

Judges Act

I have read the provisions and I am satisfied to offer the support of the Official Opposition.

I only wish that the Minister were more ambitious and that we were doing more than housekeeping in the justice area. His predecessors saw that Canada was suffering from a drug epidemic and attempted to do things about that. They referred to pornography as an epidemic, and they were going to do something about that. We have witnessed law after law, some passed by the preceding Parliament, struck down by courts at various levels, and there has been no response.

I want to take this opportunity to urge the Government to not only be a housekeeper, not only take orders from the provinces and deliver them in Parliament, but to do something substantial in the way of law reform and in the way of advancing the interests of a good system of justice in Canada.

Mr. John Brewin (Victoria): Mr. Speaker, we too are pleased to support this Bill on the basis that has already been put forward. However, we do not wish to let this occasion pass without making some additional comments. As my colleague, the Hon. Member for York Centre (Mr. Kaplan) has stated, the Minister might have been more ambitious.

Perhaps the Minister could advise us whether he has taken the opportunity, since the meeting of the Justice and the Solicitor General's Committee to read the report by Professors Peter Russell and Jacob Ziegel from Toronto on federal judicial appointments, an appraisal of the first Mulroney Government's appointments. At that committee meeting, which was approximately 10 days ago, the Minister stated that he had not read the report. Apparently, he at least had noticed the clippings in *The Globe and Mail* because he had well formed views on the subject, without having read the report. I would hope that in the interval he has read the report. The report is a searing indictment of this Government's approach to judicial appointments. It is essential for the integrity of the judiciary that the Government decide that it is going to make its mark in Canadian history and be the first Government in the history of this country to make judicial appointments on a non-partisan basis.

The Minister stated before the committee—my Liberal friend from Kingston asks: "What do you think we were doing?" I have to give the Government credit for at least improving on the Liberal system.

Some Hon. Members: Oh, oh!

Mr. Brewin: Again, I have lost my friends to my right, and I have the Minister of Justice (Mr. Lewis) on my side.

The Hnatyshyn system at least added a veneer of review of the qualities of judicial appointments. It is clear that the Russell and Ziegel study shows that the Government has failed in its objective of cleaning up judicial appointments in this country. It is essential, if the public's overwhelming desire to see that our judiciary's integrity is preserved and that justice is not only done but seen to be done that the Government and Parliament take a very serious look at how judicial appointments are made.

The Government can, if it wishes, it has the freedom to do so, choose to continue to abuse judicial appointments and the judicial process. However, if it wishes to survive through the views of the electorate in the next election, it will have to take this issue far more seriously than it has. Judicial appointments are absolutely critical to how our system of justice works. It has been one of the travesties of Canadian history that repeated Governments have used judicial appointments to reward their friends.

The present system involves a number of groups in vetting judicial appointments, but it still has allowed the Government far too much latitude to pick and choose its friends. We have, therefore, comments coming from the professors along the lines of: "We see no reason why Canadians should acquiesce in a system that seems bound every year to produce a few really bad appointments to the higher courts of this country."

Mr. Milliken: Who?

Mr. Brewin: Last year the federal Government set up a non-partisan vetting committee in each province to rate would-be judges. The criteria for applying have received scant publicity, and it would appear that most of the candidates now being assessed by the committees came through the old networks that brought names to the attention of the Minister.

• (1750)

Mr. Milliken: Name them.

Mr. Brewin: My Liberal friend wants me to name them. That is the old tactic. The *Canadian Advocate* produced a study which is severely critical, as are many lawyers in the country, of the capacity of many judges.