

Transportation

house is left with the opportunity to scrutinize what these committees are doing in a way which is in no sense inhibited by the government. If this is to be provided, then I have no objection to giving powers to committees, tribunals or commissions. Because this power is not being given in this instance, I have moved this amendment and I suggest that it merits the support of all members who do not sit on the treasury benches, irrespective of their party affiliation. This provides an opportunity for members of this house and this committee to exercise the type of scrutiny over a committee which is essential if the democratic processes are to be maintained.

Mr. Lewis: Mr. Chairman, personally I have the greatest possible sympathy for the objectives of the hon. member for Peace River in moving this amendment, but I find two difficulties which I should like to draw to his attention and to the attention of members of the committee. I am not so much worried, as was the minister the other day, about the fact that if reference to the committee is included in the statute this will mean that the Senate will have something to do with either assenting to it or dissenting from it. That may or may not be an important constitutional question. What does concern me is that when this is enshrined in a statute dealing with a particular subject in a particular way there is a rigidity about it which in my opinion should not exist in respect of parliamentary committees. If it were the desire to change the number of members of the committee, say from 12 to 13 for some valid reason, this could not be done in the same way it could be done in respect of other committees. It would be necessary to introduce a bill to amend the act which set out the actual number of members on the committee. It seems to be this is not desirable.

I believe it should be possible to amend our standing orders in such a way that the standing and special committees could be given more powers than they now may have, if the hon. member for Peace River was accurate in his statement—and I am sure he was, because I always have found him to be accurate—which he made a few minutes ago. But, it seems to me that the solution is not to provide, by a statute dealing with a public body, that a committee be established with a certain number of members on it, because this is where the logic dissolves. There are a good many crown corporations, regulatory, judicial

and quasi-judicial bodies which are set up. It seems to me that if this kind of thing is to be done in this case, then the obvious logic is that it must be done in every statute where a body is set up with the kind of power and area of influence which the body set up under this bill has. That does not seem to me to be a logical or sensible way to achieve the purpose the hon. member has in mind, one with which I am sure every member in the house has sympathy.

I would be more in favour of a bill which would set up some machinery to deal with all such bodies. Had the hon. member produced a bill proposing a framework for direction and financial parliamentary supervision over the activities and decisions of all such bodies, that would have made sense to me. However, provision for one committee in one statute, with the rigidity that this involves, is not something which appeals to me.

Mr. Chairman, I have a second and equally serious difficulty with regard to the hon. member's amendment. I think it is undesirable in the extreme to give any committee of parliament power to hear evidence in secret or require, as is proposed by subclauses 5 and 6 of the amendment, that a committee may, and at the request of the witness giving evidence, shall take evidence in private. What this means, Mr. Chairman, is that if I were to appear before the committee, not only may the committee take evidence in private, but if I appear in private and request that my evidence be given in private, the committee must hear my evidence in private.

● (9:00 p.m.)

The subclause goes on to say that the committee—

—shall take in private evidence whether oral or documentary which in the opinion of the committee relates to a secret or confidential matter.

The next subsection states:

Where at the request of a witness evidence is taken by the committee in private the committee or member shall not, without the consent in writing of the witness, disclose or publish the whole or part of the evidence.

The other day I asked the value of that evidence. I respectfully suggest to you the likelihood is that evidence taken in private will be the most important evidence, because the kind of evidence that the Canadian Pacific, the Canadian National, the Canadian Pacific Airlines, or some bus company is likely to insist upon being taken in private is precisely the kind of evidence about which this parliament should know or, if hon. members