

*Freedom of Information*

time in Sweden, Finland, and Denmark. As well, when we were members of the statutory instruments committee we twice had the opportunity to visit the United States in order to examine the progress that country was making on its revised freedom of information legislation. Perhaps I might tell the House a story of what happened to me as a result of visiting Scandinavia with the hon. member for Peace River.

We had with us for the first visit to Sweden an official of the Privy Council whom we had requested to attend with us, keep notes, and write a report on our behalf to the Privy Council. The official was called back to Ottawa as a result of a minor crisis. On his return he produced a report as a result of the first visit to Sweden. He sent copies of that report to the hon. member for Peace River and myself for commentary, and to make sure he had his facts correct. Having got his facts correct, he submitted his report to his masters in the Privy Council.

At that point the hon. member for Peace River and myself went to the Privy Council and said, please release our report, we would like it to be circulated to members of the statutory instruments committee. They said no. After saying no for about six months, we were finally able to get the report out and circulate it to the members.

I went back to the officials of the Privy Council and asked why it had been classified in the first place since two members of Parliament already knew what was in that document. They said that anything produced for the Privy Council automatically had slapped on it a "Confidential" stamp and it took time to be able to undo that.

I suspect there is a great deal of information within the public service that automatically has a particular stamp slapped on it. It does not have anything to do with whether the information is "Confidential" or "Secret". It has to do a great deal with the way in which public servants see themselves and the normal relations that go on between individuals. It may well be that officials at a certain level will only read documents that are marked "Top Secret", and others read only those marked "Confidential". If you want an input, you have to make sure your documents are stamped with the appropriate top level stamp.

Freedom of information legislation will go a long way toward eliminating some of these problems. At the same time we have to acknowledge that the whole requirement for freedom of information really has to do with human nature, not so much the evil bureaucrats or the civil servants. It has to do with the way in which people see themselves. It has to do with one person saying, "I have information, you do not; so therefore I am more powerful than you." It has to do with the kind of individual games that we all play with each other and which go on in the public service as in any large organization.

The importance of this bill is not so much in the way in which it defines freedom of information and the way it defines exemptions, but the fact that when it is passed it will say that all information should be made available to the citizens of Canada. It is a psychological factor. The importance of this

bill is in the psychological impact it ought to have on the public servant.

I commend the President of the Privy Council for bringing to the House tonight the letter from the Prime Minister (Mr. Clark) to the public service. I realize that is an important way of seconding the principles implied in this bill. It is important to recognize that all legislation that we pass in this House is of an evolutionary nature. About 85 per cent of the legislation we deal with is amendments to existing acts. That means the government and the people have looked at legislation and decided that it requires improvement. We will have that opportunity to improve in three years after we have a very good look at this legislation.

It is important to recognize that while we may have had differences in judgment as to what should be included in an exemption or in a definition, they are really differences in degree and do not represent major irreparable differences between the various political parties in the House. We are prepared to look upon the legislation, the definitions, exemptions, and even, I might say to the President of the Privy Council, the schedules, which we find somewhat deficient, with the view that it is a question of degree, not of anything else.

One of the most important factors of this bill was not directly alluded to by the President of the Privy Council. This will in fact be one of the major reforms of the public service since Sir Robert Borden's legislation in 1916 when patronage was taken out of the public service. What we are talking about here is in effect changing a system that has grown up over the years in which the public servant has come to be regarded as a servant only of the government, to provide it only with that information and, particularly, to provide it with his knowledgeable opinions and instincts on what a particular issue is all about, in exchange for the fact that his identity will not be revealed. That has been the bargain that has existed.

We have developed a public service which, by and large, is dependent upon the written word. The records of the government are kept in the written word. When we want to go back and check why and upon what evidence a decision was made, we find in the filing cabinets of the bureaucracy the necessary information. That is the way we have operated our public service. We are now changing that. We are now saying that the public servant is no longer directly responsible to the government, that his information was paid for and sponsored by the government which sometimes directed the information gathering and the analysis of that information. This bill says that the public servant is responsible to all Canadians for that information. That is a significant change.

As a result of that change there will be costs to this bill in the way in which the public service acts and in the efficiency of the public service. Just as no piece of legislation is without its faults or its costs, so this one will have costs not only in terms of dollars but also in terms of the way the public service operates. We have to be prepared to acknowledge those costs, to observe what happens in that period of time and to ensure that we are able to find and correct the changes that will inevitably follow. Consequently we have suggested the forma-