The second clause provides the basic exceptions to the rule by saying that clause 1 does not apply to records and information affecting national security, or to matters which are exempted by statute from disclosure, or to trade secrets, or to matters which concern private interest to the degree that the right to personal privacy excludes the public interest. Clause 3 contains an important principle that the courts should determine whether any particular record or information is to be made public on application for the same.

I referred a few moments ago to what has long been the rule in Sweden, a country with a long record of freedom of access by the public to public business. In that country the kind of thing we are considering here has been provided for by legislation for a great many years. In brief, whereas in this country we follow the general rule that whatever is not specifically said to be public is secret, the Swedes do exactly the opposite and make it work. They say that whatever is not specifically stated to be secret is public. The courts are there to see that this idea is carried out in practice, and they take this obligation most seriously in accordance with the legislation.

In addition to making documents and records public, the Swedes publish the great bulk of the documents and submissions received by their departments and agencies. I am informed that every day in the great buildings of Stockholm the documents or submissions received by the administration are laid out for inspection. From these a wave of information goes out across the country. Thus the Swedish public is kept closely in touch with the way in which the administration is handling public business and the nature of the submissions to the administration which the public is making.

In bringing forward this bill I have been inspired and encouraged by the work and studies of a notable Canadian, Professor Donald Rowat of Carleton University, who has for years conducted a one-man campaign to make more documents available to the Canadian people to indicate how their affairs are being handled. Dr. Rowat is the professor who has done so much to help popularize in this country the idea of establishing an ombudsman service. Both he and I share the idea that there should be some intermediate steps taken toward what would ultimately be accomplished. These steps are, first, that the government should be far less hush, hush about its security and secrecy classification procedures. It should make its procedures in this field more fully known, perhaps in the form of a white paper, or possibly a task force could be established to look into this matter. Second, immediate steps should be taken to make documents more readily available to scholars. Until now the government has followed the practice of departmental discretion, with trusted favourites and no rules except meticulous adherence to the rules of other countries.

I recommend that there should be a much shorter time before classified documents are released, say 12 years instead of 35 years or 48 years. A very few documents might be held for 48 years in exceptional cases.

My third point is that there should be a limit on the government's unfettered right to withhold documents from the courts. A decision in this area should not be left to the sole discretion of a minister of the crown. It should be left to a judge.

I conclude with a quotation from what I consider to be a good source in support of my bill. It is from an editorial which appeared in the Toronto *Globe and Mail*. I have condensed it but it is all favourable to the introduction and passage of this measure. This is what it says:

> A private bill has been presented to the House of Commons which could do much to open closed doors and keep the public informed about what is, after all, its own business.
>
> It is proposed that the Exchequer Court be empowered to force the federal government to disclose any unclassified records and information to interested persons. The bill would require that "every administrative or ministerial commission, power and authority shall make its records and information available to any person at his request in reasonable manner and time".

• (6:10 p.m.)

> Exceptions would be made for matters of national security—

As I have indicated, as well as private matters.

> It could be assumed that the court would exercise its discretion to prevent witch hunts, and that in general the effect of the bill would be to ensure the public's access to information which properly belongs to it, as well as the access of interested persons to historical material that ought to be in the public domain but has been withheld.
>
> It is entirely probable that the court would not often be called upon to act, for the very existence of such legislation would dispose government officials and bureaucrats to overcome their habits of secrecy, since they would know that if they did not yield willingly they could be compelled. It would also tend to restrain them from arbitrary acts which they would not care to have become the subject of public discussion. There is nothing like the spotlight of publicity to improve a man's democratic manners.