

Access to Information

legislation. The jurisprudence which will build up in interpreting this bill will be fairly lengthy and probably fairly time-consuming before we get to the kind of expedition whereby we will see ready, quick and efficient access to information.

● (2120)

There will also be a fairly long period of delay before some information will become available under this bill. I hope perhaps some of the drafting can be improved in committee as well.

I want to say to the minister that we do not think our bill was perfect. We do not suffer from that syndrome. We are prepared to admit that occasionally some of the things we do can be improved upon, but we have never seen that kind of humility emanating from the other side of the House. It will be a refreshing change if it ever happens.

Clause 28 of the bill reads as follows:

The head of a government institution may refuse to disclose any record requested under this act

(a) during the first two years after the coming into force of this act, in the case of a record that was in existence more than two years before the coming into force of this act; and

(b) during the first five years after the coming into force of this act, in the case of a record that was in existence more than five years before the coming into force of this act.

Now, let us try to figure that out. As my friend says, it does not mean immediate access, and it is certainly not going to provide very current information about matters we would like to know something about, perhaps during this session of Parliament. There are certain areas that I think would benefit from close scrutiny and redrafting in committee.

Some of the possibilities that exist for getting around the provisions of this bill ought to be discussed in this House and in the committee—not in any paranoid fashion, but with a clear recognition that there have been abuses. These are not instances brought up by members of Parliament who, heaven forbid, might have any partisan reason for advancing them! I should like to put on the record one abuse that was reported in *The Globe and Mail* of November 21, 1980:

Privacy commissioner Inger Hansen says federal 'bank robbers' are laundering sensitive data files before they are opened to individuals.

Mrs. Hansen said in an interview that information is being taken from files that might be opened to the public and moved to data banks that are closed to the public.

If a freedom of information bill before the Commons becomes law, Mrs. Hansen would have greater access to closed files than she currently has under human rights legislation. But, she said, information could still be hidden by moving data on individuals to files on protected projects.

Government departments and agencies also can destroy files, as the RCMP security service did with Operation Checkmate files containing details of disruptive tactics used on individuals and groups across the country.

I remember that my hon. friend opposite expressed great skepticism when I suggested that it was not marijuana that was burned by the Security Service in Quebec some time ago. He assured me that it was, but as he now knows, more than that was burned.

Last year, Mrs. Hansen won the right to look at data banks that are closed to individuals. However, she can't disclose anything about them, or even confirm they exist.

After Walter Rudnicki—

That is a name most of us know.

—was fired in 1973 from his high level planning job with what is now Canada Mortgage and Housing Corp., he was allowed to see his security file. It was bare except for a single handwritten note stating that he had been granted security clearance in 1966.

Without belabouring the point, Mr. Speaker, I hope we see from experience just what kind of jiggery-pokery has existed in areas where federal public servants had the responsibility of providing access to information.

It is sincerely hoped that as a result of this piece of legislation, which I commend my friends opposite for introducing, there will be no more of this kind of manoeuvring that is implicit in some of the fears of Inger Hansen and that we will finally find a way to provide speedy access to information rather than waiting two years or five years. We hope too that such openness will extend beyond this piece of legislation; that there will be a vast improvement in the quality of answers to questions on the order paper; that they will be provided much sooner; that there will be the same kind of openness in committee; and that in general this legislation will be the harbinger of a great new and enlightened change in the House of Commons, where there will be some accountability. If that is the case, Mr. Speaker, then it will be one of the most important pieces of legislation ever introduced in the Parliament of Canada.

Some hon. Members: Hear, hear!

Mr. Bill Kempling (Burlington): Mr. Speaker, I should like to join with my colleagues in recalling the many years of effort put forth by our former colleague, Ged Baldwin from Peace River, who laboured long and hard trying to gain acceptance in this institution for the idea of freedom of information.

I had the honour and pleasure of occupying an office across the corridor from Mr. Baldwin. We spent many hours talking about freedom of information, and he related to me numerous cases in which he had been involved and in which justice would have been done faster and with less heartache for the people concerned had freedom of information legislation been in place.

I cannot help but think it ironic that this bill should be introduced for debate today, Mr. Speaker, because I happen to be dealing with such a matter in my office at present. It is a matter that should be opened up because certain information is being denied.

I am sure hon. members are aware that at the present time a justice committee in the province of Ontario is hearing evidence from various witnesses regarding the bankruptcy of a couple of provincial companies. It has for the last couple of days been considering, and I presume for the balance of this week it will be considering the involvement of those two companies with a federally incorporated trust company.