

*Adjournment Debate*

● (1750)

[English]

**Mrs. Barbara Sparrow (Calgary South):** Mr. Speaker, my friend, the Hon. Member for York East (Mr. Redway), moved:

That the Government should consider the advisability of undertaking negotiations with the provincial Governments to establish a process for the parliamentary scrutiny of federal judicial appointments made under section 96 of the Constitution Act, 1987, in order to ensure that in making these appointments, the Government is guided by the highest standards of conduct.

No one can disagree with the view that, in order to maintain the public trust with respect to judicial appointments, those appointments must be of the highest calibre. There also is no disagreement that in making those appointments the Government must be guided by the highest standards of conduct. No previous Government has taken as many steps as the present one to improve the practice of consultation with the provinces, the Bench and the Bar. Furthermore, as the Hon. Member knows, the constitutional negotiations currently under way by the Province of Quebec include the question of that province's role in the appointment of the three judges from Quebec who were required to serve on the Supreme Court of Canada.

Referring specifically to the motion presently before the House, it is my belief that it would have exactly the opposite effect to that intended by the Hon. Member for York East. By subjecting prospective judicial appointees to the scrutiny of the parliamentary committee comprised of political partisans, the public trust in the calibre of appointments could conceivably diminish. While it cannot be predicted with any certainty in advance, review by a parliamentary committee may well reduce the quality of candidates willing to accept an appointment. Furthermore, there is a risk that anything a prospective appointee says before that committee will be interpreted by some group or another as raising a reasonable apprehension of bias with respect to the judicial proceedings over which that appointee subsequently presides.

Another shortcoming of this motion is that it would send the wrong signal to the provinces with respect to their own appointment process involving provincial court judges. The federal Government is, quite appropriately in my view, looked upon for leadership in matters of this nature. By adopting this Bill we would be telling the provinces that they, too, should screen prospective judicial appointees in this manner. I do not think we should do that. To date not one province or provincial official has advocated vetting judicial candidates through a parliamentary committee. Nor, for that matter, has any leading member of the Bar advocated such an approach. In fact, it was expressly rejected in 1985 by the report of the Canadian Bar Association committee on the appointment of judges in Canada and, subsequently, by the Canadian Association of Law Teachers.

I really do commend my colleague from York East for his consideration and his upholding of the way the Government and any Government makes appointments, be they judicial or otherwise. I feel very strongly that because the report of the

Canadian Bar Association on the appointment of judges in Canada rejected such a recommendation, we must take a very long look at this.

This motion complements my friend's Private Member's Bill, Bill C-259, which he tabled about one year ago which failed to win the support of this House. That Bill called for the parliamentary scrutiny of judges appointed to the so-called Section 101 courts. I did not support Bill C-259 when it was tabled, and my views with respect to parliamentary screening of judges have not changed. I feel very strongly that competence comes first. Competence must always come first in appointments, and the public must have trust in the Government with respect to judicial appointments which must be of the highest calibre.

There is no disagreement that, in making those appointments, the Government must be guided by the highest standards of conduct. Our courts and the people appointed to the judicial boards must be of the highest standard possible. I know that the people of the Government, as well as all the people of Canada, would certainly demand and expect to have competence come first. In that regard, Mr. Speaker, I did not support Bill C-259 when it was tabled and, with respect to parliamentary screening of judges, I have not changed my views.

[Translation]

**Mr. Deputy Speaker:** The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order shall be dropped from the Order Paper.

● (1800)

## PROCEEDINGS ON ADJOURNMENT MOTION

[English]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

EMPLOYMENT—WINNIPEG CANADA PACKERS PLANT LAY-OFFS—RETRAINING OF WORKERS. (B) REQUEST THAT DEPUTY PRIME MINISTER HELP SITUATION IN WINNIPEG.

**Mr. David Orlikow (Winnipeg North):** Mr. Speaker, the packing industry for the killing and processing of meat products has played an important role in the economic well-being of the City of Winnipeg and the Province of Manitoba for many years. It is not surprising that I asked a question about the possible demise of the Canada Packers plant and the very serious effects that this would have on the City of Winnipeg and the Province of Manitoba.

Some years ago, Swift Canadian, which had employed hundreds of workers in their packing plant in Winnipeg, closed down and left workers unemployed. Now we are facing the lay-off of 450 workers, many of whom have worked for