

generally along the lines which this party, my friends on my left, the social credit party, the Creditistes, and the National Liberal Federation have approved? Will hon. members follow along those lines; will they defy their own party and vote for the kind of legislation which will make provision for freedom of information?

Finally, may I just run through some of the provisions in the report which I think are worthy of being pointed out. We attempted to deal with the very difficult question of national security. The words national security have, ever since the days of the late Joseph McCarthy, been used by governments for the purpose of covering up information which has no real relation to the sensitive character of national defence or matters related to it. It has been used and abused too frequently.

With this in mind, we recommended that we should have an exemption along these lines covering documents the disclosure of which could be reasonably expected to be detrimental to the national defence. I think that makes the situation pretty plain.

We went on to provide for documents the disclosure of which could be reasonably expected to be detrimental to federal-provincial relations, something we would all expect, cabinet documents, policy advice, law enforcement, the disclosure of documents which would have a significant adverse effect on law enforcement activities, personal privacy, legal opinions, commercial or financial information on statutory exemptions.

Finally, we went on to make it quite plain that there should be a two-tier review. In the opinion of all members of the committee, from our experience in listening to a great many witnesses, we felt that when the act is passed and comes into effect, where there is an application by a member of the public for production of a document and that request is rejected, there should be an appeal in the first instance to a parliamentary commissioner with some knowledge of the proceedings and some knowledge of the act and the jurisprudence which would be built up. That officer, by use of the telephone, would be able in probably 95 per cent of the cases to telephone information officers in each department. There are many information officers and PR people whose present job is mainly to put wings and halos on their ministers, and I think they could be more usefully employed in providing information to the public. Probably 90 per cent of the documents requested would be covered in an appeal process in that way.

● (1612)

In a very small percentage of cases where the commissioner is unable to work out a deal with the information officers of each department there would be a simple procedure of an appeal to the federal court. That met the approval of all members of the committee.

The final issue, and I am glad to say that this was a matter raised by one of the hon. members on the other side, was the problem many of us have experienced sitting in committees faced with ministers and senior civil servants who refuse to provide information on questioning, on the ground that it is subject to Crown privilege. They will now be compelled to

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answer. This was put forward in our last recommendation, and I am going to take the time to read it.

Your committee is of the opinion that no claim to Crown privilege should prevail against a freedom of information statute and that members of parliament should have the right to receive documents without regard to Crown privilege. Your committee therefore recommends that the Standing Orders be amended accordingly.

The effect of that would be that any member of this House appearing before a committee would have the right to demand, subject to the exemptions which I have already mentioned, that the minister no longer hide behind the facade of Crown privilege, must answer questions which are put to him and must produce documents which are relevant to the issue. I think that would go a long way toward making the committees the adornment to the House which they ought to be.

I have recently been reading a book entitled "Your Disobedient Servant" written by a talented and patriotic English former civil servant who held a very senior position in the public service of England. He was the regional director of PSA, Property Services Agency, for the five southern counties of England. He had developed a method of saving considerable money in co-ordination with the unions and in co-ordination with his employees. As a result of his inquiries over a period of three years he had been able to save, from a budget of 11.5 million pounds or 12 million pounds sterling directed entirely to property maintenance, 3.5 million pounds, which I take to be between 30 per cent and 35 per cent.

In attempting to put this information before the permanent secretary of his department and before his colleagues who were also directors, he met a very considerable measure of resistance. It was not from the members of the public service in the lower echelons; it was from those at the top who disliked very much having one of their colleagues being able to produce statistical information showing that he was making savings which they were unable to comprehend.

They challenged his assertion. The permanent secretary challenged his assertion, and ultimately the matter landed up before the public accounts committee. The public accounts committee examined the permanent secretary and the issues and came up with a very strong recommendation that savings were indeed possible in this way. However, the committee then attempted to call the civil servant, who had since resigned—Mr. Leslie Chapman—as a witness so that he could give greater detail as to the way in which he had been able to bring about these savings.

These were the simple, homely savings which we make with respect to our own homes or in our own businesses. This was not a matter of saying, "We are going to take 20 per cent off the estimates for this department". These were the simple, sensible savings which should have been engaged in by government some time before.

What happened? Mr. Chapman, attempting to appear before this committee to give evidence as to the extent to which savings could be made, was told that if he did appear and did produce facts and information to back up his statement, he would be prosecuted under the Official Secrets Act!