suggesting that people who have been active in politics should be disqualified or not be available for appointment to the bench. This is the reverse of what we are suggesting. The point we are trying to make is that the present system is in effect injurious to the judiciary in some ways because it starts judges out in their job with a cloud of political partisanship surrounding them. No one is saying we do not have good judges. No one is saying that people who have been active in politics should not be appointed to the bench. In fact, I am not even convinced that they should be lawyers. Someone has said that if we could make a lawyer into a Minister of Agriculture why could we not make a farmer into a judge or a Solicitor General?

Mr. Pennell: Agreed.

Mr. Scott (Danforth): All we are trying to say is that we all have the same objective, to have the strongest possible judiciary free from any connotation of political partisanship. It is more than coincidental that appointments to the bench, even though they may be good men, always happen to be supporters of the ruling party. All we are trying to suggest to the minister is that for once he take a courageous step and remove the judiciary from this cloud of partisanship. He should devise a system of appointments that will free judges once and for all from the cloud of political partisanship. This is in no way an attack upon judges themselves or upon the integrity or impartiality of those who are appointed to the bench. It is merely a suggestion that we get rid of the cloud that has always been attached to the judiciary in Canada and that we start judges out free and clear of any charge of political partisanship in connection with the method of their appointment.

Mr. Gilbert: Mr. Chairman, I am sure we have fully aired the problem with regard to the appointment of judges. I should like to direct the mind of the Minister of Justice to the problem of training judges. I was very happy to have the Solicitor General refer to England as an example of a country in which people of the highest calibre are appointed to the bench. In Canada since confederation we have never had any training of the members of the legal profession who have been elevated to the bench. You may rightly say that this does not happen in England either, but the situation is different in England. In that country the High Court of Justice is divided into different branches. We have the Queen's Bench Branch, Chancery, Probate Division, Admiralty and so forth. Each division deals with a different branch of the law. When a person is appointed he generally concentrates on that particular branch of the law.

In England we also do not have the county courts possessing jurisdiction over criminal matters. The civil courts there do not have the same wide jurisdiction that some of our civil courts have. A more important feature, Mr. Chairman, is the division between barrister and solicitor in England. It is only the barristers in that country who are eligible for appointment to the bench. In Canada 99 per cent of our lawyers are both barristers and solicitors. It would be fair to say that not more than 5 per cent of lawyers specialize in counsel work. Therein lies the big problem. When a person is appointed to the bench, in all probability he has been a solicitor and has had very little counsel work. He is not familiar with the law.

The question arises, just how do we train these men to assume their duties? It has been suggested that once a person is appointed to the bench he should, before he assumes his full duties, sit with a judge in a criminal court for a period of time and then he should sit with another judge in a civil court for an allotted time. The reason suggested for this is that he would become familiar with the different branches of the law. If he were to sit on a criminal case, a murder case, in the high court he would get the feeling of the procedure and the feeling of the law. If he were to shift to a civil court he would get experience in contracts, negligence law and so forth. If he were to do that for approximately six months, perhaps he could then take a short course conducted by the senior judges in the provinces with regard to particular branches of the law. In this way I think most of the difficulties that are present today would be overcome because many who are appointed have not had a broad experience in the field. I ask the Minister of Justice and the Solicitor General to give some thought to this aspect of the question of appointments.

Resolution reported and concurred in.

Mr. Cardin thereupon moved for leave to introduce Bill No. C-160, to amend the Judges Act.

Motion agreed to and bill read the first time.