

Freedom of Information

ed a cost of between \$5 million and \$10 million in today's dollars. We were surprised that the cost of providing information had declined so dramatically in the last four years. We do not think the President of the Privy Council is right in his estimate. We are inclined to this view based on the research which I am aware went into the green paper of 1977, but we are also inclined to this view because the position paper presented by the President of the Privy Council was notably silent on this particular issue. We think the cost will be considerable. We think the cost will be high, not so much in terms of dollar costs but in terms of the diversion of manpower within the public service.

While freedom of information is a laudable goal, we do not want to see the cost of that borne by the consumers of government programs, and we want to ensure that if indeed costs to develop in terms of the utilization of manpower within the public service, the government will not hesitate to provide the extra man-years necessary to get that information out as expeditiously as possible and not pass the cost on to the consumers of those programs. I think that is of fundamental importance, because to do so is in many ways to take the route which has been taken in the United States. We also think that departments ought to be encouraged to report on a sensible basis what their experiences are with freedom of information.

I have now had an opportunity to review all of the annual reports of all of the departments of the government of the United States since their revised freedom of information act came into effect. I can tell the House that there is absolutely no common system which determines what costs are reported, in what way and how, and if you try to take that material and work out what the costs actually are, it is enough to cause you to tear your hair out. I know that this is so.

When the hon. member for Peace River and I once went to Washington, he and I took a separate tour from the rest of the group, and we were told quite frankly that the administration had no interest in finding out what the cost of the legislation was. I think we do have an interest, because it is clear to me that if we do not find out what the costs are and provide for them in our estimates directly, the consumers of programs will pay, and I am not really prepared to see the government taking that route.

I want to deal with one of the points in which the minister took a great deal of pride, and that was the way in which a means of ensuring that a final decision could be taken not by the politicians in Parliament assembled but by the courts of Canada. I beg to differ with the President of the Privy Council. I do not particularly think that that is necessarily a wise move. I accept the fact that no matter in what way we determine the final decision, it is not going to be perfect. My own feeling, as a person who believes in the concept of responsible government, is that it is the government which ought to take the final decision, because in many cases these decisions as to what will be released and what will not will be questions of political judgment, and the government ought to take those decisions, report them to the House of Commons,

and then provide an opportunity for the House to be heard on them.

● (2050)

I believe that for the government to go to the courts is for it to take an attitude that it does not feel strong or powerful enough, or have the courage, to deal with the responsibilities it has. I think it is the government that should make political judgments, not the courts, and it is my fear that the cases that will come before the courts will involve as much political judgment as they may involve judicial decision. The judges are trained to make decisions in law. Freedom of information, and the concept of what is contained in those documents which may or may not be released, are better determined by politicians.

I do not lack confidence in the government in the sense that I believe they are perfectly able to discharge their responsibilities. I fear that they will get into a system of judicial decisions which will, in fact, seal off information which ought to be released and keep secret information that is not necessarily secret. So my judgment is that this provision should be looked at again. We feel that the House of Commons has a role to play in this. We are elected by the people, we have confidence in the political process, we even have confidence in the government that they will be able to discharge their duties ably with such a change in the legislation. I recognize that members of the government opposite might not share the confidence I have in them, but that is for them to decide.

The last point I want to make is to say that, by and large, we are in agreement with the form and the bill. We will be examining very carefully, as will other people, the formulas that have been developed for the exemptions. We recognize that in many cases it is a question of degree and we are prepared to discuss and test those examples that are given in the legislation. We want to emphasize that we believe that this is evolutionary legislation, that this is a good beginning which, by virtue of its very fact, ought to substantiate changes within the public service, that it will be basically a long time in coming to its fruition. By and large we are pleased to support this legislation on second reading.

Some hon. Members: Hear, hear!

Mr. Ian Waddell (Vancouver-Kingsway): Mr. Speaker, I suppose this is my maiden speech in the House of Commons, my first real speech, if you like, and I am very proud to be speaking on such an important topic. I think we are only beginning to see the importance of freedom of information and we are only beginning to see how far the concept and the philosophy will lead. I hope to suggest some extensions of the philosophy in my speech tonight.

However, I should like to begin by paying tribute to a former member of our party, Barry Mather, who introduced the first freedom of information private member's bill back in 1965. I am pleased to say that he was a member from British Columbia. I am also pleased to pay tribute to the hon. member for Peace River (Mr. Baldwin). When the bill was introduced