

Mr. Alexander: On a point of order, Mr. Speaker, I know the hon. member is not trying to mislead the House, but those were not my words. I was quoting from an article by Mr. Geoffrey Stevens who called us "candidates for oblivion".

Mr. Gauthier (Ottawa-Vanier): I am sorry if I misunderstood the hon. member. I do not read Mr. Stevens, so I do not know. I should like to see some improvement in the quality of our debates on the principles of the bills which are presented. Possibly we could exchange points of view more freely with regard to the principles of the bills which come forward. That is the main thrust of my speech this afternoon. I hope that any time I say something with which hon. members opposite disagree they will interrupt me so that we can have a debate which would, I suggest, be more meaningful than some of the debates which go on during Private Members' Hour, when speeches made from one side are followed, without comment, by speeches from the other.

[Translation]

Mr. Speaker, I listened attentively to the remarks of the hon. member for Hamilton West (Mr. Alexander). It is obvious that Bill C-206, at least in my opinion, runs contrary to any government objectivity concerning information necessary to a healthy public administration.

I am not at all surprised to see that a member of the opposition—maybe if I was one I would do the same—is trying to do harm to the present government by requesting that it make public all reports of commissions established pursuant to the Inquiries Act. In its present wording, as has been said, the Inquiries Act allows the cabinet to investigate anything concerning the good government of Canada or the administration of any area of public affairs. This act also allows a Minister, with the authorization of the cabinet, to order an inquiry and demand a report on the activities of his ministry and on the conduct of whoever is employed by this Ministry.

At this time, the commission responsible for an inquiry submits its report to the government only who decides afterwards whether it should be made public. Bill C-206 is intended to change this practice and make it mandatory for any commission established under the Inquiries Act to submit its report to both Houses of Parliament.

● (1740)

[English]

I have read the bill—

Mr. Alexander: The hon. member has not read the bill. Confidentiality is still respected.

Mr. Gauthier (Ottawa-Vanier): In certain matters. But who decides the confidentiality?

Mr. Alexander: Read the bill.

Mr. Gauthier (Ottawa-Vanier): Subclause (3) reads:

The commissioners, if thereunto authorized by the commission issued in the case, may exclude from a report to be laid before Parliament pursuant to subsection (1), so much thereof as might, if published or otherwise communicated, be prejudicial to the safety or interests of the State but nothing may be so excluded from a report

Inquiries Act

except upon explanation made in the report as so laid before Parliament.

Who decides, the House, the government or the commission? Understandably, the scope of any particular inquiry and its scale of endeavour vary in accordance with its underlying purpose, and this of course will usually be revealed in the commission's report. If the issues are narrow and reasonably clearly delineated, the report may read like the judgment of a court. On the other hand, broader and more policy-oriented questions will likely produce a report that speaks in language appropriate to these wider terms of reference.

Nevertheless, a commission's report remains just that—a report containing its own conclusions and recommendations on the subject under investigation. It is not a decision. In the same way that this House must decide whether and how to act on a report submitted to it by one of its committees, so the Governor in Council will have to determine these matters in so far as a commission report is concerned. How, if at all, should it be translated into action?

There may be occasions when publication of a commission's report is itself important to the object of the inquiry. Public doubts and concern about a contentious issue, such as alleged maladministration or supposed threats to the security of the nation, may have set the inquiry in motion and the most salutary means of putting them to rest may, as a first step at least, be by publication of the commission's report.

However, there may be many occasions when this is not of such great importance. The report of a commission of inquiry may be wanted as one of the steps leading to the formulation or assessment of a particular policy. This step, like so many others that are carried out by government, may lead to a public statement of policy, the publication of a white or green paper, or the introduction of a bill into parliament.

But arrival at any particular policy position is, as is well known, usually carried out in an atmosphere of confidence and secrecy. Nobody would seem to disagree that this is a necessary and desirable condition of policy making in government. If a commission report represents merely one step in this policy making function then it, too, like the other steps along the way, should be subject to the same secrecy requirements. Therefore, whether such a report should be published or kept secret will depend on circumstances.

A general and unalterable rule in favour of publication in all cases may be injurious to the policy making process in many cases. Such a rule would fail to take into account the variety of objects that may have prompted the appointment of a commission.

Required debate of a report ignores the fact that the report represents only findings and recommendations, and only of the commission itself. It has not been translated into government policy. The subject of any such debate, therefore, would not be the policy or decision of the government. Debate at this stage may very well be often premature. When, and if, a report is translated into a green paper, or a white paper, or a bill on the subject, it would seem to me that this would be the appropriate time for debate.