

*Public Information*

problem. I refer to the right of parliament and of the public to the freedom of information, and also to the right of the individual to privacy when information about him is held by the federal government.

It seems to me that one formula which might be acceptable, and which I would hope we can consider before rushing off to accept other proposals, would be a piece of legislation that would integrate both aspects of the problem, dealing with privacy and freedom of information. We could appoint an officer of the House, responsible not to the bureaucracy or the executive, but to parliament itself. He would have the responsibility, as does the Auditor General, of reporting to parliament on the progress made by the executive and the bureaucracy in protecting personal privacy, and also of ensuring that matters of public information dealing with public policy are made public.

My concern is that at the present time we are far too reliant upon the goodwill of parliament and the judgment of individuals to see that power is not abused. I think the public has the right to insist that there be statutory responsibilities given to someone, preferably an officer of parliament, who can make sure that the rights of the public are properly protected.

I know that the parliamentary secretary wants to speak, and I would certainly be the last one who wants to talk this bill out. I think it is an important bill to be sent to the committee, so I will sit down now in order to give the parliamentary secretary the opportunity to make his point.

**Mr. John M. Reid (Parliamentary Secretary to President of the Privy Council):** Madam Speaker, I think we have today an indication of the impact that a private member's public bill can have on government policy.

● (1740)

I can assure the hon. member for Peace River (Mr. Baldwin) and the hon. member for Hamilton West (Mr. Alexander) that when the government guidelines were drawn up very active consideration was given to the points raised in both their bills. Because these bills are not always discussed in the House this does not mean that no one pays any attention to them. The truth is that when a private member puts down a bill, attention is paid to it by the government and by the bureaucracy.

The guidelines which the President of the Privy Council (Mr. Sharp) tabled today were developed as a result of cabinet decisions taken before the election of 1972. They dealt not only with the provision for reference to members of parliament but also the treatment of private members' bills, notices of motions and notices of motions for the production of papers. It was a total package the government approved. It was my luck to come on the scene after the decisions were made and to be asked to put them into effect as best I could.

I am sure hon. members who have served in government, or in any other large bureaucracy, know that it is not too difficult to make decisions at the top but it is very difficult to refer them down through the layers of bureaucracy. If hon. members will look back at the way in which answers to written questions, motions and so on, were handled prior to 1972 it will be seen that there has

[Mr. Beatty.]

been a distinct improvement all the way through in that regard. I think this is due in large part to the initiative of people who have brought down hills and arguments in respect of how to deal with some of the points raised in respect of the kind of information which should be released.

This is a very difficult question because there are a large number of what might be termed borderline cases. Let me give hon. members an indication of some of the problems we have had in dealing with this issue. Let us take the information which comes to the government on a confidential basis. Let us take applications for regional economic expansion grants. The information provided the government in such a case always is proprietary and confidential.

In cases up until now when members have put down written questions asking for the details of the information provided to the government on the basis of confidentiality, the government has refused to disclose this material. Should we say, on the other hand, that any company which asks for a grant should be prepared to let us make its total financial economic picture available to a member who might request it in the future? I am of the opinion that on balance the answer is no. This is a difficult subject.

Let us take the case of confidential information which is given to a minister by his deputy minister. If I should go to a deputy minister tomorrow and say that I should like some information on such and such a situation, the deputy minister might ask me a question. He would ask me whether I intended to document it and print it. Then he would say if it is to be documented and printed that he would provide the information, but he would add that if I truly wished to have his frank and unbiased opinion I would have to regard it in confidence. Where do we draw the line?

Of course this applies to cabinet documents. Hon. members show a great deal of interest in what is contained in cabinet documents. Generally speaking ministers on second reading give what is in the cabinet documents, but hon. members often enough wish to have this material provided. What about information relating to security, both national and police? What about information affecting national defence? What about information that relates to the Queen, the Royal Family, prerogatives, and the relationship of the Canadian government to foreign governments? Hon. members probably would be interested in all these matters.

It is difficult to know what the balance should be in respect of releasing information. The problem will not become any easier. The balance will have to be struck again and again, because there is a growing tendency for government to become involved more and more in the economic and social affairs of our country. Consequently there is confidential information on a whole range of subjects. Should this confidentiality be breached, or should governments base decisions on information which comes to them on the basis that the information will be made public? If a government were to do that, very often it would receive information that would be publishable but that would be worthless in terms of making a decision. I do not know where the balance should be, Madam Speak-