

Indeed I want to congratulate the author of this Bill, the Hon. Member for Ottawa Centre (Mr. Cassidy). The purpose of Bill C-231, like many similar Bills, is to provide public employees, and I am reading the explanatory notes: "with the fullest possible protection of the freedoms of expression, of peaceful assembly and of association guaranteed by the *Canadian Charter of Rights and Freedoms* and consistent with the principles of a non-partisan and merit-based public service.

The political rights recognized in this Bill would be granted to all full and part-time employees except those appointed by Order-in-Council and those in confidential and managerial positions as defined by regulation. Before coming into force, these regulations would be subject to the approval of the House of Commons.

Madam Speaker, if we look at the Index to the Debates of the House of Commons, I think there has not been one session since I first came to the House, since 1972, when this proposal was not raised, namely to extend to federal public servants the right to participate actively in political life.

I am of course one of those who has always supported the argument that this right—and it is a basic right in a democratic society like ours—is based on the concept of freedom of speech for all public servants. However, I have always qualified my support with the restriction that public servants in a position to advise the Government on policy are excluded. It seems to me it would not make sense for a senior official, a senior executive like an assistant deputy minister, to be in a position to advise the Government on policy and at the same time go into politics and criticize that Government.

Having said that, I recognize the contribution made by the Hon. Member for Ottawa West (Mr. Daubney) with his recommendation, having supported as did many of his colleagues in this House the D'Avignon report which, Hon. Members will remember, had been sponsored by the Liberal Government of the time as one of two initiatives for the purpose of possibly amending and updating the Public Service Employment Act and the Public Service Staff Relations Act. As far as the Public Service Employment Act is concerned, Section 32 dealing with political activity has always been strictly interpreted by the Commission. Come election time, the Public Service Commission has always placed civil servants in a somewhat delicate position reminding them, through memos that they were not to participate in any way in the political process.

God knows, Madam Speaker, that in my riding as well as in many others, civil servants do participate in it in many ways, from newsletter preparation to telephone roll calls.

I feel therefore it is somewhat hypocritical, if I may use that term, to forbid people to do something while allowing it at election time. And the only time a civil servant may be called upon to answer for his action is when another candidate during an election will complain to the Public Service Commission. As long as his grievance has not been recorded, a grievance which

would trigger an investigation from the Commission, nothing happens.

On the basis of my own experience and according to Canadian history a grievance has never been filed with the Public Service Commission to the effect that this or that person had worked for or against a candidate.

Once again it is a legislation which is not universally applied but which is nevertheless sometimes strictly interpreted by the Commission.

Hon. Members will remember that the D'Avignon Report did not deal extensively with political activity. In fact, hardly four or five pages—four pages in fact—deal with participation in political activity. I remember quite well that when the report was made public, I had personally moved a motion, which comes up quite often for discussion in this House and the arguments put forward are based on a system which exist already in England. The idea was to divide the Public Service in three parts or groups. Part I would include all occupational groups in which the duties of all positions are sufficiently sensitive in nature to require the denial of the right to participate actively in the political process to all incumbents, namely all senior executives and all senior managers.

Part II would include the occupational groups in which the duties of the positions vary, so that neither a blanket denial nor complete political freedom can be supported.

I suggest that as a physician, a chiropractor or even as an engineer employed the Public Service, Madam Speaker, I cannot see what impact I could possibly have on the Government's policy in the areas of foreign affairs, defence or general politics.

I feel therefore that professionals involved in a specific activity would not embarrass a Government by taking part in the political process.

And the third group would include the occupational groups in which the duties of all positions are such that incumbents could be permitted full political freedom. I think that there are some 80,000 civil servants—that is quite a number—who could easily be free to fully exercise their right to political activity.

This is a brief summary of the report tabled by the Special Committee on the Review of Personal Management and the Merit Principle. There is a matter of serious concern to my constituents and with which I should like to deal during my remaining few minutes, namely the independence of civil servants while carrying out their duties. For instance, they say that if a public servant is employed in a sensitive position at Customs or Unemployment Insurance where he or she or she has to judge the relevance of arguments brought forward by an individual, I am told that if that person were perceived as having a bias in favour of or against the Government, the decision he or she would make would not be judged to be, how should I say, magnanimous or independent.