

Government Orders

active participation of experts in law. The Canadian Institute for the Administration of Justice held a nation-wide consultation with judges on the proposed law commission. The federal Department of Justice conducted a consultation with legal academics from all provinces. In addition, the subject has been discussed at meetings of the ministers responsible for justice in the federal, provincial, and territorial governments and at other meetings involving both the legal and non-legal communities. That is consultation.

The legislation now before us has been shaped by many hands and moulded by experience in many fields. It is the product of consultation. It proposes an instrument for doing the work of law reform in the same mode. That commitment is reflected on every page of this bill. It starts with the first paragraph of the legislation, which says the advice the commission will provide will be based "on the knowledge and experience of a wide range of groups and individuals".

The first of the five guiding principles in the preamble is that the commission's work should be open and inclusive of all Canadians. This approach is also expressed in the organizational design of the new law commission. Clause 7, which deals with organization, says, in effect, that the five commissioners need not be lawyers or judges or other legal professionals. Indeed, it specifically states that the membership should be representative of the socio-economic and cultural diversity of Canadian society.

As an aside, I heard from the other side that we should have a number of parliamentarians sitting on that commission. Of course there are opportunities here for the full participation of the diversity of Canadian society.

• (1140)

The four part time commissioners would live wherever their homes are, where their full time jobs and occupations require them to be. This means that at the executive level the commission would be linked personally and directly with the concerns of main street Canada.

Clause 18 describes the advisory council of the commission, which will comprise 25 people serving on a voluntary basis appointed by the commission. Like the commission members, the members of the council itself would be generally representative of the diversity of Canadian society. Its members will advise the commission on such things as strategic issues, review of its annual report, agenda setting and performance review. A varied blend of training and experience will be applied to the basic shaping of the process as it responds to the issues of the day.

Clause 20 allows for an even further extension of the commission's connections with other disciplines and backgrounds. Under this clause the commission can bring in voluntary experts and specialists in any aspect of law reform to serve as members of temporary study panels. I am stressing the words temporary and voluntary because the Reformers who spoke earlier seemed to miss that in the bill.

Clause 23 is important in this regard. It ensures the products of work done in this mode will not disappear into a vault but will emerge without delay into the public domain for inspection and discussion. The minister must table any commission report to the two chambers of Parliament in session within 15 days of receiving it.

In short, the commission created by this bill will be itself part of a wider network of collaboration in the work of law reform. It will allow us to renew and extend the architecture of law on the basis of an expert understanding of the complex issues involved. It will permit us to do so efficiently, effectively, and at a manageable cost.

This bill is a blueprint for a law commission that will meet the needs of our time, a body that will be known not only for the legal soundness of its products but also for the relevance of its work on the issues of our time. This bill will meet an urgent need. It deserves our support. It deserves the support of all the members of this House.

Ms. Mary Clancy (Halifax, Lib.): Mr. Speaker, I am delighted to join in the debate in this area. The area of law reform is one of special interest and special concern to those of us who have in the past been involved in the legal profession. It should be of interest to all of us as legislators.

Having been here all morning, I have listened, sometimes in shock, to some of the comments that have come particularly from the members of the third party with regard to a need for this bill. It may be a good time to talk about why this bill is being brought forward.

One of the hon. members for Calgary noted this bill has the justice minister's fingerprints all over it. It is his bill. I would hope it has his fingerprints all over it. I wonder whose fingerprints should be on it if not those of the Minister of Justice. The Minister of Justice, in his usual well thought out way, has indeed brought this bill forward. We would not mind the solicitor general's fingerprints on it either, but as it happens this bill is brought forward by the Minister of Justice.

• (1145)

I want to talk about the law commission because tremendous things have come from bodies of this nature both at the national level and in various provinces where these bodies exist.