

Judges Act

house, might be appointed as a judge. I mention that. It does indicate that the decision made by the government of Saskatchewan was not based entirely on considerations relative to the demands of justice or to the necessity of justice being attained with maximum speed.

As a member of the bar of British Columbia I do feel that the request from that province is a reasonable one and is necessary in order to do two things. One is to permit judges to catch up with the tremendous amount of work they have. For some reason or another litigation has increased there tremendously in recent years.

Secondly, to ensure that justice is done at the earliest possible date. One of the major considerations in the administration of justice, and this has been said quite often, is that not only shall justice be done but that it be done expeditiously. There has been a great piling up of cases and I know that this applies in the province of Quebec where the number of judges has been insufficient to meet the increasing demands of litigation, and there is a need to increase the number on the bench.

I suggest also to the minister that in filling these vacancies regard should always be had to assuring that the best possible members of the bar are secured to fill the vacancies. It is important that justice be done at an early date, but it is equally important that justice shall in fact be done. The best lawyers available, without regard to political affiliations, should be appointed to these positions.

Mr. Castleden: Mr. Chairman, I was rather surprised that the hon. member for Prince Albert should make a charge on the floor of this house that the Saskatchewan government is allowing political considerations to enter into the appointment of additional judges in that province.

Mr. Diefenbaker: They have reduced the number.

Mr. Castleden: The hon. member indicated a possibility of some member of this house being appointed to the queen's bench. I am rather surprised that such a charge should be made against the members of the Saskatchewan government and it is unfortunate that they are not here to defend themselves in this place. I can assure the hon. member and this committee, and I think the Minister of Justice will support me in my statement, that as far as the provincial government is concerned they have always endeavoured to have the highest quality of justice that could possibly be made available to the people of that province. That has always been their

[Mr. Diefenbaker.]

aim. I certainly do not like the implication that the provincial government's policy is based on some political motive.

Mr. Holowach: Mr. Chairman, I am not a member of the legal profession which has as its symbol justice, and its true administration, nor is it necessary to be a member in order to appreciate that those who serve in our judiciary are filling a most important place in our complex society. I feel that as long as the Canadian people enjoy liberty and justice the profession of law will continue to be a great one and have the esteem and respect of all our people. We all know that in a free country such as ours the administration of justice is absolutely essential to our survival, especially today when we see philosophies of life and government which are not only challenging our way of life but actually denying justice to countless millions.

As I see it, parliament and a judiciary system composed of men who are honest, impartial and learned, are the true guardians of the principle of justice for the Canadian people. We should always try to strengthen our judicial system and in doing that I think we should keep two requisites in mind. First, we should make our selections from those who are of the highest calibre, impartially and irrespective of the political affiliations of the candidates. Secondly, we should constantly re-examine the needs and requirements of these people in order that there may be the maximum speed in the administration of justice.

I notice that this resolution provides for the appointment of four additional judges to the Superior Court of Quebec and two additional judges to the Supreme Court of British Columbia, as well as the fixing of their salaries. It would seem that the bringing in of this resolution was motivated by the necessity of clearing up a backlog of cases. If that is so, then the resolution is most timely. We should remember that when we delay justice we are denying justice.

As far as the salaries are concerned, I am not just sure what they will be and perhaps we should be told. I do not know what amounts are allocated for the judicial system in Canada. It may be found upon examination that in the light of recommendations from the judges themselves these salaries are inadequate. I think proper salaries in this field are most important because they would bring forth the best effort and at the same time make our judges financially independent.

I do not know what process is followed to meet the needs and the recommendations made by our judiciary, but the point I make is that somehow or other those needs and