

The conclusion is self-evident. Mr. Ruby exercised his powers as a barrister recklessly and then compounded the wrongdoing by using his position as a bencher and vice-chairman to threaten Casey Hill with disciplinary action from the Law Society. I am told, honourable senators, that such threats by benchers to their adversaries are not uncommon. Honourable senators, ruminate on this situation and the result, had Casey Hill complained to the Law Society about Mr. Ruby's conduct and activities.

Honourable senators should also note that during these events, Clayton Ruby's partner and friend, Michael Code, Casey Hill's other adversary and detractor, was appointed by Premier Rae to be Casey Hill's boss, to wit, to be the Assistant Deputy Attorney General of Ontario. These situations are troubling and need discussion and examination.

Honourable senators, in conclusion, this travesty of justice lasted eleven years and ended in July 1995 when Mr. Justice Peter Cory delivered his judgment. His judgment asserted that judicial privilege cannot shelter wrongdoing, that lawyers shall not rely on judicial privilege to shield them from responsibility and personal liability, that lawyers shall not use court processes and judicial proceedings to commit slanderous behaviour, and that the administration of justice and the practice of law cannot be founded on untruth, mean-spiritedness or wrongdoing.

Honourable senators, it truly was, I believe, an outstanding judgment. It is an outstanding piece of thinking by Mr. Justice Peter Cory. I recommend it to all for reading and study. Also, honourable senators should know that Casey Hill is today a judge of the Ontario Court (General Division).

On motion of Senator Gauthier, debate adjourned.

## **BANKING, TRADE AND COMMERCE**

COMMITTEE AUTHORIZED TO MEET  
DURING SITTING OF THE SENATE

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** for Senator Kirby, pursuant to notice of Wednesday, November 22, 1995, moved:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit at two o'clock in the

afternoon, Thursday, November 30, 1995, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Motion agreed to.

### STATE OF CANADIAN FINANCIAL SYSTEM—NOTICE OF MOTION TO EXTEND DATE OF FINAL REPORT WITHDRAWN

On the Order:

That, notwithstanding the order of reference adopted by the Senate on Wednesday, November 30, 1994, the Standing Senate Committee on Banking, Trade and Commerce be authorized to continue its examination into the present state of the financial system in Canada;

That, in conducting this study, the Committee pursue, in particular, its examination into Crown financial institutions, corporate governance, and the 1992 reform of financial institutions;

That, notwithstanding usual practices, if during the winter adjournment the Senate is not sitting when the Committee's report on its review of Crown financial institutions is completed, the report may be deposited with the Clerk of the Senate and it shall thereupon be deemed to have been presented to that Chamber; and

That the Committee present its final report no later than September 26, 1996.

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** Honourable senators, on behalf of Senator Kirby, I ask that Order No. 115 be withdrawn.

**The Hon. the Speaker:** Is there unanimous consent, honourable senators, to withdraw Order No. 115?

**Hon. Senators:** Agreed.

Order withdrawn.

The Senate adjourned until Tuesday, November 28, 1995, at 2 p.m.