

then, as President of the Privy Council, that it was time members of the federal judiciary at least contributed to their own pensions. He brought in a bill requiring that contributions be made by the federal judiciary to their pensions. That bill was effective December 20, 1975. The same minister now comes before the House and suggests that contributions should no longer be made by the federal judiciary to their pension plan but that we should refund with interest all of the contributions made so far. Surely that is an unacceptable provision. Surely members of the federal judiciary have the same responsibilities of citizenship as do all other Canadians. They pay taxes. It is not unreasonable to ask the federal judiciary to contribute to their pension plan in the same way as other Canadian citizens do, and as members of Parliament do.

We urge the government to reconsider this particular clause of the bill, a provision not even asked for by the Canadian Bar Association.

● (2050)

I conclude by saying once again that we recognize the importance of an independent judiciary as being the cornerstone of the Canadian judicial system. We recognize the importance of the rule of law, the strength and vitality of the Canadian federal judiciary. We hope that after examination in committee we will ultimately come up with a better bill, a bill of which all members of this House, all members of the judiciary and the legal profession can indeed be proud.

Mr. MacKay: Will the hon. member permit a question?

Mr. Deputy Speaker: The hon. member's time has expired. The question may be accepted only with unanimous consent. Is that agreed?

Some hon. Members: Agreed.

Mr. MacKay: Mr. Speaker, I came into the House as the hon. member was speaking. I want to say in passing that I commend him on some of his remarks with regard to sentencing and so on. However, there is one remark that I wonder if he researched. I understood him to refer to the "late" Clarence Campbell. I wonder if he is aware of what he said. As far as I know, Clarence Campbell is still alive.

Mr. Baker (Nepean-Carleton): That is more than you say about the member.

Mr. MacKay: While I am not one of his greatest fans, keeping in mind the way he treated Don Gallinger, Billy Taylor, Maurice Richard and his former friend and partner Andy Anton, I would like to think he is still around in order to continue some of the judicial proceedings in which he is embroiled. I wonder if the hon. member can tell me whether Clarence Campbell has really expired.

Mr. Robinson (Burnaby): Mr. Speaker, I do believe that my reports of his death are greatly exaggerated.

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, I would have hoped the hon. member for Burnaby (Mr. Robinson) would have concentrated on this bill, which contains

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many provisions, rather than engaging the House in what I, as a lawyer with some 30 years standing, can only characterize as gutter-depth denigration of the legal profession. He reminds me of one of those who always walks along and at intersections looks for horse dung, cigarette butts and chewing gum wrappers. That is about the level of what is found there.

Mr. Robinson (Burnaby): On a point of order, Mr. Speaker. Surely there are some standards in this House with respect to the kind of language which can be used against hon. members. I would hope that those standards would be adhered to.

Mr. Deputy Speaker: The Chair is paying careful attention as to parliamentary and unparliamentary remarks and has detected nothing so far that can be considered unparliamentary.

Mr. Lambert: The hon. member will learn. This bill is much more important than the government seems to imply when it asks this House to accept it and possibly to consider all of the implications. I am not concerned about what the judiciary is going to do with regard to a new constitution. That is a lot of tripe in this debate, but very important in another debate.

What we have to consider here is a proposal to increase the number of judges in certain provinces and to note that some of the provinces have moved away from a district and superior court level. New Brunswick and Alberta have merged the courts in their provinces and Saskatchewan is about to do the same. There is a proposal to increase the salaries of judges at all levels. I want to take hon. members through those implications because not only do they tie in at the level of federally appointed judges, but many provincial departments of justice and solicitors general have more or less tied the salary scales of provincial judges to the federal scale.

We then come to the pension provisions which were referred to by the previous speaker and the hon. member for Saskatoon West (Mr. Hnatyshyn). I had hoped the hon. member for Burnaby would have spent more time looking at the practical effects of salary increases and used a little of the basic mathematics to which he might have been exposed during his educational career. He would have realized just what salary levels are projected in this bill.

I also want to talk about non-contributory pensions. I wish the Minister of Justice (Mr. Chrétien) were in his place at this moment. I recall the many remonstrations I made to him prior to 1975 to have judicial pensions made contributory. In 1975 I had hoped this was being done in the spirit that henceforth all members of the judiciary, regardless of when appointed, would make suitable pensions contributions as provided for in the bill. But that was not the case. The "weasel" interpretation was made that judges appointed after February 15, 1975, would be asked to contribute the standard 6 per cent of their salary toward a pension scheme. All others would continue at their non-contributory basic level. All they paid was a margin to take into account future indexing. I will deal with that in a little while.

I invite hon. members to read Bill C-34. They will see at what levels of salary they are and where the judges are to be. I