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**OFFICIAL REPORT (HANSARD)**

**Monday, March 20, 2017**

Speaker: The Honourable Geoff Regan

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**National Security and Intelligence Committee of Parliamentarians Act**

Bill C-22--Time Allocation Motion

**Ms. Dianne L. Watts (South Surrey—White Rock, CPC):**

Madam Speaker, I am pleased to rise to speak to Bill C-22, An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts.

As a member of the Standing Committee on Public Safety and National Security, I had the privilege to closely examine the legislation over the course of eight meetings. I also want to note that the committee concurrently undertook a study on Canada's national security framework. Because a significant amount of the expert testimony we heard was so relevant and crossed over to both of those studies, the committee passed a motion to include all that was heard to be included in both studies and ultimately in both final reports.

This is significant. I want to highlight the amount of work and effort that was done to examine the legislation, to hear from numerous expert witnesses, and to ensure the House was best positioned to pass the best possible legislation.

We heard from witnesses who came before the committee in Ottawa and as well from Canadians across our country during our cross country tour. We heard from experts in the morning sessions and we heard from the general public in the evening through public hearings in Vancouver, Calgary, Montreal, Toronto, and Halifax.

We heard from academics, from experts working in the national security and intelligence fields, from Canada's Information and Privacy Commissioner, from Canada's national security agencies, from the existing oversight bodies, and from groups representing different religious and ethnic communities throughout Canada. The overwhelming testimony was conclusive.

Experts agreed that while Bill C-22 was a good start, it needed several amendments to make the proposed committee truly independent, accountable, and effective. Therefore, when it came time to propose amendments to the bill, most members of the committee listened to experts and attempted to ensure the independent national security and intelligence committee of parliamentarians would have the right tools to do what would be intended and what it would be required to do.

Several amendments were proposed from committee members of all parties: the Liberals, Conservatives, and the NDP. While not all amendments were agreed to, several were.

The committee amended the legislation significantly to ensure the proposed oversight committee had subpoena powers for documents and witnesses, would be able to access all necessary information, would not grant the minister discretionary veto powers, and would be able to clearly identify whether the Prime Minister had requested that a report be revised before submission to Parliament and, if so, why the Prime Minister had requested such revisions. We as the official opposition also attempted to ensure the proposed committee's composition would be non-partisan and that its chair and members would not be appointed by the Prime Minister. However, this amendment was rejected by the Liberals.

All these amendments were aimed at making Bill C-22 more effective, more accountable, and more transparent to Canadians. However, the Liberal government had decided to reject the majority of the amendments that were adopted by the committee, therefore gutting Bill C-22, which took it back to its original form.

The Liberals promised Canadians that national security oversight would be transparent and that it would be accountable. However, Bill C-22 in its current form proposes an oversight committee that has little review powers, that is not transparent, and is not accountable to Parliament. In short, the Liberals are proposing a committee that is an extension of the Prime Minister's Office.

The Prime Minister appointed the chair of the committee, the member for Ottawa South, in January 2016. This was a full six months before Bill C-22 was even tabled before Parliament.

It has now been over a year since his appointment, and we are still debating the legislation. Well, we were debating it until the time allocation today. This is a key example of the Liberal government's unwillingness to be open to any changes or to strengthen the level of transparency and accountability. In spite of what the Liberals may say in this House and to Canadians, the Liberal government has decided to ignore the changes made by the Standing Committee on Public Safety and National Security, a committee made up of a majority of Liberal MPs I might add, and proceed with a version of the bill that very closely resembles the original one.

The Prime Minister will still appoint the chair of the committee; the minister will still be able to decide what information the proposed committee receives and what it does not; and the committee will continue to have no powers to subpoena information or witnesses, even though this is a privilege currently enjoyed by other parliamentary committees. In short, the committee will continue to be controlled by the Prime Minister and the Minister of Public Safety. It will not be transparent, not be accountable, and it will not have the tools necessary to do its job.

