

The commission sought and received declassification of the relevant portions of many classified documents, and reported at length on the contents of many of them. These disclosures were unprecedented in our history, and were made possible, not as a result of findings of wrongdoing but because the government acceded to the commission's request to publish all relevant material, even if the purpose was to establish that no wrongdoing occurred.

The commission took the view that it would be necessary to make a report citing misconduct if any minister or senior official participated in, knew of, or failed to deal with activities of the RCMP not authorized or provided for by law. After hearings, which numbered in excess of 300, and having received evidence from numerous ministers and senior officials, including the Prime Minister (Mr. Trudeau), the commission was unable to make any finding of misconduct against any minister, former minister, senior official or former senior official.

The government, through its judicial commission of inquiry, has done everything possible to ensure the publication on the basis of independent advice of all material relevant to questions of guilt or innocence in relation to allegedly illegal activities of the RCMP.

PUBLIC SERVICE—ACTION TAKEN AGAINST EMPLOYEE OF  
DEPARTMENT OF MANPOWER AND IMMIGRATION. (B)  
APPLICATION OF CHARTER OF RIGHTS

**Mr. Howard Crosby (Halifax West):** Mr. Speaker, on March 30, 1982, I had an opportunity to present to the Minister of Employment and Immigration (Mr. Axworthy), and then to the Prime Minister (Mr. Trudeau), the case of Paul McNeill of Halifax, Nova Scotia. Mr. McNeill is employed by the Department of Employment and Immigration as an economist whose duties include assessing the labour force and market in his region, which duties are totally unrelated to the federal government home insulation program. Mr. McNeill has another avocation forced upon him by a chain of unfortunate circumstances.

In 1979 he purchased a home in which urea-formaldehyde foam insulation had been installed. I will not detail the subsequent links in the chain, but suffice it to say that he and his family suffered physically from the effects of this chemical product officially approved by CMHC as agent for the Government of Canada. Understandably, Mr. Speaker, he joined with others who had encountered a similar problem. In 1981, he was active in the formation of an association called the Urea-Formaldehyde Fight Society of Nova Scotia. He removed the UFFI from his home in August of 1981 at a cost of \$12,500. Quite naturally, he was interested in whatever compensation program the federal government had established. Quite understandably, he was disappointed, as were the other 80,000 Canadians with UFFI in their homes, at the level of compensation offered by the Minister of Consumer and Corporate Affairs (Mr. Ouellet). That program, as Your Honour recalls, had a limit of \$5,000 for remedial measures. However, I am not here to discuss or debate the compensation

to home owners with UFFI, but to consider the more important matter, namely, freedom of speech and public expression.

• (2245)

In my question, I was concerned with two related matters: first, the provision in the Canadian Charter of Rights and Freedoms and, second, the need and desirability of a code of conduct to govern the activities of departmental employees of the Government of Canada. The Government of Canada, in the case of the Department of Employment and Immigration, has apparently approved a very extensive code of conduct, a portion of which I will read. However, let me first deal with the provisions in the Canadian Charter of Rights and Freedoms. Section 2 of the Canadian Charter of Rights and Freedoms states that everyone, that is every person in Canada, has the right of freedom of thought, belief, opinion and expression, including freedom of press and other media of information. Those freedoms are guaranteed by Section 1 of the Canadian Charter of Rights and Freedoms which states that these freedoms exist and are only limited to the extent that it can be demonstrably justified, in a free and democratic society, that restrictions are required.

The question I put to the Prime Minister and to the Minister of Employment and Immigration was simply this: does the provision of the Canadian Charter of Rights and Freedoms not allow public servants, along with all Canadians, to publicly express their opinions and their views on a matter of serious concern to them? Is any restriction on that right of public expression not outlawed by the provision of the Canadian Charter of Rights and Freedoms? Of course, the answer I got from the Prime Minister was that the matter would have to be determined by the courts of law.

It is a shame and a crime that we stood in this House of Commons day after day and debated the provisions of the constitutional proposal, particularly the provision of the Canadian Charter of Rights and Freedoms, but that when there is a practical application, where a dedicated public servant only seeks a remedy for a wrong which has been done to him, he must go to the courts to seek redress.

I want to underline and point out to members of the House and to all Canadians that, with that kind of attitude on the part of the Prime Minister and of the Minister of Employment and Immigration, this Canadian Charter of Rights and Freedoms will become an empty and meaningless document.

Let me address a few remarks to the other aspect of the question that I put to the Minister of Employment and Immigration concerning the code of conduct which has apparently been adopted in respect of employees in his department. Anyone who looks at this code of conduct would be shocked by the wide nature of its provisions with respect to public criticism. The document virtually outlaws criticism of any kind of any government official or government policy whatsoever, whether it relates to the Department of Employment and Immigration or to any other work of the Government of Canada. The adoption of such a code of conduct would force employees of the Department of Employment and Immigration