

tarians, then we should approve this amendment. If we do not pass this amendment, the entire purport and intent of the bill will be useless. Certainly a judicial appeal will mean a great deal more than an administrative appeal. A judicial appeal before a judge in the Federal Court will mean that you will get a proper interpretation and a proper study of the real facts and of the law.

I have no alternative but to support this amendment because it is just, and without it the bill would be unjust.

**Some hon. Members:** Hear, hear!

**Hon. Ron Basford (Minister of Justice):** Mr. Speaker, may I speak very briefly on the amendment moved by the hon. member for Calgary North (Mr. Woolliams). First may I say that I have enjoyed this debate immensely with the praise for the bill from the hon. member for Calgary North, the hon. member for Annapolis Valley (Mr. Nowlan), and the hon. member for Grenville-Carleton (Mr. Baker). They said what a terribly important bill this is and what an important initiative by the government it was to put before parliament a bill dealing with the human rights of Canadians. What a contrast! I am delighted that hon. members opposite have, in the course of debating this bill and listening in committee, learned something about the bill, because at second reading, if one wants to look back at the record, this bill was pooh-poohed as being unnecessary.

**Mr. Woolliams:** That is nonsense.

**Mr. Basford:** And they are the party of the great hon. member for Prince Albert (Mr. Diefenbaker) who wrote the Bill of Rights. They said that that was all that was really necessary and that this bill was quite unnecessary. I am delighted that the opposition has had a change of heart and has recognized tonight that this is a bold and important initiative of the government.

**Some hon. Members:** Hear, hear!

**Mr. Basford:** The hon. member for Calgary North just said that that is nonsense. Let me read from the proceedings of the Committee on Justice and Legal Affairs of May 10 at page 17:5,77. The hon. member for Calgary North cross-examined me and went through a whole course of questions to me and to one of my consultants, Professor Walter Tarnopolsky, who has worked on the bill with me. He is a special consultant to the Department of Justice and a Canadian representative to the United Nations Commission on Human Rights. This is what the hon. member for Calgary North said:

How does it strengthen the law to give human rights to the average Canadian?

It is a great question compared to what he has argued here this evening. Later on he said:

With the greatest respect, and I am not saying that there is anything wrong with the bill, I am just asking you what it adds, other than what the Bill of Rights has already done?

Throughout the course of that cross-examination there was the allegation that the bill was unnecessary.

### *Canadian Human Rights*

**Mr. Woolliams:** Mr. Speaker, I rise on a point of privilege. As the Attorney General of Canada and the Minister of Justice, the minister should not take things out of context. I recall that he used to do that when he was a backbencher, but I would think that now he has been raised to the exalted position of the Minister of Justice he would not take things out of context. I will tell him that if he reads my speech with any degree of honesty he will find that my only criticism of the bill is what they will do by order in council. If he is honest he will know that I co-operated throughout the debate on the bill. The bill went through the committee expeditiously. It is true that I said the bill covered many things that the Bill of Rights covers. But I am saying to the minister: let us get the facts. He is denying in a bill that covers human rights, and natural justice, the right of appeal of the average Canadian.

● (2150)

**Mr. Basford:** Mr. Speaker, I have previously stated many times in this House that the hon. member for Calgary North has been helpful and constructive at the Standing Committee on Justice and Legal Affairs with this and other bills. That is a matter that I have put on the public record many times. For purposes of this debate I am also quoting the public record of the cross-examination of me in the committee. I mention it in order to record my delight this evening at the recognition by hon. members opposite that this is an immensely important measure to the welfare of the average Canadian and an important measure to taking further steps to establish justice, fairness, and equality for all Canadians.

It has been said in the debate on the amendment this evening that there is no right of appeal in Bill C-25. This is utter nonsense. Under the Human Rights Act, the tribunals and their decisions are subject to the Federal Court Act.

**Mr. Woolliams:** Under Sections 28 and 18; I read them.

**Mr. Basford:** Subject to Sections 28 and 18, as the hon. member for Calgary North just indicated. Let me read into the record what section 28 provides. Section 18 deals with access to the trial court of the Federal Court for the use of prerogative writs in the supervision of administrative tribunals. Section 28 reads:

(1) Notwithstanding section 18 or the provisions of any other Act, the Court of Appeal has jurisdiction to hear and determine an application to review and set aside a decision or order, other than a decision or order of an administrative nature not required by law to be made on a judicial or quasi-judicial basis, made by or in the course of proceedings before a federal board, commission or other tribunal, upon the ground that the board, commission or tribunal

(a) failed to observe a principle of natural justice or otherwise acted beyond or refused to exercise its jurisdiction;

The hon. member for Calgary North heckled me, saying that it did not provide appeal for natural justice.

**Mr. Woolliams:** I did not say that. Mr. Speaker, a point of order—

**The Acting Speaker (Mr. Turner):** The hon. member for Calgary North rises on a point of order.