

Inquiries Act

Library of Parliament—in a ten year period commencing in 1964 and ending in July of this year—lists the appointment of 19 royal commissions. However, in the last five years of that period, there were 17 task forces or other miscellaneous federal bodies of inquiry that published reports. This does not include, Mr. Speaker, those task forces and other boards of inquiry appointed by the government that did not publish reports, but withheld from the public the information they had gathered at public expense.

● (1710)

I am concerned about information gathered at public expense not being readily available to the public. It should be readily available. It can be argued, Mr. Speaker, that modern royal commission always publish reports. That may be so. But they do so only by the leave and licence of the government.

Under the Inquiries Act the public is not entitled to the reports as a matter of right. This point is illustrated by the fact that the terms of reference of the Food Prices Review Board, dated May 25 of last year, specifically authorized the board to "issue reports, on its inquiries, with all dispatch, including recommendations." Again, when the board's powers were widened on August 21 last year, the Governor in Council, in granting powers to the board, said that where the board deems it necessary it may publish a report on its inquiries without delay. Here, Mr. Speaker, are both the principle and substance of this bill in government form.

The government itself speaks of publication of reports from time to time, and of the publication of these reports "with all dispatch" and "without delay". Here are words, Mr. Speaker, that are full of juice to meet the purpose, 100 per cent pure in bacillus coli count.

I suggest to the House that the order in council in which these words are recorded is public confirmation that members of the Privy Council who advised His Excellency to use them are in accord with the principle of this bill and would welcome the present opportunity to send this bill to the committee.

The suggestion may be made that the precedent concerning the Food Prices Review Board is addressed to a particular purpose, and that the members of the Privy Council never intended to adopt the principle of "publication with all dispatch" as a general principle. I refute that suggestion with the words of the hon. member for Ottawa-Carleton (Mr. Turner) who said at one time:

—there is another side to the right to privacy which has not received the prominence it deserves but whose dimensions cannot be ignored. This is the tendency of governments to abuse citizen entitlements under the guise of privacy. In other words, government secrecy is sometimes legitimated as the need for a government's right to privacy but which may well be a denial of the public right to know. If privacy is the foundation of democracy, the right to know is fundamental to any participation in democracy. The public cannot be expected to dialogue—still less decide—meaningfully if it is refused the very information which would make such a dialogue and decision-making possible. What is necessary, then, is a freedom of information act entitling the individual to information which the government authority has arbitrarily seen fit to withhold. Indeed, as Professor Hugh Lawford of Queen's University has pointed out, the Canadian government has yet to enact a law respecting clearance of, and access to, government documents. The situation both in respect of access to documents in the National Archives as governed by the Public Archives Act, as well as

[Mr. Alexander.]

documents still in the possession of government departments, is far from satisfactory.

I adopt those words, Mr. Speaker, and make them my own, just as colleagues of the hon. member for Ottawa-Carleton have made them their own. He uttered those words when he was Minister of Justice and Attorney General of Canada, and he was addressing Queen's University in May, 1970.

Let me isolate the nitty-gritty of that statement: "If privacy is the foundation of democracy, the right to know is fundamental to any participation in democracy". To which, Mr. Speaker, in humbleness I add a paraphrased commentary from the Magna Carta: "Knowledge delayed is knowledge denied".

I ask my colleagues to support this bill. I commend it to the consideration of the House, in the certain knowledge that it is acceptable to Her Majesty's government.

[Translation]

Mr. Pierre Bussières (Portneuf): Mr. Speaker, the bill moved by the hon. member for Hamilton West (Mr. Alexander), an Act to amend the Inquiries Act, stems from a natural right of the individual, the right to information. As I have just said, this is a fundamental right and we, in this country, are very sensitive to the individual rights and the basic individual freedoms. We live in a liberal society, we find advantage to it, we want this kind of society and its advantages to be preserved. Any discussion, any administrative or legislative measure which would tend to restrict those fundamental rights of the individual are always the object of discussions and objections from citizens, pressure groups and also politicians. In these circumstances, in these discussions, where we see that these rights are in danger, protests rise from all sides, justly so.

The intent of Bill C-206 is precisely to confirm that right to information. Its aim is to make it easier to exercise this right, and, I would add, to protect the individual against the government's leaning to hide its administrative activities behind the too discretionary curtain of State secret and security.

● (1720)

Mr. Speaker, the administrative machinery of all our levels of government has become so cumbersome and complex that people are bewildered, and feel cut off from it. They often wonder to what degree they control that machinery which, as a matter of principle, belongs to them.

One can guess, Mr. Speaker, by what I have said up to now, that I agree as a matter of principle with the bill now before us. However, I would have certain objections to raise as to its passage. The first would be as follows: I believe that on the whole, one can say that the individual, in our Canadian society, is not hurt as far as his right to information is concerned. The second objection would be as follows: The act that this bill tends to amend is such that we should ask ourselves whether it would not lose some of its efficiency, should we pass Bill C-206, introduced by the hon. member for Hamilton West. And here is my third point: one wonders whether the right of the individual does not reflect upon another right, which is the right of the state, and whether a conflict may not arise