

Inquiries Act

[Translation]

The bill introduced by the hon. member for Hamilton West seemed at first glance to bring a judicious change in the situation which exists presently.

However, if we consider it carefully, we find that it features more disadvantages than advantages. I sincerely believe that reports prepared by commissions established under the Inquiries Act must remain classified, and that for the following reasons.

First, the inquiry commissions must proceed in all impartiality and put forward with honesty the necessary recommendations. That would be impossible if the investigators knew that *a priori* their reports must be made public. They would rather tend to attenuate the scope of their recommendations and please the greatest number of people, even groups, in order to avoid hostile reactions. So, there would be neither objectivity nor impartiality.

Furthermore, those who will give evidence before the commissioners responsible for the investigation must be able to do so in total freedom, so that their testimony may not be prejudicial to them on a professional or human level.

Moreover, we must protect reputations which might be affected due to the simple mentioning of names even though there is nothing they can be blamed for or though they cannot be charged with any criminal action.

Fourth, it is important not to restrict Cabinet freedom in choosing the decision that is best in the national interests. How can the government exercise sound management of this country if, instead of being free to weigh all possibilities, he has to adhere strictly to recommendations made in a public report?

Undoubtedly, the government would soon be considered as being at fault if it did not implement immediately a recommendation of such reports. The government would be considered at fault, and not quite assuming its responsibilities. Such would in my opinion be a very narrow view of government. I believe government is entitled to research and direct enquiries on any subjects of concern to it. Commissions created under the Inquiries Act, aim at serving Cabinet, at helping it better discharge its duties. Cabinet must not become a servant to such commissions, it is the other way around. Cabinet is answerable to the public, and commissions to Cabinet. The reverse would in my opinion be contrary to reason.

I am amazed that the New Democrats did not discuss that matter because in my research, I found there has been in Sweden, since 1766, a legislation on the subject. A whole lot of government information is available to the general public, in cases where Canadian citizens have no such right. Any government document can be made available to the public in Sweden, and since this principle was adopted, such right has been enshrined in the constitution.

In theory, all state documents are public property and each government department must present any document or file requested by a citizen or a newspaper, radio or TV reporter. In actual fact, the situation is much more complex and there are a number of exceptions: national defence, foreign affairs, unofficial reports, and the like; the main thing is that in Sweden, as in Canada, a minister

[Mr. Gauthier (Ottawa-Vanier).]

can always refuse access to a document and his decision is final.

So, I do not think that there is any improvement evolving from the statement that generally speaking all commission documents are public.

The main thing is not statements of principle, but the honesty and the morality of the government. Nothing ever prevents any government who has something to hide to avail itself of exceptions included in a bill such as the one before us, and to avoid making public the reports it receives, for reasons that it will divulge or not.

The last election proved it enough. The present government has the confidence of the people, it has nothing to hide. Therefore it must be free to decide whether or not it is in the interest of the population to publish a report submitted to it under the Inquiries Act.

Therefore, Mr. Speaker, I ask that Bill C-206 be rejected.

● (1750)

[English]

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, the hon. member for Hamilton West (Mr. Alexander) in introducing his bill made some reference to the use of this hour allocated to private members' business which I think is of concern to many of us. However, he did not make any specific suggestions. Surely he would be considered naive if he really thought there was some chance that all, or most of some 150 and more public bills presently appearing on the order paper, and 40 motions, could get through to committee discussion. Quite obviously this would make the whole committee system of this House completely inoperative.

I think that also he is missing the point. He said many good ideas are presented. That may be so. I myself have several bills on the order paper which I think present good ideas. The reason for putting these bills forward is to present these ideas and, as the hon. member knows, via the draw at the start of a session, to give some of us the opportunity to expand a little more on what is back of the idea presented in a bill.

Since we only have at most some four hours each week for the discussion of motions and public bills I suggest that there might be some move toward splitting the time so an hon. member would have the opportunity to present his arguments in a period of, say, 15 or 20 minutes, and the remaining 10 or 15 minutes of the first half hour would be allotted for the response from either the government or opposition, depending on which side of the House sits the hon. member who presented the bill. This would enable us to get through about twice as many bills and motions as at the present time.

We are discussing the hon. member's Bill C-206, which takes a position I cannot support. We realise the protection of the confidentiality of reports under this act is at the discretion of the government which, naturally, must always retain full responsibility for the actions of the department under review. The public does not have the availability of reports as a matter of right and, as has already been said in the arguments presented here today, if this House debates subjects before the decisions are formalized and presented, it may make debatable the