

Judges Act

province of Quebec. All of the federally-appointed judges are appointed to the supreme court. I know that in Ontario, and to an extent in other provinces, the district or county court judges have received considerable outside funds, in some instances exceeding \$6,000. I am satisfied the Department of Justice is very wisely working toward the elimination of these outside emoluments.

I am sure the main reason the Department of Justice is thinking of making part of our increase retroactive is that there was somewhat of a gentlemen's understanding with John Turner that judicial salaries would be reviewed every four years, and making the increase partially retroactive to the spring of 1971 is in line with this concept. I don't know that the minister's understanding with us at the judicial council is generally known.

I think that is correct; I am so advised, and I remember discussing this with the former minister of justice and I think he would agree with it.

An hon. Member: The last page!

Mr. Woolliams: Well, it is an important matter and I have taken a little time on it. I see by the clock that I have been speaking for 30 minutes; maybe that is a little long, but it is an important subject.

An hon. Member: Keep going.

Mr. Woolliams: Against this, however, if judicial salaries compared to those of the legal profession are as low as they currently are, I would think it would become more and more difficult from simply an economic point of view to attract the best lawyers to the Bench. It will be a sad day for the administration of justice in Canada if it is generally regarded in the legal profession that anyone taking a judicial appointment must be doing so because he cannot make it in the profession. A judge said that to me. This could be the result if salaries remain as they are, with the cost of living rising as it is.

I want to deal for a moment with the limitation on provincial remuneration. This is from the working papers that I think the Minister of Justice was talking about. In connection with the proposed salary increases, it should be noted that this bill will authorize an amendment to section 38(2) of the Judges Act to limit the remuneration a judge may receive under provincial law to a maximum of \$3,000 per year. I think that is a move in the right direction.

One last point that I have to make before concluding is this: the widows of judges, as the Minister of Justice said, have suffered over the years. I recall a man—imagine the hon. member for Winnipeg North Centre (Mr. Knowles) will remember him—Manley Edwards, who was a member of the Liberal Party here, a member of parliament who served in one or two parliaments and was appointed to the district court. I think the pension his wife received when he died was less than \$200, and she had to go out and take various jobs in the city. I do not want to go into that; it was a personal thing. There are many of them getting a pension of \$5,000 or less. What I am saying is that amendments to increase the amount that widows of judges get should be supported, because a judge, as the Minister of Justice said, is at the peak of his earning power when he is appointed to the Bench. I think that is a move in the right direction and I hope it applies now to judges' widows.

I know there are members of parliament who served in this House for 20 or 30 years and who left with about \$250 in pension. When anything has been done in this House

[Mr. Woolliams.]

with reference to ourselves, I think of the men who have served here. I know one in particular; he not only served many years in the army but many years in parliament. Some of you may know who I am talking about—a very distinguished gentleman. He left this House with that kind of income. The man I defeated in Bow River had to get the farmers of the area to help him move his furniture when he left this institution. That is not good enough.

One last thought. I know the hon. member for St. John's East (Mr. McGrath) is going to deal with it, so I will only say this. I want the Minister of Justice to think about it. There is no reason in the world why the Minister of Justice and this government should not appoint the judge in Newfoundland. The minister says he doesn't know who to find. Well, I will tell the Minister of Justice to stop this hanky-panky nonsense. If he cannot find a Liberal, let him appoint a Conservative.

Some hon. Members: Oh, oh!

Mr. Woolliams: I say that with all sincerity.

An hon. Member: What's the difference?

Mr. Woolliams: An hon. member to my left says, "What's the difference?" On the Bench there is no difference. That's a good question; the best the hon. member has asked since coming to the House.

Some hon. Members: Hear, hear!

Mr. Woolliams: Yes, a very intelligent question. But the big problem in Newfoundland and some other provinces—I believe Prince Edward Island operates like that; I forget now because I have not checked into it: I know New Brunswick does it—is that the trial division sits on appeals, so that if you are one judge short you cannot hear any appeals. That is not good enough. If we are going to get this bill through, some of the members, particular from Newfoundland, will be asking the minister to get cracking and make that appointment without further delay.

Mr. Stanley Knowles (Winnipeg North Centre): Madam Speaker, it was my intention to begin my remarks by expressing agreement with some of the important statements made by the Minister of Justice (Mr. Lang), but I have decided instead to do that a little later on because I want at the outset to say that this is one of those occasions when, although I cannot agree with the position taken by the hon. member for Calgary North (Mr. Woolliams), I feel I must commend him on the speech he has made. I do so because I feel he has addressed himself to the issues which are involved in the bill before us. There are a number of important instances where, in addressing myself to the issues, I come down with a conclusion directly opposite to his. But even though we may disagree, I think it is good debate when we are talking about the same things.

● (1630)

May I now return to the Minister of Justice, and in this respect, of course, I am commenting on something said by him and also by the hon. member for Calgary North. I express my complete agreement with the view that the