

Proceedings on Adjournment Motion

ingly. Legislative control of the executive is virtually non-existent if the legislature does not have ready access to the information necessary to exercise that control.

For those reasons current regulations governing the secrecy of government documents make a mockery of our claims to democracy, participatory or otherwise. Instead of requiring that all government documents be confidential unless otherwise designated, the government should make all documents available upon request unless they have been specifically designated as confidential. Naturally, there would have to be limitations and exceptions to this general rule. My colleague from Surrey-White Rock (Mr. Mather) in 1965 submitted a private member's bill to this House which said that the law that documents should be accessible to the public should not apply to records or information that affect national security, that are exempted by statute from disclosure, that concern trade secrets and commercial or financial matters of a privileged or confidential nature obtained from private persons, or that concern cases where the right to personal privacy excludes the public interest.

The crucial point is that the principle would be reversed; the right of free access would prevail. Given the limitations already outlined, limitations which should be set out explicitly in the constitution or in a secrecy act, a person should have access to any administrative document without proving that he has a legal interest in that document and without stating the purpose for which he wishes to see it. Further, such documents should be made available immediately or as soon as reasonably possible.

Moreover, a citizen should be able to file a petition with the courts if he is unable to obtain documents within a reasonable time. The argument advanced against my proposal was that unless there are confidential relations between public servants and the government, the whole system breaks down. It is not good enough to say that civil servants will not be as candid in their submissions to the government if their submissions might be read by the public. One could argue that, if anything, to protect their reputation their documents would be more candid. For one thing, the personal proclivities of their immediate superiors would weigh less heavily with them.

As with so many proposals for social change, the predictions about the consequences are not based on fact but on fancy and are often greatly exaggerated. To permit access to government documents as a natural right would not destroy our democratic system but, rather, would enhance it. We would not be the first country to adopt such a law. For over 200 years Sweden has provided open access to official documents and provided full information to any citizen about administrative activities. There are many sources which indicate it has been far from harmful to the Swedish system.

There are so many indications of undesirable effects which result from government secrecy that the whole principle must be seriously questioned. The list of minor stupidities and major disasters which have resulted from this policy is endless. The concept of mindless governmental secrecy is incompatible with democracy, with the people's natural right to have access to the information upon which policy decisions are based. Canada inherited its love affair with secrecy from the archaic and outdated system of absolute monarchy and it has been preserved

[Mr. Rowland.]

by successive governments and officials mainly for their own convenience, to protect themselves against the consequences of possible error.

I suggest it is time to reverse that policy. It is time to make information available to all sectors of the public so that the public and Parliament can discuss matters intelligently and with full knowledge, and so influence government policies. It is time to reverse that policy so that we will not be subjected to any more of these ridiculous debates about who did what, where, when and how with respect to a document which should have been public knowledge in the first place.

Mr. Barnett J. Danson (Parliamentary Secretary to Prime Minister): Mr. Speaker—

Mr. Knowles (Winnipeg North Centre): All dressed up.

Mr. Danson: I thought it was a formal debate. I was prepared with what is perhaps a reasonable and logical answer which would be obvious to any thinking citizen in tonight's debate, but the hon. member for Selkirk (Mr. Rowland) referred to ridiculous situations and ridiculous debates and I think that is what is taking place tonight. When he mentioned the so-called Gray report and the cabinet minutes of July 29, he is talking about a figment of imagination to an extent. This is not government policy. They are cabinet documents. No doubt there have been agreements in principle, but situations do change and this is the reason for some degree of secrecy.

When the hon. member for Selkirk discussed the question of people participating in decisions of government and referred to participatory democracy he was talking about what this government has been practising. The fact that there is some discretion and caution used in the public interest with regard to the secrecy of documents is another question completely. He spoke about regulations. There are no regulations relating to this. There is the report of the Royal Commission on Security, the abridged edition of June, 1969. The matter is dealt with on page 69, but I cannot use up all my time dealing with this. It is a matter of common sense practice. The hon. member mentioned the Swedish experience. People from our government have gone to Sweden and examined their system. The Swedish people are not that happy with it and they are not getting more information.

This is a sensitive issue, but it is also a key issue and it is important that the hon. member raises it because we live in a democratic system and the matter of secrecy within government is a very important one and one which should be dealt with, I think, in the way in which the hon. member has begun to deal with it. But I think the arguments should be more compelling.

It is a matter of government practice that civil servants and officials cannot deal with one another in complete frankness when they think that information is readily available. I think it is a matter of government discretion, but if that discretion is being abused it is the duty of hon. members opposite, such as the hon. member for Selkirk, to get up in the House, as he has tonight, and challenge the government and question whoever the government of the day may be to find out whether this secrecy is not being abused, to ensure that the public interest is being looked