

*Inquiries of the Ministry*BIAFRA—CURTAILMENT OF ARMS SHIPMENTS
NIGERIA

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, in connection with the matter we are discussing, may I ask what representations, if any, the Prime Minister made to the British government in connection with curtailing the shipment of arms to Nigeria as a step toward a cease-fire?

Mr. Trudeau: Mr. Speaker, I told the British Prime Minister and the British minister of foreign and commonwealth relations what I had said in the house here, that Canada felt it was a mistake for any country to ship arms to this theatre of war. To this I received the answer that the British government has given, I believe, on other occasions; that if they were to agree to any official cessation of arms shipments this would not preclude arms smuggling or arms running, which goes on now. The result of such cessation would perhaps be only to have the unofficial suppliers of arms to Biafra continue shipments, thus piling up arms there.

EXCHANGE OF REPRESENTATIVES WITH
VATICAN—REFERENCE TO STANDING
COMMITTEE

Mr. David Lewis (York South): Mr. Speaker, I want to ask the Secretary of State for External Affairs, in connection with a subject discussed earlier on motions, whether he will consider referring the question of the exchange of representatives with the Vatican to the external affairs committee?

Hon. Mitchell Sharp (Secretary of State for External Affairs): Mr. Speaker, the government has no objection if this matter is contained in the terms of reference of the committee.

POST OFFICE DEPARTMENT

INCREASE IN BOX RENTALS

Mr. Cliff Downey (Battle River): I was beginning to worry, Mr. Speaker, in case I had undergone some strange metamorphosis which had possibly rendered me invisible. I have a question for the Acting Postmaster General. Can the acting minister explain to the house why the cheapest form of mail delivery, the post office box, has been doubled in price while the more expensive form of mail delivery to residential letterboxes and rural route boxes pays only the additional postage that is required under the new rates?

[Mr. MacDonald (Egmont).]

Mr. Speaker: Order. The hon. member is not only visible but also audible, and he should place his question on the order paper in order to make it readable.

GOVERNMENT ORDERS

CANADA EVIDENCE ACT

AMENDMENTS RESPECTING ADMISSIBILITY
OF EVIDENCE

Hon. John N. Turner (Minister of Justice) moved the second reading and reference to the standing committee on justice and legal affairs of Bill S-3, to amend the Canada Evidence Act.

He said: Mr. Speaker, the laws governing the admissibility of evidence are of vital importance in the administration of justice. Therefore it is important that these laws and rules of procedure themselves be vital. The provisions contained in the Canada Evidence Act and the evidentiary provisions scattered throughout other statutes of Canada are merely the tip of the iceberg. Canada inherited most of its laws of evidence from the common law of 19th century England, and as a result of a combination of factors, including the doctrine that the courts generally consider themselves bound by prior decisions, by precedent, and that their function is to interpret and apply the law rather than to make it, the general law of evidence in this country has tended to remain as frozen as the iceberg, while the substantive civil and criminal law has been developed largely by statute to keep in pace with changing social conditions.

This year I am initiating a general overhaul of the Canada Evidence Act which I hope will result in major reforms to that statute. In the course of that review I hope to consider whether the broad ends of justice might not better be served by a re-examination of the provisions regarding competence and compellability of witnesses as between husband and wife which are contained in section 4 of the act, whether the law of evidence dealing with confidentiality of communications or privileged communications deserves further examination, and whether accused persons who testify in their own defence should be protected from disclosure of prior convictions in some such way as they are under the Criminal Evidence Act, 1898 of the United Kingdom. In short, there are a good many areas of evidence, particularly in the realm of self-incrimination, to which I believe we have