

Proceedings on Adjournment Motion

I asked the Minister the following question: Has the Minister received, and has he had time to examine, communications from the Law Society of Upper Canada about the position of Hon. Mr. Justice Landreville, a Justice of the Supreme Court of Ontario; what is the nature of the communication received, and what, if anything, does he intend to do about this situation which has cast a shadow over the administration of justice.

Mr. Speaker, I must admit my surprise when I heard the ruling made by Mr. Speaker, that this was a question for the Order Paper. My surprise was occasioned partially by the fact that a similar question asked a few days ago was allowed but the Minister at that time had not yet had time to examine the communication. My surprise was heightened because I thought anything that affected the integrity of the administration of justice was of the highest urgency.

I need hardly tell you, Mr. Speaker, that the Benchers of the Law Society of Upper Canada are the governing authority of all members of the Bar of Ontario. This body has the reputation which one would expect of the senior leaders of the Bar—a reputation of extreme caution, particularly in respect of matters affecting the reputation of the judiciary.

It is my understanding that the Law Society did something unprecedented in the legal history of Ontario about a week or two ago, when it was announced in a press report that the Benchers of the Law Society concerned had sent a report concerning Mr. Justice Landreville to the Minister of Justice. What I want to know and what I think this House should want to know is whether this responsible, and I might almost say ultra respectable body indicated in their report that there was any reason for the very grave disquiet that many have felt about this situation.

The activities of this judge shortly before he was appointed to the Bench have been revealed by a series of investigations and trials. I will not attempt to outline them here. It is only fair to point out that in criminal proceedings it was held by a magistrate that there was no case for criminal trial on the charges laid. But the standard expected of a justice of the Supreme Court is not just the standard of avoiding the application of

the criminal law. What is complained of here may not be within the purview of the Criminal Code but it still might be a matter unbecoming one who occupies high judicial office. In any event, I think this House is entitled to know whether or not the Benchers of the Law Society have made a report which either directly or indirectly suggests that action should be taken by the Minister or by this House in regard to the matter.

It is my conviction, Mr. Speaker, that the absolute integrity of the judiciary is one of the most important pillars in the whole fabric of our judicial system and, indeed, of our whole democratic system. I trust the Minister will leave no stone unturned to make sure that justice in Canada is above reproach. I look forward to a direct answer from the Minister or from his Parliamentary Secretary.

Mr. D. S. Macdonald (Parliamentary Secretary to the Minister of Justice): Mr. Speaker, I can say on behalf of the Minister that in fact a report has been received from the Benchers of the Law Society of Upper Canada in connection with the matter to which the hon. Member has referred. I am advised that the report followed a letter which arrived two days before marked "private and confidential" and that the Minister assumed that this applied to the report. It is for that reason that the contents have not been revealed.

Following upon receipt of the report the Minister took steps to advise Mr. Justice Landreville to the effect that it had been communicated to him and invited Mr. Justice Landreville to express his own views on the question. These are expected from the judge either late this week or early next week.

The hon. Member has said that he feels that justice in Canada should be above reproach, a general principle with which I think no one will disagree. I am sure that hon. Members will agree that before any decision or action on this particular question is taken both viewpoints on the question should be heard. Therefore I think any statement should be deferred and that we should await the response from the judge which, as I have indicated, is expected late this week or early next week.

Motion agreed to and the House adjourned at 10.19 p.m.