

Judges Act

federal Government is disposed to do so, out of the allocation of available appointments. I want to point out to the people of Ontario that their interests are covered in this new legislation, even though there is no official plan to allocate positions to the requirements for additional judges and courts in that province.

[*Translation*]

I would also like to add a comment on the issue of judges' appointments. We know that during the last election campaign, this Government promised a new system of appointments that would perhaps involve parliamentary participation, and what we are giving the Government today is the right to appoint a further seventeen or eighteen judges, if I am not mistaken. I am not making it a condition of our approval of the legislation that the Government introduce a new system of appointments to become effective with this legislation, but I would like to remind the Government of the promises it made to the Canadian people during the last election campaign.

[*English*]

I want to remind the Government that it will now, as a result of the unanimous consent being given to it, have the opportunity to appoint new judges to the bench. During the last election campaign we heard much about a new system of appointments which would involve parliamentarians and would confirm the judgment of the Government by some broader parliamentary participation. We are not making it a condition of our approval that the Government deliver on that election promise. However, I remind Canadians that that promise was made. As proud as we are of the judges who are serving the people of Canada today, this Government promised that it would have a more accountable system. I look to the Government to deliver on that promise. With its new authority to appoint some 17 or 18 new judges, I look to the Government to live up to its campaign promises.

Mr. Robinson: Mr. Chairman, I am pleased to rise to say just a few words on this Bill and to confirm the remarks of the Hon. Member for York Centre with respect to the consultation which took place before the Bill was actually tabled in the House. It is for that reason that we are in the position this evening of being able to facilitate the passage of the Bill in the spirit of co-operation which has characterized the House today in most respects.

I want to make a couple of comments with respect to the legislation. As has been noted, it adds some 37 judicial positions to federal and provincial courts. I would hope, in making these new appointments, appointments which in some cases are long overdue, the Government would be particularly sensitive to the fact that more women and more minorities must be appointed by the federal Government to the bench. The excuse made in the past was that there were not enough qualified women. Fortunately there are many very capable women who have put in the minimum of 10 years required before appointment to a federally appointed judgeship. I hope the Government takes this opportunity with these new appointments to appoint a very significant number of women, as well as minorities, to these important positions.

It is essential, in an era of the Charter of Rights and Freedoms which gives a significantly enhanced role to judiciary, to ensure that those judges are sensitive to the concerns of minorities and to civil liberties. I hope the Government looks very seriously at changes to the appointments process itself to involve Parliament, at least in the appointments to senior levels of the judiciary in Canada, including the Supreme Court of Canada. The Canadian Bar Association, to its credit, has conducted a major study. I believe its results will be made public in the month of August. As I understand it, certainly it will look at a number of important changes to the appointments process for judges.

Coming from the Province of British Columbia, I should like to indicate that we are very proud of our judiciary at all levels. However, the process of appointments is one which is long overdue for re-examination. As has already been noted, this Bill responds to the concerns of a number of provinces. There are shortages in British Columbia, Manitoba, New Brunswick and several other provinces, which have resulted in delays. In some cases it has resulted in serious delays in the delivery of judicial services. As the Hon. Member for York Centre said, justice delayed is justice denied. It is in that spirit of co-operation that we are supporting the passage of this Bill this evening.

When we talk about the courts and the judiciary, it is essential to recognize that the poor and the powerless must also have access to the courts. In many jurisdictions legal aid programs, which are at the core of accessible courts, are seriously underfunded. I hope the Government makes a major commitment to federal funding of legal aid programs in Canada in order that there might be access to the courts for all who seek justice, not just for those who can afford to do so. Also, I hope the Government lives up to its promise to establish a fund to assist those who wish to make challenges under the provisions of Section 15 of the Charter of Rights and Freedoms, the equality rights section. In fact, the subcommittee on equality rights decided unanimously to report to Parliament upon the need for such a fund. As this House is rising for the summer, certainly the sentiments of that committee should be conveyed to it, and I am pleased to have the opportunity to do so in the context of this debate on the Judges Act.

There remains a number of inequities with respect to certain elements of the treatment of judges who have left the bench. I believe the Parliamentary Secretary to the Minister of Justice and perhaps the Government House Leader are sensitive to the concerns which have been raised by a very distinguished gentleman, a former judge of the Supreme Court of British Columbia, Tom Berger, about the provisions of the pension plan for judges who have served our country and our bench with distinction. I hope the Government looks seriously at recognizing the existing inadequacies in that pension scheme and moves forward to correct the existing problems which have affected judges such as Tom Berger.

Those are the remarks I wish to make at this point. We are supporting the legislation. Certainly we hope that the Govern-