

importance, namely, the asking of questions, not about a person's actual record—which may or may not be justified in some circumstances—but about his being charged with an offence, a question which I suggest in no circumstances is justified.

Why is it not justified? We are discussing a subject that has very wide scope. The hon. member for Edmonton West (Mr. Lambert) gave illustrations of the situation in the public service and I was glad to hear that many people in the public service, when the matter is called to their attention, are ready to withdraw these offensive questionnaires. But in this respect the public service is aping what is the general practice in private business on a large scale, where I believe questions like this are a matter of course.

● (4:50 p.m.)

It not only applies to the matter of employment, the would-be employee who is coerced into having to answer questions that are embarrassing and harmful to him; it might apply to people applying for insurance or for licences of various sorts. There is a whole series of situations in which a person is bound to answer a similar questionnaire. I say they are embarrassing and are very serious because it is not just correct to say it is not harmful to admit that you have been charged with an offence.

I regret to say this, but I think it is only natural and only human that even though a person may have been convicted and the offence may not have been proved according to criminal law, the mere fact of being charged is derogatory. I find it difficult to conceive of an employer who finding that a prospective employee had been twice charged with a serious offence would say, "Well, they may not have been able to convict him. They will not take a chance on a person who has been charged. Why would they ask these questions unless the mentality is such that they would accept a charge as tantamount, at least, to strong suspicion of actual guilt even though there may be no conviction whatever?"

I say this is a serious matter and inflicts damage on people without any excuse whatever. We are trying to protect people who have been convicted. We are trying to protect people who have been convicted of minor offences from having to answer questions, and by expunging the record. We are dealing, in the case of this legislation, with people who have merely been charged, and convicted of nothing at all. I hope the whole matter will,

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as the hon. member who introduced it suggested, be referred to the Justice and Legal Affairs Committee. I think it is properly part and parcel of the subject they are investigating at the present time—the protection of the privacy and rights of the individual against public records, public snooping, wire-tapping and things of that sort.

I notice the resolution is carefully worded to deal with the government only taking measures within its competence. I suggest in this Parliament, in regard to criminal law we have a very wide power to deal with things that are offensive to our sense of propriety. It may be that the scope of legislation that can be introduced will be considerable. I said I did not want to talk this bill out. That is a process which I despise and I want to have no part of it. I think this is a very constructive resolution. I hope it will be sent to the committee, where it belongs, and not just talked out in the House.

[Translation]

Mr. Georges-C. Lachance (Lafontaine): Mr. Speaker, I realize that the member who spoke before me would like the motion now before us to be referred to the Standing Committee on Justice and Legal Affairs and, therefore, the debate to be adjourned immediately.

I know my colleague well enough to believe that he will certainly let other members voice their views on this matter. After discussing an issue for 45 minutes, it would be too easy to say that it must automatically be referred to the Committee on Justice and Legal Affairs.

Having heard the comments of the hon. member for Edmonton West (Mr. Lambert), I think that he has pretty well clarified the terms of his motion. On the other hand, aware of his legal competence, I told myself right away that he seemed to be pushing things a bit too far.

I entirely agree with the main objective of the motion to prevent any investigation regarding any charge, complaint or denunciation against an applicant for a job in the public service or in the private sector.

As recently as yesterday, I attended meetings of the Committee on Labour, Manpower and Immigration which deals precisely with the matter of employment in the public service. I put questions to the officials of the department who are concerned with manpower regarding the investigations and questionnaires in the case of the people mentioned earlier. I was assured that there were no