difficult for the government to prosecute those who are thought to be guilty of an offence under its provisions, and it is even more difficult to secure a conviction. Thus, there is the paradox of a statute which appears to some to be too far-reaching in its scope, but which is nonetheless of limited value in protecting the security of Canada.

Accordingly, at the appropriate time, it will be important for Parliament to consider measures to reform the Official Secrets Act. At that time, it will be important to find the right balance between the need to promote open government, and related values like effective Parliamentary opposition and freedom of speech and of the press, on the one hand, and the obvious necessity of protecting specific categories of government information against unauthorized disclosure, on the other.

The necessity to protect certain categories of information brings me to my second objection to the motion before us today. That motion prejudges the conclusions and recommendations of the studies that the standing committee is asked to undertake. The motion presumes that reform of the Official Secrets Act would afford no protection to government information except in the context of espionage and security. However, there are other cogent reasons to safeguard information; and while it may be that some of that protection need not be afforded through the Official Secrets Act, I would be very surprised if the only categories of information that require protection were those set out in the motion. In this respect, I would draw attention to the fact that governments the world over, including those of other western democracies, recognize the necessity of affording such protection.

What categories of information do governments have to protect against disclosure? Government information is generally protected where: first, the disclosure may be expected to injure the national interest; second, the information relates to the private affairs of individuals or businesses, and third, the disclosure would contribute to a weakening in the effective operation of government. These reasons, of course, lie behind the exemption provisions in the Access to Information portion of Bill C-43, and similar exemptions in the freedom of information legislation in other jurisdictions.

The first two reasons are straightforward. For example, it is generally accepted that governments should not be required to disclose information that would be injurious to the defence of Canada or that would jeopardize the investigation or prevention of subversive activities. It is similarly agreed that information received in confidence from an individual or business should generally be protected. Although the practical application of these reasons can raise difficulties in particular cases, there is likely a consensus that the reasons themselves provide a legitimate basis for refusing to disclose information.

The third reason—the effective operation of government—is sometimes ignored. Let me say a few words about this. At the centre of our decision-making processes is, of course, the cabinet. Under the Canadian constitutional system, the cabinet is collectively responsible to Parliament for government policy. While individual ministers may argue against particular cabinet decisions, and indeed accept them with misgivings, those ministers are nonetheless a part of the team that is responsible for what has been decided; they must acquiesce in the decisions or, if they cannot do so, they must resign.

If the deliberations of cabinet were public, this would derogate from the doctrine of cabinet responsibility. It would then be unclear if the cabinet as a whole, or just the ministers who concurred in a decision, were responsible for it. Indeed, I would go so far as to suggest that if the deliberations of cabinet were made public, including recommendations and advice that are a part of those deliberations, this would alter constitutional relationships between the principal institutions of our political system in an absolutely fundamental way.

Of course, it may be that certain categories of information can be protected without resort to the Official Secrets Act—that we should reserve the criminal sanction for only the most serious breaches. This will require careful consideration. But where a leak of information can cause injury to the defence or security of Canada, or jeopardize lives, or impede criminal investigations, or otherwise cause damage on a large scale, the government surely has an obligation to its citizens to protect such information by all reasonable means. It would be remiss if it failed to safeguard such information.

[*Translation*]

Mr. Deputy Speaker: The hour provided for the consideration of private members' business has now expired. It being five o'clock, the House stands adjourned until next Monday at 2 p.m. pursuant to Standing Order 2(1).

At 5 p.m. the House adjourned, without question put, pursuant to Standing Order.