Furthermore, the Liberal government does not want to discuss or have debate on this issue. Prior to my speech, the House voted on time allocation as put forward by the Liberals to shut down any and all debate on Bill C-22. This means that not only does the Prime Minister not want to have a national security oversight committee that is accountable to Canadians, that is transparent, and that is effective, but now he also wants to make sure that the House has as

little time as possible to debate it. The Liberals are shutting down debate on this legislation because they decided over a year ago, when they appointed the chair, that they wanted this committee to be controlled by the Prime Minister and the Minister of Public Safety. We need to ensure that an appropriate structure and review process of our national security agencies is in place, and we also need to make sure that it is accountable to Canadians.

The public safety committee, including the five Liberal members, made significant changes to Bill C-22. We heard from experts and the general public. We did our job. However, these amendments were not what the Liberal government wanted, because it had already predetermined the outcome of what it wanted in the bill. It is not listening to experts, and it is not listening to the public safety and national security committee. It is insulting the parliamentary process and Canadians by extension.

I urge my colleagues in this House to vote against the changes proposed by the Liberal government, which ignore expert testimony, ignore the committee, and gut the legislation. Independent oversight of Canada's national security agency is critical, and Canadians deserve better from the Liberal government.

**Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):**

Madam Speaker, I want to thank my hon. colleague for her comments this morning, as well as for her work on the Standing Committee on Public Safety and National Security. I had the honour of serving with her on that committee.

In the context of those deliberations on Bill C-22, I am proud of the work that the committee did to ensure there was a broad mandate for this committee of parliamentarians to investigate any matter of national security; to ensure there was robust access to disclosure, the absence of which would trigger the committee's opportunity to use the bully pulpit to hold the government to account; and to be sure there was an appropriate composition of this committee. There will be nine parliamentarians, which is an increase of nine from the number zero. Why do I say that? It is because for 10 years, on the subject of openness and transparency, the last government did nothing to significantly advance that matter. This government has taken concrete steps.

I wonder how the hon. member can reconcile this government's action with the absence of action from the last government.

**Ms. Dianne L. Watts:**

Madam Speaker, I appreciate the work that my colleague did on the committee.

There is oversight on some of the national security agencies. It has been in place for 20 years. It is not in the form as is proposed in Bill C-22. As we have heard, and as I said in my speech, this is a starting point, and that is all it is.

If the committee does not have the tools to do its job, it will not succeed, it will fail.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):**

Madam Speaker, my colleague pointed out quite well that the bill leaves all of the cards in the Prime Minister's hands. Not only does he appoint the chair, but he appoints all the members of the committee. There is nothing in the legislation to require that someone be appointed, for example, from the official opposition. It says that up to a certain number of members can be appointed from the government. This is a smokescreen. This is the government maintaining all of the cards in its own hands while pretending to expand oversight. We see across the board great claims of transparency, but the devil is always in the details.

I wonder if the member could comment on just how deceptive this legislation is and the total failure of the government to respond to our legitimate concerns about it.

**Ms. Dianne L. Watts:**

Madam Speaker, when we heard from so many witnesses about the independence of this committee, about the tools that the committee should have, the committee did do its work. We incorporated those into the amendments. Unfortunately, one of the Liberal members of Parliament was removed from the committee. However, to have the government now gut the legislation when we were in agreement with so many of the amendments takes it back to square one. It does not reflect what the expert witnesses and the Privacy Commissioner put forward in testimony.

**Mr. Michel Picard (Montarville, Lib.):**

Madam Speaker, I now have the pleasure of being a member of the Standing Committee on Public Safety and National Security with my colleague, and her current position surprises me.

The existing committee is proposing a solution based on consultations and several years of experience, primarily in Great Britain. The formula currently before the House is therefore an improved version in terms of powers as well as the committee, and the committee's needs are clear. I would like to understand how the bill in its current form is a weaker version of the solutions already in place.

**Ms. Dianne L. Watts:**

Madam Speaker, I enjoyed my colleague's input at the committee. We looked at different models that have been up and running and that have been changed over the years as well. The most important piece was around independence. When we have the Prime Minister appointing the chair—as I said, it has been a year now—when the minister has veto powers and can determine what the committee will hear and will not hear, this is not openness, this is not transparency. It is incumbent upon all of us, and if we want to do the job right, we need to make sure the tools are in place and the framework is in place.