

Judges Act

Mr. Pickersgill: How about calling the customs tariff? It was urgent three months ago.

JUDGES ACT**AMENDMENTS PROVIDING ADDITIONAL JUDGES IN NOVA SCOTIA AND BRITISH COLUMBIA**

The house resumed from Wednesday, November 21, consideration in committee of the following resolution—**Mr. Fleming (Eglinton)**—**Mr. Fairweather** in the chair:

That it is expedient to introduce a measure to amend the Judges Act to provide for salaries for two additional judges of the supreme court of Nova Scotia, including one chief justice, and for one additional judge of the court of appeal for British Columbia.

Mr. McIlraith: I should like to point out, even at this late hour, that this is not one of the measures listed by the government as urgent. Those measures we were led to believe were urgent at the time parliament was convened this fall, for the first time after the general election, have not yet been brought forward for consideration.

Mr. Starr: They are all on the order paper.

Mr. McIlraith: Yes, they are on the order paper; but the government has failed to bring them forward for consideration. If the Minister of Labour is interested in this bill, I shall be interested in hearing him discuss it. If he is not interested in it, I suggest that he devote his mind to government business and give it some of the attention which it deserves, if the people of Canada are not to be adversely affected by the delinquency of the government in failing to consider public measures which affect the people of Canada.

Mr. Fulton: That is a fine contribution.

Mr. McIlraith: The hon. member's comment is interesting, if useless. However, the point I wish to make about this matter is that it provides an opportunity for a short discussion on a matter which I believe affects the judicial system in Canada in a real way; I refer to the matter of judicial salaries. A situation is now revealing itself whereby, owing to the inadequacy of judicial salaries, the Minister of Justice and the government in making these appointments find it difficult to get the kind of appointees that all hon. members of the House of Commons would wish were available for appointment.

While I am not one of those who assert or believe that judicial salaries need necessarily be in keeping with the current income that an able professional lawyer could earn in private practice, I believe they must be adequate to guarantee that a judge being appointed has complete independence and secur-

[**Mr. Churchill.**]

ity of office, and is enabled to live in a way in which he will not be put in an inferior position in the community.

At the present time I am afraid that, with the rising cost of living in the last number of years, the judicial salaries in this country are such that judges are put into an inferior position in relation to the community at large. I should like to develop this subject at some length. I believe it is of the utmost importance in our governmental system that the position of the judiciary be maintained by every means possible, having regard to its independence and the respect in which it is held in the community, and so that we are enabled to get for appointment to these positions the best possible persons available.

An hon. Member: Ten o'clock.

Mr. McIlraith: I need not remind the Minister of Justice that he has just recently been obliged to appoint a superannuated civil servant, whose legal training comes from one province, to a judicial position in another province as a result of lack of willingness of qualified personnel he might have wished to appoint to that position. I think this is something—

Mr. Fleming (Eglinton): I do not understand what the hon. member is referring to.

Mr. McIlraith: I do not wish to identify the position more clearly than that. What I said was this, and I will repeat it. The Minister of Justice has recommended to his government, and his government has appointed a retired civil servant to a judicial position in one province, although the training of that retired civil servant was in another province altogether. That procedure was made necessary—

Mr. Fleming (Eglinton): The hon. member is quite wrong.

Mr. McIlraith: I am quite familiar with the situation. The minister's denial is not sufficient treatment of the subject.

The Acting Chairman (Mr. Fairweather): Order. I regret to interrupt the hon. member but it is ten o'clock.

Progress reported.

BUSINESS OF THE HOUSE

Mr. Speaker: As the house is aware, we are awaiting the call of the messenger from His Excellency the Governor General. They are still considering a certain matter in the other place. We can either suspend the sittings to the call of the Chair or we can wait here. I am open to suggestions.

Mr. Pickersgill: If I may make a suggestion, I would say that since the government has a