

a profound way upon what the minister said—and I took his words down—“mutual respect for each other's integrity”. I think that is something that all members of the House can find themselves in agreement with tonight.

There is also the question whether the public is going to have the respect for this chamber that we may well have for each other within it. We are dealing at a greater distance with the public, and that is why, in these matters of the public interest and the conflict that may be engendered not only by members of parliament and cabinet ministers but by public officials as well, it is incredibly important that it be seen by the public that there is no conflict of interest, so that the public has respect for our integrity.

The motion I rise to speak in favour of tonight, put by my leader, is that the committee be authorized to report on the aforementioned green paper after first considering and making recommendations on the subject matter of ministers and conflict of interest, and public servants and conflict of interest.

I had occasion a few weeks ago to raise the issue as to what is the obligation of a senior public official, a deputy minister, when he leaves the service of the government and gives his services to a private employer, or to a community interest for that matter. When I first raised the question with the Minister of the Environment (Mrs. Sauvé), she was unaware that her own deputy minister was in fact leaving, or rather she knew he was leaving, but not to go into private business. Her suggestion was that the oath which that particular deputy minister had taken was sufficient to preserve all the proprieties.

On a later occasion I was able to raise this question with the right hon. Prime Minister (Mr. Trudeau), and on November 25 I said to the right hon. gentleman that in order to gain public confidence in the matter there should be a cooling off period from the time when a deputy minister or other high official leaves the service of the government and the time he is permitted to engage in private industry or business in the same area in which he has served the government.

● (2030)

The right hon. Prime Minister said this, and I quote from *Hansard* of November 25 at page 1618:

In so far as the question itself is concerned, the government did consider this alternative and it was rejected. I think if it were to apply to civil servants it would have to apply to all members of the House and we do not think that members of the House would want to apply that rule to themselves.

The Prime Minister then went on to say, and I think this is interesting because he recognized the problem:

... frankly I have no further solution to this difficulty and I see it as a real one. I do not think it is a practical alternative to suggest that when officials or ministers or for that matter civil servants or members of parliament, have departed from their particular employment that they be in some way restricted as to the use of their freedom. I would hope that their oath of secrecy and their innate honesty would guide them in the circumstances that the hon. member suggests.

That is all very well, but I think it is important to emphasize the words of the Leader of Her Majesty's Opposition (Mr. Stanfield) this afternoon, when he said:

These very capable public service people are going into the private sector, as we call it. I presume that in many cases they will go into jobs

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in the same field they dealt with in the government service. What guidelines are given to them on leaving the public service? Is there a system or a set of rules, or is each person who leaves the public service from these high levels left largely to the dictates of his conscience and to interpret the demands of the oath widely or narrowly?

I think what the Leader of the Opposition said has put the position very clearly. This matter has been the subject of discussion in the press, and at least two well-known observers on the political scene in Ottawa have reported on it. Perhaps it is proper to draw the attention of the House to an article by Maurice Western, which ended in this way:

The problem is that, without violating the oath, such former public servants can be extremely useful to private firms in dealing with the Government. They may well have been recruited for exactly that reason. It is altogether improbable that they will be asked to reveal (or would disclose) what was in such and such a minute or secret study. But they may well be asked for counsel. Would it be wise to proceed in a particular manner or to emphasize this or that in making a representation? How, in counselling a private firm in what may be a competitive enterprise, are they to shut out of their minds a whole experience?

That statement reflects the commonsense appreciation of the situation by most people in Canada.

In another article Mr. Phil Gibson touched on this problem in respect of a particular deputy minister who was being discussed. Mr. Speaker, I made it very clear at the time, and subsequently, that in raising the question of the retired Deputy Minister of the Environment I was in no way suggesting that his integrity was for one minute being questioned. Indeed, along with many of my colleagues and I am sure other members of the House, I have a tremendous regard for the public service he has given this country, especially in relation to his role in respect of Expo, and for the years he subsequently gave this country as the Deputy Minister of the Environment in his difficult task of forming a new department. That particular deputy minister has, I think quite properly, declined to comment.

Let me quote from the article by Mr. Gibson as follows:

However, he and others in similar situations might welcome a clarification of the accepted, official morality. Jack Cross, assistant clerk of the Privy Council, said he has known deposed or retiring cabinet ministers to ask for a copy of their oath. “We don't ask why they want to see it, but I suppose it gives them some indication how free they are.”

There also appears to be some ambiguity over whether the oaths are legally binding once a person has left office. None of the four varieties of oaths makes specific reference to this possibility.

The public service oath, which applies to deputy ministers, states simply: “I solemnly and sincerely swear that I will faithfully and honestly fulfill the duties that devolve upon me by reason of my employment in the public service and that I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of such employment. So help me God.”

Even Cross, who has kept track of scores of oaths in 30 years at the Privy Council office, is unsure of their applicability, although he adds: “It would be ridiculous not to have it apply after leaving office.”

The fact of the matter is that events have changed over the years, and the tremendous position of power that senior public servants acquire as a result of their duties, and the tremendously important knowledge they carry with them when they leave these duties give an inside track to those public servants when they go into the private sector and have to deal with the government departments, agencies, licensing authorities and fund raising authorities, and that affects the public interest.