

*Regulations and Other Statutory Instruments*

This is a situation which—let us not kid ourselves—exists in this country.

I talked to Mr. Walter Rudnicki not so long ago. We all know who he is. He told me that in many instances he had heard and had been present when civil servants had been threatened with the Official Secrets Act if they were to divulge information which this country, this House and the public needed.

This is the background to my motion on behalf of the committee that the House concur in this report so that when the government does come to bring in its legislation, it will take courage in its hands and bring in a bill which will work, not a bill which will be simply used to cover up government embarrassment.

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

**Hon. John Roberts (Secretary of State):** Mr. Speaker, I am a little puzzled as to the timing the hon. member has chosen to move the adoption of this report. I am a little puzzled because there has been ample opportunity over the past few months for various members and, indeed, for political parties, to put on record their positions in relation to freedom of information.

I tabled the green paper in the House in June of 1977. On that occasion both I and the hon. member spoke. I was glad that in his remarks today he mentioned that there were aspects of the green paper which he commended as well as, understandably, a finding that it contained aspects with which he could not agree. That, of course, is the purpose of the green paper procedure. It is a method by which a government can present to the public and to parliamentarians some of the background to a problem, often giving a range of solutions which are possible so that there can be a basis for discussion, for argument, and for debate over how perceived problems can be dealt with.

I was afraid that at some stage the green paper would be misinterpreted as being an indication of firm government policy positions. That, of course, is not the purpose of green papers. I hope that the initial reaction on that part of the public that the green paper contained, either explicitly or in some veiled fashion, a hard and fast determined government policy has now been dispelled. I think to some extent the hon. member's remarks recognized that the purpose of the green paper was for discussion and that in it there were things one would want to support and things which, on reflection, one would disagree.

Subsequent to the presentation of the green paper in June, 1977, there was a debate in the House in December of 1977 in which both I and the hon. member spoke. On May 30, when the green paper was discussed in the joint committee, I was present and responded to questions put by the hon. member. Then a very short time before the adjournment of the House last June, on June 9, 1978, we again debated the issue, and the hon. member, speaking for his side of the House, presented his point of view, and I gave the position of the government.

[Mr. Baldwin.]

Within the last 15 months there have been several occasions on which this matter has been discussed in the House. Parliamentarians have had the opportunity to present their views. That is why there was a little puzzlement on my part today that the hon. member should return to this subject. He knows, as most hon. members know, that there is a firm commitment on the part of the government to bring forward legislation on this subject in the session which will start tomorrow.

**Mr. Baldwin:** If you accept my motion, I will withdraw my speech.

**Mr. Roberts:** The hon. member says that he would withdraw his speech if I were to accept his motion. I am glad that it is impossible for us to withdraw his speech. I am glad that is the case because I always enjoy listening to him speak, particularly when, as he did today, he protests that he is speaking in a completely non-partisan way. It is not always as evident to me as it is to the hon. gentleman that he speaks in a non-partisan way, but I always accept his remarks. I hope with the spirit with which they are intended, and it is indeed true that on occasion one finds interest and helpfulness in his comment.

● (1622)

In the first part of my remarks I wish to direct myself to the question as to why this should be discussed now and to reaffirm the commitment which has already been made and which hon. members have heard, namely that the House will be presented, in the session which starts tomorrow, with legislation on this issue. It gives me a chance to reaffirm the government's conviction that there must indeed be freedom of information legislation which gives a better guarantee to the public that there will be access to documents which are prepared on their behalf within the confines of government administration.

Since I have referred to the deliberations of the joint committee, I want to say as well that I have found those deliberations to be extremely useful. I welcome as well the endorsement which is contained in the report, presented to parliament earlier today, of the Special Joint Committee on the Constitution of Canada, which appears in its recommendation No. 11 which reads as follows:

Second, we believe there should be provision for reasonable access to government documents and records. We would not wish to attempt to spell out in a constitution precise requirements as to the ready availability of information, but we think that some obligation on the government to inform the people should be made explicit in a charter of rights. Without knowledge, there can be no democracy.

The principles and the spirit which inspired that recommendation are ones with which I and the government are totally in accord, so we welcome this further recommendation from other members as to the desirability of proceeding quickly with freedom of information legislation.

The hon. gentleman also referred to the recommendations which he had received since the publication of the interim report of the joint committee. I would be grateful if he could forward copies of those to me. Undoubtedly many people who have written to him have also written to me, but the work of