

Supply—Privy Council

assistance, manned by knowledgeable and well qualified members, might inquire into a large number of matters which heretofore have been subjects dealt with by commissions of inquiry.

The government must first say: Is this royal commission really essential? Is it to deal with matters of fact and of economics which are completely, as they ought to be, as pointed out by both the right hon. Leader of the Opposition and the hon. member for Roberval, outside the realm of political consideration? The place for politics is in the House of Commons and not outside.

• (1:00 p.m.)

Also, the terms of reference of any inquiry must to some extent come from parliament. I am not suggesting that the government should relinquish its prerogative in this regard. That is the government's responsibility and I am not suggesting that it should be completely divested of it. But I suggest that parliament and certainly the House of Commons should have some say in the matter and should have the terms of reference brought before it for reasonable debate thereon. This would permit the government to obtain the benefit of the views of members of the House of Commons on the terms of reference. I am confident that had this been done many of the mistakes and errors of the past might have been avoided. If the subject matter to be inquired into by the royal commission is one which should properly be the subject of consideration by such a commission I think it would be so far removed from the realm of political argument that a good discussion would take place in the house as a result of which the government would be able to alter the terms of reference so as best to cover the subject at issue.

In the third place, I suggest we should take a close look at the rules under which royal commissions and committees of inquiry operate. I would not go as far as to say we could take in their entirety the rules of evidence as they apply to criminal courts and say they should be followed by royal commissions. But in order that the commissioners, those who appear before them and the public at large may know precisely the rules and regulations under which these commissions are being conducted, I think the rules should be set down in black and white. This will not be easy, because one cannot restrict a commission as one might wish to restrict a court of law. But rules must be set out to be utilized by these commissions.

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I have heard comments with regard to the absence of power by a commissioner to invoke sanctions for contempt at the present time. It may well be that a commissioner needs authority further so that which he now possesses and this question may have to be considered. But if royal commissions are to continue to play an important part in the life of our country, as seems to be the case, there is need to review the situation, make new rules and avoid a recurrence of the mistakes we have made in the past.

In this sense I would urge the minister, before this debate is completed, to put forward some views to which he may be committed. Let him indicate his own views, if not the views of the government, so that we may know what the policy is likely to be in this regard. I feel it is time for this matter to be considered, probably by a committee of the House of Commons established for this purpose. The committee which is presently working outside the house might be able to assist the government in reaching a sensible conclusion in this regard.

Mr. Brewin: Mr. Chairman, I should like to say a few words on the subject mentioned by the Leader of the Opposition, the hon. member for Roberval and the hon. member for Peace River.

I think all members of the house share the considerable feeling of disquiet about the subject of royal commissions. I am sure the President of the Privy Council shares this uneasiness for good reasons. It seems to me that some of the suggestions made by the hon. member for Peace River deserve careful consideration.

The present Inquiries Act is most defective. It has been in its present form for a long time. Experience has been accumulating in different jurisdictions, in the various provinces of Canada, in the United Kingdom and in other countries, with regard to commissions of inquiry. While it is true, as the hon. member for Peace River said, that the appointment of commissions may sometimes be a device for evading responsibility, they can, on the other side of the coin, be extremely useful. There are many matters which can be better looked into by commissions, though I share with the hon. member for Peace River the hope that our parliamentary committees will be used to a greater extent than in the past.

Let me give the committee one illustration. A commission composed of distinguished outsiders was appointed to consider the subject of hate literature. But this very matter was