)

I for one am not overly alarmed at some of the comments concerning this legislation. I would be particularly upset if there had been no comment about such a serious and, to use the minister's phrase, great addition to the law. As many members who preceded me said, this bill will bring about a fundamental change in the liberty of the subject. No matter what adjective we use, we have to proceed with caution.

I hope that in the days that follow when we are discussing this bill, our approach will be that we are here to improve this legislation substantially. On behalf of the party for whom I am proud to speak, I can say that that has been our objective from the day this bill received second reading and then went to the committee. I will not