

Canadian Human Rights

Finally, Mr. Speaker, I have one short story. Recently a legless pilot of the Battle of Britain was in Ottawa. Charlotte Gobeil interviewed Sir Douglas Bader, DSO, DFC, on television. During the interview she referred to him as "disabled". "My dear girl", replied Sir Douglas, "I'm not disabled. I've just got a set of different abilities."

I urge the minister to consider that implicit in the term human rights is the right of "human potential", to be recognized and developed to the advantage of all Canadians. In the handicapped and the aged, we have such great human potential.

Some hon. Members: Hear, hear!

Mr. Perrin Beatty (Wellington-Grey-Dufferin-Waterloo): Mr. Speaker, it is a tremendous honour for me to follow the hon. member for Ottawa-Carleton (Mrs. Pigott).

Some hon. Members: Hear, hear!

Mr. Beatty: I want to pay tribute to her. I think those of us in the House who had a chance to listen to her very moving, eloquent, and compassionate address on the subject of Bill C-25 could not help but be struck by the tremendous contribution that is going to be made by the hon. member to public affairs in Canada.

Any of us who watched her career as a business person and knew of her public service in this community expected that when she came to parliament she would make a contribution to public life as well. In the three months she has been in this House the hon. member has justified the high expectations we had of her. She has proven in those three months that she is as able a representative as any in this House.

Some hon. Members: Hear, hear!

Mr. Beatty: Mr. Speaker, in the four and a half years I have been in parliament one of the most difficult problems I have had to face is in cases where legislation is put before the House which is flawed in many respects but which has also many good aspects, and to decide whether we should allow the bill to go to committee and possibly become law after making amendments to improve it, or decide to recognize the flaws as so significant that the bill should not be allowed to go further.

The legislation before us replaces Bill C-72 which sat on the order paper until the end of the last session. The fact it is no longer on the order paper is testimony to the government's belated recognition that the public would not stand for such poor legislation. If the government had resurrected Bill C-72 in different form and brought it before the House, my recommendation would have been to vote against it. It was so poor that it would have been worse than no legislation at all. The legislation before us is flawed in many respects but it is better than nothing, in my judgment, and deserves to go to committee.

When we deal with the bill in committee I hope the Minister of Justice (Mr. Basford) will prove he is flexible and willing to listen to argument made not only by members on his side but

[Mrs. Pigott.]

on the other side as well about improvements that must be made if the bill is to fulfil his intentions.

A number of my colleagues have spoken about the human rights provisions. The hon. member for Ottawa-Carleton was very eloquent and moving in her remarks, and other colleagues have pointed out that basically the bill is good where it deals with human rights although there are amendments we would like to see made.

I should like to address my remarks particularly to clause 4 which deals with privacy. Let me start by saying that this clause does not comply with the rest of the bill. Bill C-25 is a hybrid of two reports—the report of the Royal Commission on the Status of Women and the 1972 report on Privacy and Computers. The forced marriage between those two reports has resulted in a piece of legislation which in many ways is grossly inadequate. It is an unhappy marriage between poorly matched partners.

There is no need for us to debate whether action should be taken to protect individual privacy in Canada. Surely that case has been made long ago; surely there has been public acceptance of the need for action to protect personal privacy.

In 1972 when the excellent privacy and computer report was brought down, Canada was in a position of world leadership, recognized over the globe as being in the forefront of the recognition of the right to privacy and the need for legislative protection of that right. In the five years since, the government has squandered the lead that the privacy and computers report gave us. Already in other jurisdictions meaningful action has been taken. In Sweden legislation has been brought in which protects personal privacy and enshrines the concept of freedom of information in the public statutes. In the United States legislation has been brought before Congress and signed into law by the president, which deals with both questions of freedom of information and protection of personal privacy. In Great Britain strides have been made to protect the fragile right to personal privacy.

It is in Canada, where we had a lead in recognizing the problems, that there is today a need for action on the part of the government—not for cosmetics or smokescreens but for meaningful action. That is why this bill is a fraud in so many ways and is so deficient in attempting to live up to the expectations created by the government.

Two hundred years ago William Pitt described the rights of the citizens in those colonies still under English rule this way:

The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail, its roof may shake, the wind may blow through it, the storms may enter but the king of England cannot enter. All his forces dare not cross the threshold of the ruined tenement.

What Pitt said 200 years ago was that even at that time British law recognized the need to protect the right of the individual from encroachment by the state. I think if Pitt had been able to foresee the technological and governmental changes in the 200 years following his speech he would probably have mentioned a number of other areas where any poor man in his shattered cottage had a protection which we do not have today. He might have mentioned two centuries ago that