

*Criminal Code*

Striking that balance is most difficult. In the case of mail interception, we have chosen the route of judicial scrutiny, authorization, and reporting to the people through parliament to protect basic rights and freedoms. I firmly believe that protection to be the most effective Canadians can have.

In summation, and for the purposes of the record, I should like to refer to a small article which appeared in a publication by the Council on Drug Abuse. I am not sure of the exact date, but the heading is: "Heroin In Our mail To Continue Or Not?" The article reads as follows:

The current controversy raging in the federal House, among civil liberty groups, in the media and among individuals, regarding the right of the RCMP to open first class mail clouds somewhat the almost worry-free use of the mail for the importation of heroin.

It was reported at a meeting of the International Narcotic Enforcement Officers Association held in Toronto in August that the use of first class mail for the importation of heroin into Canada was prevalent.

One gram of heroin worth \$5 at source can easily be mailed in a regular envelope. By the time this has been cut and adulterated with other substances and passed down the distribution chain, the resulting portions sell for \$16,000 on the streets.

The Golden Triangle, Burma, Thailand and Laos, is the main source for heroin in Canada, being routed through Western Europe and Hong Kong.

The use of the mail is an insidious means of importing with little risk of detection. This is a somewhat different proposition from what is presently being fought over.

If our narcotic enforcement offices are denied the right to open suspected heroin-carrying envelopes, we safeguard our civil rights but provide safe passage and high profits for our criminal element. And then it's public health vs. civil rights!

Very pointedly that last sentence sums up the essence of this debate. If our narcotic enforcement officers are denied the right to open suspected heroin-carrying envelopes, we safeguard our civil rights but provide safe passage and high profits for our criminal element. It is public health versus human rights.

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

**The Acting Speaker (Mr. Turner):** Will the hon. parliamentary secretary accept a question by the hon. member for Central Nova (Mr. MacKay)?

**Mr. Young:** Yes, Mr. Speaker.

**Mr. MacKay:** Mr. Speaker, I should like to direct a question to the hon. member now that he has finished his speech. Can he briefly indicate how it will be possible to protect the solicitor-client privilege, when it is communications originating from or addressed to the office or residence of a solicitor? As far as I am aware, the term "solicitor" is not even defined. Is it a practising solicitor or a non-practising solicitor? Could the hon. member put my mind at ease on this?

**Mr. Young:** Mr. Speaker, I thought I made clear in my remarks that there were some very stringent safeguards in the bill. There are rights to bring a case against an officer acting outside the terms of the act, to sue the Crown itself. If it is a question of whether the word "solicitor" has been defined or not, perhaps that can be looked at in committee. I think the hon. member and I know what solicitors are in this country. They are pretty well described as accepted members of the bar and practising members of the profession.

[Mr. Young.]

**Mr. G. W. Baldwin (Peace River):** Mr. Speaker, I regret that I was away on Friday, but I read with interest the contributions made to this debate.

I was interested in a statement made by the hon. member for Windsor-Walkerville (Mr. MacGuigan) who indicated that he had distributed a questionnaire. Approximately 74 per cent of the people who responded said that they approved of the principle of the legislation, but with adequate safeguards. Those are the magic words. I do not know the extent to which the people who responded to the questionnaire are familiar with what is in this bill. If they are familiar with it and are solid, intelligent people, I am sure they know it does not contain adequate safeguards. That is the issue that faces us.

● (1552)

I am not going to vote against the bill on second reading. I think the way things are going in parliamentary debate the matter of second reading has become almost irrelevant, but I do say that if this bill comes back from the committee without the necessary repairs having been made so that it contains adequate safeguards, I will vote against it on third reading. There is no question about that.

Some of my colleagues on this side of the House have dealt with precision and knowledge with some of the weaknesses and frailties of this measure. It is not necessary for me to retrace that ground.

Having regard to procedures taken in respect of drug trafficking, providing there are adequate safeguards, I suppose it can be said there is some reasonable ground for passing the measure. I am not aware of any information the Solicitor General (Mr. Blais) has given regarding the number of convictions that have been obtained through the opening of mail. I do not know how many cases there have been initiated by the RCMP or other authorities under the narcotics act as a result of this practice. There have been cases where mail has been opened and perhaps the mail contained a drug or narcotic. Perhaps we could put it this way. Once the bill is passed, if it is passed with adequate safeguards, from then on in if anyone has been sending drugs by mail that practice will probably cease. That might be of some benefit.

The same question applies to the matter of subversion. We are talking about the enemy without, but what about the dangers from within? What about the likelihood of this country moving slowly and inexorably toward either a police state or totalitarianism? We watch the leaves floating on a stream and we know which way the current is going. If we examine what is happening in this country it should put us on guard so that we do not place in the hands of any government, not just those hon. gentlemen in the treasury benches opposite, those kinds of powers contained in this bill which, added to the other authorities they have, make me apprehensive.

If we couple these powers with those contained in the War Measures Act, the Official Secrets Act, and the Federal Courts Act, we have some idea of the power this government holds. If we consider these provisions along with the govern-