

his responsibilities. I hope the Minister of Justice can meet with the ministers of all ten provinces and propose enabling legislation to be passed in this House and in the provincial legislatures which will provide uniform law right across this country. Only then will orders made in Alberta or Ontario be enforced in other parts of Canada. We need such law to make sure that our young do not suffer from the irresponsibility of one of their parents.

● (1600)

That is my recommendation today. I hope that when the minister does set up these family courts—and I realize it is the function of the provinces to set them up—that matter is taken into consideration. I would have thought, and I say this kindly to the minister, we would have had an agreement at least with the provinces if we are, indeed, setting up these family courts. All the bill does is set up a pool of judges: it appoints extra judges to the superior courts. Under most of the jurisdictions that I know, and there are some exceptions such as Ontario, the jurisdiction over divorce, making orders for alimony and maintenance and dealing with domestic matters is under the Queen's Bench or superior courts, the trial divisions of the various provinces.

What we are doing is adding more judges. These judges will be trying those cases anyway. What the minister had in mind, and what the Speech from the Throne was dealing with was that we would have a county court like we have in district courts, the trial supreme court and an appeal court, and a separate and distinct court set up for family matters so that cases could be expedited and orders made and enforced across the land. It would deal with those matters that are cluttering up the courts.

I cannot think of anything more monotonous than a judge spending a couple of days listening to 30 or 40 divorce cases, especially when the only ground is adultery. They listen to that kind of evidence hour after hour and day after day. I cannot think of anything more monotonous for a man skilled in the law than listening to that trash while other cases are held in abeyance. The place for domestic problems should be the family court. Those courts should be empowered to make orders which would be enforced across the country. I do not think I can put it any more clearly than that.

I commend the minister for his action on the question of salaries. Young lawyers only at the bar a few years often make more than the chief justice of the province. If you are going to continue to have high calibre, intelligent men, we must keep salaries at least within the ball-park of what they could earn in other occupations. On the face of it, an increase of \$2,000 sounds like quite a large sum. However, when you add it to what they are making at the present time, and take into consideration the scale of income tax, they are lucky to take home an extra \$800 or \$900. Remember that judges cannot write off expenses which can be written off in a law practice. The tax is deducted at source. It is like members of parliament: when we get our cheques, they have taken off the allowance for our pension and our tax. This increase is certain-

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ly not out of line. It has been two or three years since we last examined judges' salaries. If we are to have the kind of men that the minister and I discussed, we must compensate them so they can have the degree of independence that is necessary for the judiciary to function as it does.

I have tried to keep my remarks brief. I endorse the bill. We will be supporting it. I congratulate the minister for bringing it in at this time.

Mr. John Gilbert (Broadview): Mr. Speaker, there is one thing about the Minister of Justice (Mr. Basford): when it comes to the political field he is fiercely competitive and very partisan in his politics. When it comes to the administration of his duties as Minister of Justice, he is able, articulate, efficient and fair. I have to say that about the Minister of Justice. The same could be said for some of the other ministers of justice. I notice that the Minister of Transport (Mr. Lang) is in the chamber. When he was minister of justice he had the administrative ability to do, and in fact did, an excellent job in that field.

This bill is non-controversial. All that members have to do is try to improve some of the provisions that are contained in it. Bill C-50 deals with four areas: first, the appointment of additional judges; second, increased salaries for judges; third, changes to the Canadian Judicial Council; and fourth, the appointment of a commissioner who will take over some of the administrative duties which fell within the Department of Justice. What we have to do is improve some of the provisions contained in the bill. I may premise that by saying it is the duty of all of us to humanize the law. Judges and lawyers play a very important part in humanizing the law.

It has been said that the law should move from the people to the judges. In the past there has been a great separation between judges and ordinary folk. In my years of practice I have had many cases where people were literally terrified of going to court. They were overwhelmed and overawed by the presence of the judge in the courtroom. That imposes a detachment, a separation of the people from the law. Therefore, it is very important that we humanize the law and get lawyers and judges participating in going to the people in attitude concerning the law.

I have noticed many changes in the law since coming to this place 12 years ago. They are all for the better. I think of the Law Reform Commission and the work they did in setting forth some of the problems and suggesting solutions. They have not been picked up completely by our ministers of justice, but we are moving in the right direction. I think, too, of some of the amendments to the Criminal Code, especially the change with regard to absolute and conditional discharge. That was a good move in changing the law.

I caught some of the adjectives that the minister used concerning judges. I think he said they have to be sensitive and able. I would say they have to be learned, independent, impartial, fair and compassionate. I recall the Hon. John Turner, when he was minister of justice, summing it up in very few words: he said they have to be compassionate and possess