

*Criminal Code*

been made by the government, then the matter is much more serious and I hope that the Minister of Justice and the Minister of Indian Affairs and Northern Development (Mr. Chrétien), who have ultimate responsibility for the Yukon, will get together and discuss the matter.

It seems to me that there is no excuse whatsoever, now that the program has been implemented in the Northwest Territories and if reasonable terms are being offered to the Yukon, for the matter to be held up indefinitely. If the reason is simply financial, I am sure it can be worked out to the Yukon's satisfaction. But if there are other reasons involved in holding up the social reform proposed by this government, then I do not like it and I am sure members of the House would agree with me that all necessary pressure should be applied to ensure that this social reform in the Yukon is carried through. I hope, also, that the hon. member for the Yukon (Mr. Nielsen), whom I know is favourable to the principle of legal aid in the Yukon, will exert on the commissioner the considerable amount of pressure which is available to him to assure that this reform is carried through.

In conclusion, I would urge that the bill proposed by the hon. member for Notre-Dame-de-Grâce be accepted. I urge that it be referred to the Standing Committee on Justice and Legal Affairs where it could be discussed more fully and where, hopefully, we could consider its inclusion in our Criminal Code within the not-too-distant future. Without taking any more time of the House, let me just say that I hope we can agree to having this bill referred to the committee this afternoon.

**Mr. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, in my view, this bill in the name of the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) is a good one and I hope the House will this afternoon either pass the bill on second reading and send it to the Standing Committee on Justice and Legal Affairs or, if that is too much, agree to send the subject matter of the bill to the committee.

Having looked at the bill itself and the explanatory note, it strikes me that this is one of those cases where the bill is so clear, even in its legal language, that the explanatory note was hardly necessary. I do not think that anyone who has preceded me in this debate has put the actual text of the bill into the *Hansard* record, and therefore I should like to do so. The bill proposes that there be written into the Criminal Code these words:

As soon as an accused is brought before a court to be charged with an offence under this act, the judge must immediately ask him if he is represented by legal counsel, and if not, if he wishes an adjournment in order to obtain such legal counsel. If the accused replies in the affirmative, the judge will adjourn the appearance for one day. If the accused replies in the negative, the case shall proceed in the usual way.

When the judge adjourns a case under this section he will immediately advise the accused of any and all methods of legal aid within the jurisdiction.

It seems to me that that is a progressive proposal, that it is in line with our concepts of civil liberties and justice for all, and I hope the bill will not receive the treatment that bills sometimes receive in private members' hour. I see my good friend and fellow member of the Friday afternoon club, the hon. member for Sarnia-Lambton (Mr. Cullen), is here. I hope he has not been given instructions

[Mr. Watson.]

to talk out this bill. Perhaps he will move that its subject matter be referred to the committee.

**Mr. McBride:** He has just become a "P.S."

**Mr. Knowles (Winnipeg North Centre):** A "P.S."? You mean he is a postscript to somebody? At any rate, even though we on this side of the House have difficulty getting the subject matter of bills of ours referred to committee, that will not stop us from thinking that it should be done when there is a good bill before us, even when it comes from the government's side of the House. This is a good one and I hope it will be approved this afternoon.

**Some hon. Members:** Hear, hear!

**Mr. Jack Cullen (Sarnia-Lambton):** Mr. Speaker, it is always nice to catch the eye of the hon. member for Winnipeg North Centre (Mr. Knowles). I listened very carefully to any comments he had to make about me, my attitude or the actions I take in the House, and I concur with the comment he made that the subject matter of this bill should be referred to the Committee on Justice and Legal Affairs. I give that proposal my 100 per cent support.

I believe this is the second occasion in the last month that the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) has brought a subject matter before the House during private members' hour. I was happy to second his previous motion. It had to be made in the form of a notice of motion, because I know the careful study and research that this hon. member carries out before he places anything on the order paper for debate in the House.

As a result of this debate there may be a feeling that no legal aid is available in Canada. Of course, that is not true. I was a practising lawyer in the province of Ontario before I became a Member of Parliament. In that province, long before the government got into the act, the benchers, who are in effect the board of directors of the lawyers in our province, saw fit to organize and set up special committees. Their purpose was to ensure that anyone who needed a lawyer in the province of Ontario could get one, and not only could they get a lawyer but they could get one of their own choice at no cost to the taxpayer or to the individual who sought legal advice. In recent years that has been changed; the provincial government saw fit to build upon the administrative expertise. The benchers' directors and members of the Upper Canada Law Society have developed the situation where we now have legal aid directors in communities who receive a percentage of the fees set down in a particular scale.

I endorse the admonition that is recommended in this bill. The hon. member for Notre-Dame-de-Grâce may not feel that his bill will be passed by the House or that its subject matter will be referred to committee, but I think he is hoping in this way to impress on the provinces which have the responsibility of administering justice the fact that this is a question they should be considering; and if legal aid is not available in all the provinces now, it should in fact be made available.

I think we have a good legal aid scheme in the province of Ontario. Hopefully, this program can be improved upon, because one of the arguments constantly faced by