

**Mr. Deputy Speaker:** I regret to interrupt the hon. parliamentary secretary but his allotted time has expired.

**Mr. Dan McKenzie (Winnipeg-Assiniboine):** Mr. Speaker, I wish to speak for a few moments on this motion. I congratulate the hon. member for Peace River (Mr. Cooper) for continuing the excellent work of his predecessor, the Hon. Jed Baldwin, who started the fight many years ago for the freedom of information. Mr. Baldwin is a very honourable gentleman who is well respected by members on all sides of the House.

I should like to deal further with the position of the Conservative party in supporting this motion and our position regarding freedom of information. We have a policy paper respecting freedom of information. We made it perfectly clear that the Conservative party approved the freedom of information principle in the 1972, 1974 and 1979 elections. Mr. Baldwin conducted a cross-Canada newspaper campaign to elicit public support for freedom of information legislation and received about 4,000 letters of support from individual Canadians; this support is probably much larger today. A couple of years ago an all-party committee on freedom of information in its report urged:

—all members of Parliament, on a non-partisan basis, to join the committee and press for strong freedom of information legislation in the present session of Parliament.

Also the committee made the following recommendations:

That freedom of information legislation be enacted in the present session of Parliament.

That the act provide for judicial review by a panel of federal court judges.

That the exemptions for releasing documents be specifically and narrowly drafted.

That the freedom of information bills presented by the government be subject to a free vote.

Our policy paper under the section entitled: "Official Secrets Act" reads as follows:

A Progressive Conservative government will review the procedures used in the classification of government documents to ensure that non-sensitive material is not classified and its release and discussion thereby prevented.

In the last Conservative government the Conservative House leader, the hon. member for Nepean-Carleton (Mr. Baker), released a statement on freedom of information legislation. He stated:

Instead of everything in the government's possession being secret unless decided otherwise, everything will now be public unless declared secret under precise terms defined by Parliament.

It is unfortunate that we cannot get the present government to take that position. One wonders what it is trying to hide all the time. I think this comes from having been in office too long. The hon. member for Grenville-Carleton (Mr. Baker) also stated that it was the intention to enable taxpayers to find out just what their government is up to and just how their money is being spent. I think Canadian taxpayers certainly have a right to know this. In a statement made on October 24, 1979, he said legal opinions generated within the government should be released. We had an example today, when we were discussing the constitution, of the government refusing to give us any information they have on legal opinions whether it is legal or not to bring the constitution back in the way they are

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proposing. We thought we were making some headway when the present Secretary of State (Mr. Fox), in July of this year, introduced a bill to lift the curtain of secrecy. That hope was short-lived, because a secret document leaked in August—it seems the majority of our documents are leaked to us, which is a ridiculous way for the official opposition and the other opposition parties to be able to ask proper questions—stated the information bill had a very low priority with the present government. The parliamentary secretary tells us how they support a bill and what a wonderful bill it is, congratulating the hon. member on his fine efforts. Then they talk it out right until five o'clock. I think that is ridiculous. This would be an excellent bill to refer to a committee for discussion; the committee could carry on with its work while the House carries on here with its work. Maybe we will find a parliamentary secretary today on the Liberal side with some intestinal fortitude who will refuse to read out the civil-servant-prepared document he was given to enable him to talk this out until five o'clock. Let us have a little surprise from the other side of the House on this Friday afternoon.

• (1640)

**Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour):** Mr. Speaker, I welcome the opportunity to speak on the motion by the hon. member for Peace River (Mr. Cooper) this afternoon. I followed his remarks on his motion very closely. The motion reads as follows:

That the Standing Committee on Justice and Legal Affairs be empowered to study the contents of the Official Secrets Acts and to recommend any changes that the committee deems necessary, in order that the Act would be limited in its application to enemy espionage and offences to national security.

I was about to tell the hon. member he was continuing the tradition espoused by his predecessor from Peace River and would be a vigorous spokesman for open government. However, he did not say very much about his motion. He used most of his time to enter the constitutional debate. I might say to the hon. member that his predecessor would not have done that.

There are two broad themes I wish to develop in my remarks. I think the last speaker will be pleased to hear that like the hon. member on his motion I believe there is good reason to reform the Official Secrets Act. However, I cannot accept his motion at this time. The wording of the motion is quite wrong. It prejudices the work of the standing committee. I also believe this is not a suitable time to refer the Official Secrets Act to a standing committee of the House.

Before elaborating on my areas of agreement and disagreement with the hon. member I will refer briefly to some of the background to the current situation. Canada's Official Secrets Act is the outgrowth of a United Kingdom statute and in many important respects it continues to parallel the legislation on the statute books at Westminster. The first U.K. law was passed in 1889 due to continuing leaks of government information. It was aimed at preventing unauthorized disclosure of government information, whether for espionage or for other reasons. The first Canadian Official Secrets Act was passed in 1890 and its provisions were transferred to the Criminal Code