

*Supply*

equality of status or use of the official languages in their respective fields of jurisdiction.

The provincial governments had agreed to open discussions designed to make sure that Part XIV.1 would apply from coast to coast. At the October 1986 conference of attorneys general and provincial justice ministers my colleagues agreed to exchange information and help one another with a view to ensuring that trials might be conducted in both English and French in all jurisdictions. I expressed my appreciation to my provincial colleagues for their precious support and went on to say that I would do everything in my power so that we might reach our goal.

[English]

The happy result of these consultations and this co-operation was the proclamation and coming into force last September of Part 14.1 of the Criminal Code in Saskatchewan, and with regard to summary conviction offences in Nova Scotia and Prince Edward Island.

[Translation]

So these provinces have just joined with the provinces of Ontario, New Brunswick and Manitoba as well as the Yukon and Northwest Territories where the right of the accused to be tried in his or her own language has now been a fact of life for a number of years. Through his official languages promotion program the Secretary of State provides financial assistance for linguistic training courses as well as translation and interpretation services. Consultation has not ended, far from it, and I am still convinced that it will soon lead to the implementation of Part XIV.1 elsewhere in Canada.

Better still, Bill C-72 prescribes a deadline for implementing that part of the Criminal Code. These provisions will become operative on January 1, 1990 in those provinces where they were not previously enforceable. At the same time, Bill C-72 makes a number of changes to the system under Part XIV.1 to better define and confirm the rights and obligations resulting from the right of the accused to have his trial before a judge or a judge and jury speaking the official language of the accused. There are, in the Official Languages Act as it exists now, a number of provisions concerning the Federal tribunals and the Courts dealing with criminal matters, but these provisions should be updated and improved. For instance, concerning the language used during the trial, the accused and his counsel will have the right to use either of the official languages during the arguments and for all purposes relating to them; the witnesses will have the right to testify in either of the official languages; the accused will have the right to have the plaintiff use the same language as he does; the Courts will have to provide simultaneous interpretation services and the file will have to include a transcription of this interpretation. These rights exist also at the preliminary inquiry stage.

When these amendments come into force, a series of transitional provisions maintaining some rights and powers resulting from the 1969 legislation governing the use of both official languages in criminal proceedings will be repealed. As

to the Federal Courts, the new provisions will go beyond the basic constitutional guarantees to ensure for both Francophone and Anglophone Canadians equal access to the legislative bodies, statutes and Courts of this country, as ruled by the Supreme Court of Canada in its reference to the linguistic rights in Manitoba.

As was the case under the 1969 legislation, the Federal Courts will have to hear the evidence in the official language requested by the witness, to provide simultaneous interpretation services and to make available to the public their decisions, as well as their grounds, in both official languages. These obligations have been extended, however, and the exceptions limited or eliminated altogether wherever the practice of the past 18 years has demonstrated that it was possible and reasonable to do so.

• (1210)

[English]

In addition, the Federal Court, the Tax Court of Canada and, within five years, various federal agencies will have to arrange their affairs so as to assign judges capable of understanding directly and without interpretation proceedings in English, in French, or in both languages as the case may be. Clearly it is not a duty of all judges to be bilingual. Rather, it is an institutional obligation to provide the services where required in either of the official languages.

I see that my time is up, Madam Speaker. I could go on and on in support of this Bill and the defrocking, if I can put it that way, of this rather specious, unworthy motion. If the Hon. Member is truly interested in making progress, I suggest that he communicate that fact to his House Leader so that there may be discussions with respect to the appropriate timing of this legislation. That would provide an opportunity for all of us to deal with the merits of the legislation in order to allow it to go to committee where there will be an opportunity for serious discussion on the provisions of this Bill and for full understanding. In that way we will be able to bring this legislation back to the House on the understanding that it is intended to make this country reach the potential which we all know it has.

**Mr. Gauthier:** Madam Speaker, I would like to ask a question or two of the Minister. Having been a House Leader in this he understands how this House operates, as does every one of us. He knows that the Government is in charge of proposing legislation. The House can dispose of the legislation once it is before the House. The only time the House Leaders discussed this legislation was on a Friday just before Christmas when the Government wanted to pass the Bill quickly on a Friday afternoon. I said no to that.

**Some Hon. Members:** Oh, oh!

**Mr. Gauthier:** I said no to that because the people in my caucus have a right to be heard in this debate. They have a right to hear the arguments of the Tories who oppose this Bill.