

*Freedom of Information*

**The Acting Speaker (Mr. Turner):** Order, please. The Chair recognizes that there are 20 members in the House. The hon. Secretary of State.

**Some hon. Members:** Hear, hear!

**Hon. John Roberts (Secretary of State):** Mr. Speaker, I want to join with those hon. members who have previously pointed out that many of our distinguished colleagues have taken an interest in this subject, greatly to their credit. I want to associate myself with the compliments which have been extended already. This continuing and important question of freedom of information has been brought before the House over the past year or so. Particularly I cite the contribution which was made by the hon. member for Peace River (Mr. Baldwin).

I must confess that my heart sang with delight when the hon. Leader of the Opposition (Mr. Clark) promised to be not only non-partisan but short, in order for other interested members to be able to take part in the debate. I think he made a very constructive contribution to the debate. I regret that there were one or two moments when he lapsed from the promise of non-partisanship. I hope I shall be relatively non-partisan and relatively short, because I know there are other hon. members who wish to take part in the debate.

I was somewhat disappointed that the hon. Leader of the Opposition attempted to suggest the very title of the green paper, which the government has brought forward, indicated some kind of assumption on the part of the government that it was separate and superior to the public. There is no basis, either in the title or in the document, for making such a charge. If the government had been so separate and superior to the public, as was suggested by the hon. member, it could not have possibly survived in office for so long in this century. It is because this government is close to and represents the interests of the public that it has received the support of the public impressively in this century.

I do not think it was worthy of the hon. member to ascribe various motives to the government for wrestling with two very difficult questions concerning freedom of information. The first is the definition of what exemptions should apply to the general principle, which we accept and urge, that government documents should be open to the public. The second is the question of the review process to establish whether those exemptions have been applied properly within the government, and whether the review process is properly constructed. I say this in a non-partisan way: these are difficult questions to resolve. They are not easily resolved. Unfortunately the hon. member lapsed into a description of motives on the part of the government which simply do not exist. However, with the exception of those two lapses, he made a very constructive presentation to the House. I hope the debate will continue on that level.

To some extent I was disappointed with the intervention of the hon. member for Greenwood (Mr. Brewin). In his speech he misconstrued what the purpose of the government was in bringing forward the green paper on legislation on public

access to government documents last spring. He talked about the green paper proposal. I am not sure if I am interpreting his view properly, but it seems to me he was suggesting that what was put forward in the green paper was proposals for government action. As in the essence of a green paper, we were putting forward proposals for discussion. In many cases we put forward alternative wording of what the exemptions could be. We solicited the advice of the House, and indeed the advice of the joint committee, which is performing an extremely valuable role, as to how the exemptions could be made more precise, or which of the various approaches to the review of exemption applications should be accepted. I hope the hon. member listened to me in the past. Perhaps he will take more heed of me today.

I am being completely straightforward in saying that the purpose of the green paper was to solicit debate and discussion in the House, joint committee, and on the part of the public. It has been successful in that objective.

As I said before, the activities of the joint committee have been valuable. Both the ultimate report of the committee, which I expect in the next few days—it may have already been prepared, but I have not yet received it—and the briefs presented to the joint committee, have been stimulating and useful in the deliberations of the government as to how a proper freedom of information or access to public documents policy should be conceived.

● (1632)

As was indicated earlier by the President of Privy Council (Mr. MacEachen), we are largely in agreement with this motion presented by the Leader of the Opposition because we know and accept that there is a need for changes in this area. This I think is accepted and recognized by members on all sides of the House and, certainly, it is recognized by members of the government.

We are not holding back from confronting the challenge of meeting that need. There are undoubtedly abuses which have occurred in the past, but I do not think that they are abuses which stem from the long life of this government. If one, for example, regards the situation in Australia or the situation in Great Britain, one finds a situation of comparable difficulty. I suspect that the tradition of confidentiality stems much more from the traditions of parliamentary government than it does from the life of any particular government.

We accept the fact there is a need for reform in this area, and we urge it. If I have to do so again, I will make the commitment which I made less than two weeks ago in this House in my speech on June 9, 1978, as reported on page 6254 of *Hansard*, that we are committed to bringing forward in the next session effective freedom of information legislation. On the government's part, there is not a great deal of disagreement with the motion presented by the hon. Leader of the Opposition and, indeed, if the members of the House are good enough to look at the speech I made less than two weeks ago, they will find presented there—no doubt because I am subjectively biased—in a more eloquent form, essentially the same