

Judges Act Amendment

been reserved. If I am correct in this understanding, I so move.

• (9:30 p.m.)

The Deputy Chairman: Order. I think the hon. member for Roberval wishes to speak on clause 1.

Mr. Pickersgill: Mr. Chairman, I wonder whether the hon. member for Roberval was told about this agreement. I said that I thought there was an understanding among all groups that the committee would rise at this time, without dealing with this amendment, passing the clause or doing anything further in connection with the bill, so we could get on with some other business. I believe my understanding is correct. I have made a motion in this regard. I do not want to be disrespectful in any way to the hon. gentleman, but I wonder whether it would suit him equally well to speak to clause 1 when we come back to the bill tomorrow. I believe this course would be more convenient for the house generally.

The Deputy Chairman: Is this agreed?

Some hon. Members: Agreed.

[*Translation*]

Mr. Gauthier: Agreed, Mr. Chairman.

[*English*]

Progress reported.

JUDGES ACT AMENDMENT**PROVISION FOR ADDITIONAL COUNTY COURT APPOINTMENTS**

Hon. Lucien Cardin (Minister of Justice) moved the second reading of Bill No. C-262, to amend the Judges Act.

Motion agreed to, bill read the second time and the house went into committee thereon, Mr. Rinfret in the chair.

On clause 1.

Mr. Starr: Mr. Chairman, I should like to ask the Solicitor General whether he can tell us what areas are concerned in the appointment of judges. I know the areas are in the provinces of Ontario and British Columbia, but what particular districts in those provinces are concerned?

Mr. Pennell: Mr. Chairman, I would be pleased to answer this question, but I was only acting in the absence of the Minister of Justice, who is now in the chamber, and I feel the question should be directed to him.

[*Mr. Pickersgill.*]

Mr. Cardin: Mr. Chairman, with respect to Ontario the appointment now being considered is judge at large, otherwise known as a roving judge. In British Columbia it is for the appointment of a judge in the county of Westminster.

Mr. Prittie: Mr. Chairman, I shall not take very many minutes in speaking to this bill. No one has any desire to hold up its passage, because judges are necessary in this country. The judge whom it is proposed to appoint to the county court in British Columbia will be appointed to an area that is in my riding. I am surprised that more judges are not included in this bill. I realize they are necessary in some other provinces, but I know the provinces have to make a request before the appointment of judges can be included in a bill.

I did rise to speak on this matter when the Speaker was in the chair. My remarks will be general but I can assure the committee that they will be very brief. When the Judges Act is before the house for amendment the debate is almost predictable. Someone in the New Democratic Party will rise and say we should not have the appointment of judges in the field of political patronage, and someone else will rise and defend the judiciary. Very often it is the hon. member for Carleton. The hon. member adopted this approach when we were discussing a similar amendment on March 30, 1966, and again on January 13 this year, just over a week ago. He said that the statement had to be made on every occasion that amendments to this act are before the house, namely that we have in Canada a very fine judiciary.

I should like to say that there is something else that has to be said again and again. The element of politics comes into the appointment of our judges, and some day we will have to change this approach. Let me say again that I think we all recognize the fact that we have good judges in this country, and that because a man has had a political career or political affiliations is no reason at all why he should be disqualified from becoming a member of the bench. Having said that, I think it is also fair to say that many appointments to the bench of this country have not been of the best. If this were not the case we would not now have on the order paper an item which deals with a joint committee of the house and Senate in respect of Mr. Justice Landreville.

I am not going into the details of that case; I merely point out that such a thing exists. I point out, too, that other members of the