

*Official Secrets Act*

**Mr. Knowles (Winnipeg North Centre):** My friend, the hon. member for Assiniboia (Mr. Goodale), says that is irrelevant. That is true. It was an answer to an interjection, but I thank the hon. member for getting me back to the point I wanted to make.

In the Gouzenko days there really was a hue and cry about the extent to which secrecy was used on that occasion against a great many Canadians. I well remember taking part with the late Dr. B. K. Sandwell and the present right hon. member for Prince Albert in a big meeting which was held in Winnipeg in those days. I remember how fully that was reported and how much interest there was, because even though Canadians were found guilty of certain crimes against their country, the feeling in defence of civil liberties was so strong in those days that there was a good deal of concern over the way in which the government had used that legislation, in other words, the Official Secrets Act.

The minister says that since that time there has been one case where there was a dismissal, another case where there was a conviction, and now there are two, in one of which there has already been a conviction. It is good to know that secrecy on the part of the government is not practised very often, but I thought we believed in an open society. I thought we were opposed to this sort of thing when it is done in countries on the other side of the iron curtain, but we had the Gouzenko experience and the use of the War Measures Act in 1970, and now we have the use of the Official Secrets Act in two cases. Even if in only one case harm is being done to an individual in terms of his rights, I say that it is time that this parliament, the highest court in the land, reviewed that situation, and I am pleased to indicate our full support for the motion which is before us at this time.

I said earlier that we welcome this motion not only for its own sake but also because it is tied in with and is part of a campaign in which many of us have taken part—I have to give the hon. member for Peace River particular commendation—against secrecy in government in many ways.

We have had a great deal of trouble the last number of months about matters respecting the Royal Canadian Mounted Police and their use of the powers they had or powers they did not have. We have had trouble because much has been kept secret, because the police did not tell the responsible cabinet minister what they were doing, or because one minister did not tell another, and a good deal of the trouble which is still with us today and which supposedly is being investigated by the McDonald commission is because we have across the way a government which seems to think that the right to do things in secret somehow goes with the fact that the government is in power. I think that that is an area where things ought to be reviewed.

I may say too that we all know of cases in the public service where persons get fired and never know the reason. There was much fuss a while back about extra-parliamentary activities and about a certain secret list, but around here many things which are secret seem to get leaked and seem to get out. However, many individuals feel that their lives are put in

[Mr. Goodale.]

jeopardy, or their careers are frustrated because of things which are done against them for reasons they know nothing about at all. In our view that is not consistent with the whole principle of democracy, which calls for things to be done in the open just as much as possible.

● (1422)

I know that every time an hon. member, like the hon. member for Peace River, says we must have an Official Secrets Act, we must have some areas where secrecy is the rule, it brings back the great orator, the Minister of Transport, to tell us that we have admitted his side of the case. It makes it difficult for us to make that admission too strongly because our greater concern is indeed with individual rights and liberties, and those rights and liberties are in jeopardy when secrecy can be practised the way it is by this government.

I think of another area where we have far too much secrecy around here, and that has to do with the difficulty we have in getting hold of government documents, of opinions or reports that have been prepared for the government in connection with decisions. It is a myth that the government must have these secret reports and secret documents and that the rest of us must not know what is in them. The government makes decisions on the basis of reports or of research that has been done, but we in parliament and the people of the country are denied the right to know what has been produced by those who have done the research. Sometimes it is in matters of social policy, of agriculture, of labour, immigration, or what have you, and I think we have gone too far down the road in terms of protecting these areas by secrecy. When I say "we", I mean the government has gone that way.

Those guidelines which were tabled by the President of Privy Council (Mr. MacEachen) some time ago are forever being read to us. I realize that they have been studied in committee and so on, but they have never been adopted by parliament itself. They are guidelines foisted upon us unilaterally under which, as I say, the government keeps all kinds of things secret. Many a time when we have asked for the reasons for certain decisions, or why this piece of legislation was valid and that one was not valid, we have been told that this is because of a ruling from the Department of Justice, and a number of times I have had something to say about some of those rulings. As a matter of fact one former deputy minister of justice has remonstrated with me for referring to certain specific cases where I felt that the government was getting the ruling that it wanted from the Department of Justice. Out of respect for that opposite opinion I do not intend to mention any particular cases at this point, but I would just say that if we are expected to take at its face value the decisions that the government makes on a ruling of the Department of Justice, we should be able to see that ruling. The cloak of secrecy that is put around those rulings, like the cloak of secrecy that is put around reports prepared by the government, makes it difficult for us to make an evaluation as to whether the decision or the judgment is the correct one or not.