

*Supply—Justice*

changes themselves and the reasons that compelled them have not been sufficiently explained. This is what I propose to do now very briefly.

In essence, these changes are designed to enable the Department of Justice to concentrate its full resources on those problems and tasks which, by the terms of the Department of Justice Act, 1868, were intended to fall within its purview. While the character of the department has not undergone any significant change since it came into being nearly a hundred years ago, the addition of other responsibilities—some closely related to its basic functions, others not so readily identifiable—has made it increasingly difficult for the Minister of Justice and Attorney General of Canada to perform his important duty as the principal law officer of the Crown.

This may have been the inevitable result of administrative and other pressures during the evolutionary period in our history as a nation, but I am convinced the time has come to take stock and redefine the functions of the department in relation to contemporary needs.

Over the years, the Department of Justice has been assigned responsibility for a variety of functions and services—among them combines investigation, the supervision of trustees in bankruptcy, the Canadian Penitentiary Service and the National Parole Board—which are not directly related to the fundamental duties of the law officers of the Crown. As hon. members know, the principal responsibilities of law officers of the Crown are to advise and assist in the preparation of new legislation, to provide such guidance on constitutional matters and questions of law as the governor in council and senior members of the public service may require to enable them to discharge their responsibilities, to undertake periodic revision of the statutes and to initiate such legal actions as may be in the public interest.

● (3:40 p.m.)

The very considerable administrative responsibilities associated with those other additional functions I have described have tended to involve the Minister of Justice and the legal officers of his department to such an extent that it has not been possible for them to devote as much time to their primary tasks as would have been, and is now, desirable. In addition, these changing times and the urgent need to maintain respect for law as the keystone of a democratic society require some rethinking of the practices and procedures of

[Mr. Cardin.]

the Department of Justice, to ensure that in carrying out its basic tasks the department is keeping pace with new developments in our economic and social structure and in the international environment in which Canada must play its part.

As an example, revision of the statutes on a regular basis is essential to good administration and the public welfare generally. In the past, whenever a general review of the main body of our statute law has seemed desirable or necessary, this was accomplished outside the department at very high costs and the results at times left something to be desired. More recently ad hoc committees within the department dealt with the revision. Having regard to the heavy demands on the resources of the department, this method of revising the statutes has usually meant that legal officers whose services were urgently needed in other areas, had to be separated from their regular duties for lengthy periods. Such a revision of the statutes is now in progress and, as hon. members will appreciate, this is a demanding task. It is my hope, indeed it is my intention, that when the organization of the Department of Justice has been agreed upon a special division will be established within the department to hold a watching brief on all matters affecting the codification and revision of the statutes. This will ensure that the laws of Canada, reflecting the intent of parliament, are at all times consonant with the needs they were designed to meet. While there might have been some logic in the identification of responsibilities associated with the maintenance of good business practices with the Department of Justice in the past—an example would be the combines investigation branch as it now exists—these functions are, in fact, a part of the investigative and protective processes of public administration, and their transfer to other departments, while easing the work load within justice itself, will not prejudice or in any way interfere with the responsibility of the Minister of Justice to take such action as the results of these investigative and protective undertakings may require.

In respect of the prospect that our country may experience to an increasingly alarming degree the effects of the insidious spread of organized crime throughout North America—including the urgent problem of juvenile delinquency—and in the field of correctional services generally, there is need for a “new look” and greater co-ordination of effort than has been possible under the former departmental structure. Heretofore the responsible