

VI. Conclusion

Based on the foregoing discussion, it is my recommendation that the Law Society of Alberta make representations to the Legislative Committee of the House of Commons studying Bill C-72. In my opinion the following positions should be taken.

1. The definition of "court" should be clarified so that it is clear that only federally created, s.101 courts and administrative tribunals are affected.
2. The investigative powers of the Commissioner of Official Languages as they affect the quasi-judicial functions of courts and tribunals should be curtailed to avoid the possibility and appearance of executive interference in the administration of justice.
3. The impact of the criminal procedure amendments on the system of criminal justice in Alberta ought to be carefully examined with the assistance of the Attorney General. If the system cannot accommodate the significant changes contemplated within the time lines set out, the implementation date of 1990 ought to be changed.
4. The requirement that all panels of judges or panels of members of federally created courts or tribunals hearing a matter be functionally bilingual in cases where both official languages are used should be modified. Unilingual, regional, representatives should be permitted to serve in such matters with the benefit of translation. Otherwise, numbers of able and qualified,