

Private Members' Business

Obviously, someone empanelled on a jury or performing emergency service, whether paid or not, is not available for any other work. With respect to jury duty, I believe a simpler solution is already at hand which avoids amending the UI act altogether.

The preferred solution in my view can be found in a small booklet first published by a Tory government in Ontario and issued every since by the Ontario Attorney General, entitled *Your part in Justice—A Guide to Jury Duty*.

This booklet is mailed to every Ontario resident who is summoned for jury duty, whether or not he or she is actually selected.

In it, on page 11 of the current issue, article 16, UI claimants are told to identify themselves to the court and they will be excused from jury duty if they so request it.

Ontario's solution recognizes how important it is for UI claimants to identify themselves as soon as they are summoned. I am certain the mover of this amendment will agree that while Ontario's solution does not satisfy all cases—the civic minded UI claimant who yearns for an opportunity to serve as a juror, for example—it certainly is the answer for all those UI claimants for whom jury duty under the present circumstances is an outrageous and personally aggravating interruption in family earnings which they can ill afford.

Perhaps the hon. member would join with me in a motion that asks every province and territory which has not already done so to allow UI claimants to exercise the exclusion privilege conferred by Ontario. It seems a very sensible privilege to offer claimants and a practical one too.

I am informed by the local sheriff's office in Ottawa—Carleton that UI claimants do, in fact, exercise it when their names are chosen. I acknowledge the possibility that this solution may, in areas of extremely high unemployment, leave the court short of jurors, with the result that, as sometimes happened with blood donor clinics, service to the community is shouldered by a small core of willing repeaters. In these rare instances, might I suggest that the province or territory could perhaps selectively augment the jury fee to bring it into line with UI benefits in the affected community. But I do not wish

to download this issue on to the provinces, Mr. Speaker, nor will I tell them how to manage their affairs.

Let us keep our priorities straight and let us encourage our provincial and territorial partners to do the same.

Mr. Mac Harb (Ottawa Centre): Mr. Speaker, first I would like to congratulate my colleague from Restigouche—Chaleur, New Brunswick, on a job very well done. Obviously he has done his homework before he came forward with this legislation.

I too was somewhat surprised and astonished when I received a newspaper clipping dated February 6, 1991. The headline read as follows: "Judge excused potential jurors; calls UI rule stupid". The story goes on to say that a Nova Scotia Supreme Court justice excused nine people from jury duty Tuesday because they would not be able to collect unemployment benefits if the trial took more than two days. Canada Employment states that people must be available for work to qualify for payment. There is a quote by Justice Hilroy Nathanson where he says "I think it is a stupid ruling, but who am I?"

Mr. Speaker, not only are the rules somewhat stupid but in my view they are extremely unfair. I think it is our duty as parliamentarians and it is the duty of the government that whenever it introduces legislation to make sure that legislation is fair.

I heard some of my colleagues talking about the fact that this whole question falls within the jurisdiction of the provincial government. That might be true, but as my colleague indicated a little earlier, with the latest development in the UI proposal by the federal government, the federal government is washing its hands of the whole question of transfer payments to the provinces.

Just for the benefit of the viewers, I would like to point out that in Ontario alone, according to the Ontario Ministry of the Attorney General, between the months of July 1, 1990 to June 30, 1991 there were 10,843 people who served on juries. I wonder how many of those people would have qualified for UI if they were unemployed.

• (1800)

The system is unfair because it does not treat all of the people equally. When you look at the provinces you see that as of March, 1989 jurors who might be called to duty do not receive any money in Ontario from day one to day eleven. In New Brunswick, they do not receive any money between day one and day eleven, while in Manitoba, for instance, they receive \$30 for each day