

other court officials. In addition, certain federal-provincial programs for the language training of provincial and municipal officials already exists. I have given provincial attorneys general the assurance that, if need be, consideration will be given to extending these programs in order to better meet the needs of the provinces. As I say, I have undertaken to explore this matter with the provinces.

The question of finding sufficient jurors who speak the minority official language in some provinces has been raised as a potential problem. It is interesting to note that even Newfoundland, which has the smallest Francophone population in Canada, still has some 3,500 Francophones among its half million population. In a usual case it requires at the maximum 100 people to impanel a jury for a trial and therefore even in the smallest province it seems to me possible for the sheriff, bailiff or the appropriate officer to impanel a jury. Prince Edward Island has over 7,000 Francophones and Saskatchewan has over 31,000. We believe that the necessary population exists in each province and territory, keeping in mind the ability to move trials to designated districts, to permit impanelling of the jury speaking the official minority language of that province or territory. Since there is no reason to believe that official minority groups have a higher crime rate than the majority, it is not likely that there will be an inordinately heavy demand for minority language criminal trials which would place unusual strains on the minority population in terms of jury duty.

It is also worth noting that a significant percentage of all criminal trials in Canada are held in the three major centres of Montreal, Toronto and Vancouver, all of which have a substantial Francophone population and an availability of bilingual judges. Therefore, in expressing and outlining the scheme of this legislation in which the accused person may elect to be tried by a judge or judge and jury in the official language of his choice, and by which the judge thereafter may order that the trial be held bilingually, and by which, if appropriate, the venue of the trial can be changed from one judicial district to another, it seems to me, and I seriously submit, that this piece of legislation can be proclaimed and implemented in all of the provinces of Canada in an orderly way so as not to affect the administration of justice. At the same time it provides this essential right that it is important to preserve and protect at this particular time.

There is in each of the provinces, taking into account the option to have a bilingual trial, taking into account the option of moving the trials from one judicial district to another, in my view the ability to establish at least in one judicial district in fairly short order a system of judges and jury selection to allow this bill to be implemented. The population statistics for each province indicate that that is the case. This bill is one of the most important pieces of legislation to come before this House in that it proposes to guarantee to all persons in Canada a minimum of equal linguistic rights before courts of criminal jurisdiction.

There is nothing in this bill to prevent the provinces from going further and providing, for example, for full court pro-

Criminal Code

ceedings in either official language or for extending language of trial rights to civil proceedings, which are clearly within their jurisdiction. Indeed, some provinces, notably Quebec and New Brunswick, will offer accused persons in their jurisdiction more than is strictly required by this bill once it becomes law. Ontario has also set machinery in motion, as I indicated, to enhance these language provisions. Obviously, not all provinces have the resources to go much beyond what this bill requires of them, but all have expressed the view that this minimum guarantee is one that is essential if Canada is to survive as a country with two official languages.

I have been heartened since this subject was first raised by my informal discussions with judges across the country, all of whom have indicated to me their capacity to establish in each province a bilingual facility for the hearing of such cases. More importantly, each has indicated to me an understanding that this is something that we as a parliament and as a country should do at this particular time.

It has been said that national unity and the preservation of national unity is not the preserve of any particular political party in this House. I would hope that each of us in this House, regardless of which side we sit on, will examine this bill, and the principle and right that it is designed to protect, preserve and enhance. By supporting this bill members are recognizing that this is a measure that we at this particular time should be passing, should be supporting. All members, regardless of where they sit, would be making their particular contribution to national unity by supporting this bill.

Some hon. Members: Hear, hear!

Mr. Woolliams: Mr. Speaker, before the hon. minister leaves I wonder if he would permit a question?

The Acting Speaker (Mr. Turner): Would the hon. minister permit a question of the hon. member for Calgary North?

Mr. Basford: Yes.

Mr. Woolliams: I listened very carefully to the Minister of Justice (Mr. Basford), and I would like to get his position very clear in my mind before I make my opening remarks. My question is: Can he assure the House that the attorneys general of all ten provinces agreed to the bill in question as it is worded at the present time? Is that his position, and does he say they all agreed without any changes to the bill?

Mr. Basford: As I indicated in my speech, Mr. Speaker, there have been consultations going back to last fall, mainly between officials of my department and those of the provincial attorneys general. There was one round of consultations which took place regarding the concept of the idea. At that consultation various aspects, problems and suggestions were raised. There was a further consultation when our proposal had been further developed.

Prior to introduction of the bill and in the course of those consultations, the representatives of each province indicated that they supported this concept and these proposals. Just