

Committee Procedure

dent of the Privy Council. The Prime Minister was the first offender in that long, dreary monologue when he slyly conducted himself in such a way as to prevent this House from questioning him, as had originally been understood. The Prime Minister said, as reported at page 6015 of *Hansard*:

In Canada, the ministry is responsible to parliament and must defend itself there every day. As I have said, this government is in a position to be more sensitive to this than most, on the basis of the experience I quoted earlier . . . Our policy, Mr. Chairman, has been to improve and defend the system we have enjoyed in Canada for over 100 years and which has had a great role to play in preserving our democracy by making the elected member paramount in the decision-making process and accountable for his actions when he is a member of the ministry.

What tripe, Madam Speaker! What drivel! The Prime Minister goes back to his coach in this, the Minister of Energy, Mines and Resources, and reasserts the same principle. Then the President of the Privy Council, as reported at page 6038 of *Hansard*, had this to say:

—and that does raise a question whether, if a minister objected and the committee then required his attendance, that would raise issues with which I am not quite sure how to deal.

A little later on the same page:

The question which arises is whether a committee may summon an official contrary to the wishes of his minister who is taking responsibility for his actions, and in these circumstances, since I have never seen a situation like this, I treat it as a hypothetical question.

I then rose to point out that when I was chairman of a special committee of the House in 1962, that committee summoned the then Clerk of the Privy Council to appear to deal with the War Measures Act, and the distinguished Clerk of the Privy Council, Mr. Bob Bryce, appeared and gave very eloquent testimony.

So there, Madam Speaker, the issue is joined. We say that any person is a competent and compellable witness before this, the highest court in the land or before any committee of this House or this parliament. The government says no, if such a person is a civil servant he is only to be called if the minister in charge permits this to come about. In the name of heaven, what would happen to the public accounts committee in the circumstances? Is it the assertion of this government that public servants who appear and answer for the misdeeds of their department with respect to spending programs can only appear if they get the permission of their respective minister? If there is a discrepancy or a miscalculation, or if there is some skulduggery, it may be corrupt or simply an error.

Are the Prime Minister and the President of the Privy Council saying that if a minister of the department involved says he is not going to have his civil servants appear, then the public accounts committee cannot call them? It seems to be the assertion they are making. But it is not enough to say that public servants shall appear. We are talking about a principle—the right, the assertion, that this House and this parliament is paramount. The government gets its authority primarily from the House and generally from parliament, and it should not be heard to enunciate here the principle that it can prevent witnesses from being called.

I know that what we have now is government of the bureaucrats, by the bureaucrats and for the bureaucrats. Hon. gentlemen sitting opposite may disagree with me, but I hope they do not. I think those of them who regularly

[Mr. Baldwin.]

attend their caucus and are subject to the discipline of their caucus would be inclined to agree with me if they would only open their hearts and say so in this House. I suggest, Madam Speaker, that the unbelievable complacency of politicians, of the press, of sections of the public toward a kind of government that we are seeing develop by the enunciation of principles of this kind is beyond all description.

We all know that even with responsible government ministers make mistakes. No one has ever urged that a member of parliament has the right in a committee to question a public servant on an issue of policy, or on an issue of confidentiality involving criminal prosecutions, information under the Income Tax Act or information derived from the confines of secrecy in the Privy Council office. That is not what we are asking for. Today governments have become involved in the development of difficult, complex, intricate and complicated programs for legislative purposes and for spending purposes, and they take months and months to develop such programs through information and facts brought to their attention by civil servants and consultants brought in to supplement civil servants. And I suggest to the House that there is no good reason why members of the House both on the government side and on the opposition side should not in committee be entitled to know something of the facts.

A member of parliament is entitled to ask, "What are the facts upon which this decision is based? I am not asking you to tell me why the policy was made, because that is a government decision". No one but the government takes responsibility for policy decisions in regard to bills and spending programs, and the government stands or falls at the next election upon its policies. But as for development of policy and the right to ask questions about facts, it would be an intolerable situation if a committee of this House were deprived of the opportunity of calling a witness to put to him factual questions that fall outside the ambit of that which is confidential.

It is on that basis that I have brought this motion to excite some interest and to find out whether there is support from different parts of the House for it. It also puts the matter into the public domain. As far as the government is concerned, I know its general tendency to be despotic and tyrannical will prevent it from giving effect to the proposals I have made. But I hope my motion will initiate a public airing of this issue so that the matter is taken to the people. The only way an issue can be finally settled in a democratic system is to put it to the people. I do so in the clear knowledge to that this party is pledged to bring in laws as to secrecy and with regard to the right to call witnesses and to develop a full and open society. I hope we will get some reasonable discussion, not only in this House but in the country at large, of this major issue.

Mr. Maurice Foster (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, it is a pleasure to be able to speak to this motion which has been moved by the hon. member for Peace River (Mr. Baldwin). It is one of his favourite topics and I am sure he has enjoyed presenting it to the House this afternoon. It is surely an important matter of the rights and privileges of members of parliament. It seems to me his allegations in the motion before the House and in his presentation really