

Judges Act

I would like to add one or two points with respect to the considerations of the salary level of judges at present in Canada, bearing in mind that in some provinces, as I have already pointed out, provincially-appointed judges receive more funds. It has been said that a federally-appointed judge, married and with two dependants, who receives this increase will pay approximately 47 per cent of that increase directly in income tax. So what we are doing here, if we pass this amendment to the Judges Act and provide these additional funds to judges, is simply giving the judges two dollars and taking back one. I think that is a valid consideration when anybody in this House stands and says that this is a giveaway to the judges of Canada, since in most cases the federal treasury will be receiving back at income tax time approximately one of every two dollars it gives away.

We should also look at the salaries of our federally-appointed judges in the context of the federal public service. I am told, and I believe, that the deputy minister classification, the highest classification, which is DM-3, provides at the highest level a rate of pay of \$78,000. That rate of pay is substantially more than a superior court judge would receive under this bill. That is, there are now deputy ministers in the Public Service of Canada eligible to receive \$78,000, whereas this proposal before us in these amendments to the Judges Act would provide a superior court judge with a salary of \$67,000. So when I make that comparison, and on the basis of my experience, I have little difficulty in supporting this increase, when I think that people like the great Michael Pitfield and some of our other dedicated bureaucrats are in a salary range higher than our superior court judges. And they do not have the restrictions placed on them which our superior court judges have.

There are other considerations which I could bring to light with respect to this. We have all received from time to time information on the salaries paid to corporate executives in Canada, for example, to the president of Petro-Canada and other people in the public service as opposed to the private sector. I firmly believe that the private sector can pay whatever salaries it pleases to its chief corporate officers or other executives. But in the public sector there ought to be an element of public justification and concern. However, I feel—and I will not deal with the matter any further—that the levels of salary proposed in relation to the whole of the federal public service can be easily justified.

It is enough to say, Mr. Speaker, that under this very bill, and throughout the federal statutes, many public servants' salaries are related to the salaries of the federally-appointed judges. The salary of the Commissioner of Languages is one, and the Chief Electoral Officer's salary is dictated by the provisions for federally-appointed judges. That is to say, they receive the same salary. So the principle is established and it is not new to this House or to the public service in attempting in this debate to justify the increases provided by the bill with respect to judges.

Let me make this clear. I know all about people on low incomes in Canada. I am well aware that senior citizens

receive old age assistance and guaranteed income supplements which give them an income of \$4,350 a year. In the province of Nova Scotia, where the only NDP member was recently defeated, there are 36,000 unemployed, which is approximately 10 per cent of the total work force. Those unemployed are in my constituency, as they are in every constituency in the province of Nova Scotia.

For five years of my working life I worked at Legal Aid and I helped the people of Canada in my constituency and across Nova Scotia by providing free legal services. I know all about their concerns and their problems. I do not have to be told by anybody in the NDP or anyone else in Canada about the problems of poor people. But we will not solve the problems of the poor in Canada by depriving the judicial officers of this nation of the kind of salary and benefits which they ought to have in order to preserve the independence of our judicial system. What is the point, Mr. Speaker? If the \$4.5 million increase which is provided to judicial salaries were applied to the increase granted recently by this government to the guaranteed income supplement, which provided to persons who receive it \$35 a month extra—and what can you do with that, can you buy a car, a summer cottage, a condominium or a loaf of bread?—that \$35 will buy nothing—we would have given them only 35 cents more a month. If we wiped out the judges' increase and gave it to the senior citizens we would be giving them 35 cents more a month.

So, I have walked the walk and I can talk the talk, and I do not hesitate to say there is nothing wrong with providing to the judiciary of Canada a salary and a benefit which will allow them to carry out their very important, even vital functions, in a manner which ought to be the manner dictated by our society.

We must have some sensible, objective means of providing salaries to judges and judicial officers in the future so that we will not have this problem in Parliament next year or the year after. I do not think any sensible member of this chamber could deny the advantages of providing a formula for future increases for judges. Indexing, under a formula, makes sense. That conforms to the standards now practised in the public service and it ought to be acceptable not only to the members of this chamber but to all Canadians.

There is one point I wish to make very clear with respect to the current increase now provided for judges, that is, that it ought to be based on the same formula. In this bill we should not be dealing with lump sum increases for judges, whether it is over a two-year period, or a shorter or longer period. We ought to be dealing with the application of a formula to cover those periods. I hope, when this bill goes to committee, it will consider that alternative. Frankly, I have gone over the figures and it will not result, I believe, in any substantial difference in the lump sum payment provided for judges under this bill. It will simply put it on a rational and sensible basis, that is to say, the judges will receive a retroactive increase based on the same kind of formula which will determine the increase annually in their salaries in the future. I do not see how anybody can complain about that change.