

Adjournment Debate

question, as are the people of Canada. Why does the Solicitor General not stand in his place? Why does the Minister of Justice (Mr. MacGuigan) not stand in his place and make a complete and full report to the Canadian people on the method and the manner in which this matter was handled? We can only draw one conclusion from their reluctance. This is the result either of incompetence or, which is of more concern, they have something to hide.

• (2230)

Mr. Al MacBain (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, it is my pleasure as Parliamentary Secretary to the Minister of Justice (Mr. MacGuigan) to rise in reply to the intervention of the Hon. Member for Saskatoon West (Mr. Hnatyshyn). I do not propose to deal in detail with the Hambleton case. I think it would be more worthwhile if I traced the history of the Official Secrets Act of Canada in comparison with that of the Official Secrets Act of Great Britain.

The Official Secrets Act in Canada is modelled on a statute enacted by the Parliament of the United Kingdom. Because the Canadian law is an outgrowth of the United Kingdom's statute, it is desirable to set out briefly, in a few principal milestones, the development of the United Kingdom law in this area.

The first Official Secrets Act was passed by the United Kingdom in 1889 as the result of continuing leaks of Government information. The provisions were aimed at dealing with "espionage as well as the leakage of Government information, the disclosure of which would not be quoted in the interest of

the state, or otherwise, in the public interest". In 1911, the United Kingdom's statute was amended.

When the amending Bill was introduced to the House, the Government announced that the amendments were intended to strengthen defence against espionage activities. However, the Bill also made it an offence for any Government information to be disclosed without authorization, whether or not the information was secret, and whether or not the disclosure would adversely affect the interests of the state. Owing to the deteriorating international situation, no questions were asked and the Bill was passed without substantial debate. The scope of the leakage offence was thus widened without any apparent public discussion of what had transpired.

The United Kingdom's statute was further amended in 1920, but those amendments were not intended to modify the leakage provision in any important way. The United Kingdom statute thus deals with two distinct offences, espionage and leakage of Government information.

The first Canadian OSA was passed in 1890 at the request of the Government of the United Kingdom. Its provisions were transferred to the Canadian Criminal Code when it was enacted in 1892. I see, Mr. Speaker—

Mr. Hnatyshyn: Carry on. I'm fascinated.

Mr. MacBain: I can understand that.

The Acting Speaker (Mr. Blaker): I am sorry to interrupt the Hon. Member, but the time allotted for the adjournment motion has expired.

At 10.32 p.m. the House adjourned, without question put, pursuant to Standing Order.
