

*Supply—Privy Council*

also referred to a committee of this house. Unfortunately the committee was not able to report owing to the dissolution of parliament. It was, however, ready to report with proposals for legislation which I venture to suggest were every bit as helpful as the advice from outside. This is not to say we do not need advice from experts outside. But why not invite these experts to tell committees of the house how they propose these problems should be dealt with? I suggest that when the government is considering whether to appoint a royal commission it should ask itself whether the job could not be done as well or better by elected members of the house who are here to do it.

Not only is there a necessity for rules with regard to royal commissions but we also need to consider the scope of the work done by such commissions. I am sure the President of the Privy Council will be sympathetic when I state that commissions of inquiry may be very suitable to inquire into facts. If, for instance, there are allegations of misconduct against members of the government, it is true that the atmosphere of the house and the partisan attitude which we almost necessarily would take would mean that an inquiry into those matters by a committee of the house would be unsuitable. For example, if we were to refer some of these matters to the committee on privileges and elections we could hardly expect the committee to preserve a judicial atmosphere while dealing with them.

I speak with a measure of repentance myself because I have had some small part in these matters. But when questions are referred to commissions, should they not be referred for a clarification of facts rather than for such things as possibly the expression of criticism of the discretionary conduct of a minister of the Crown? If the facts are set out in a report, this house can judge them and make the political decision required.

• (1:10 p.m.)

This is a different thing from asking for a ruling or judicial comment whenever there is a suggestion that a minister has not done his job correctly. I should like to refer to one particular abuse which the Leader of the Opposition mentioned, namely, the reporting of statements given before royal commissions or commissions of inquiry which are purely hearsay in character. What I wish to say differs somewhat from the view taken by the Leader of the Opposition. I understood him to say that commissions of inquiry should be

[Mr. Brewin.]

bound by rules which would prevent them receiving hearsay evidence. I think this would be very dangerous and would unduly limit the usefulness of commissions of inquiry. I do not think they should be bound by rules as strict as those which have evolved in the courts because then their usefulness might be totally destroyed.

Sometimes in the course of these inquiries matters are mentioned which are completely hearsay and are totally irrelevant to the matters being inquired into, because the commissioner cannot stop persons producing documents which may or may not be relevant. If they are totally irrelevant, at the same time are defamatory of the individual and in addition are third or fourth rate evidence, as I have observed in many cases in which I have been involved, then I respectfully submit they should not be made public under any special privilege which attaches to the reports of court proceedings. This privilege should attach only under certain proper limitations. In this regard I should like to refer the President of the Privy Council to Bill C-188, an act to amend the Inquiries Act, which bill will not likely be reached or discussed in the house. It covers one aspect of the subject which has been mentioned and I think it should be given very careful attention.

Before I sit down there is an entirely different matter to which I should like the President of the Privy Council to direct his attention at some stage or other if he intervenes in the debate. This matter has been brought to my attention by the president of the Ottawa Music Festival Association and it has been causing a great deal of concern. There are a very large number of copyright infringements going on at the present time, and I think this is related to some extent to the number of copying machines which are available. According to the president of the Ottawa Music Festival Association it is apparent that this is being carried on to a large extent by people who are unaware of what they are doing. They are able to obtain copying machines and they use these machines to produce textbooks and so on for use by schools and others, without any real understanding that what they are doing is an infringement of the Copyright Act and, to put it bluntly, an unconscious form of stealing.

If the minister who is responsible for these matters has given consideration to this problem, could he bring some publicity to bear so that it will not be necessary for those whose rights are infringed to take action in the