

**THE STANDING SENATE COMMITTEE ON LEGAL
AND CONSTITUTIONAL AFFAIRS
EVIDENCE**

Ottawa, Wednesday, March 11, 1970

The Standing Senate Committee on Legal and Constitutional Affairs, to which were referred Bill S-21, to amend the Criminal Code, and Bill S-22, to incorporate National Farmers Union, met this day at 10 a.m. to give consideration to the bills.

Senator Earl Urquhart (*Acting Chairman*) in the Chair.

The Acting Chairman: Honourable senators, thank you for the honour of nominating and electing me as the acting chairman for this meeting of the Standing Senate Committee on Legal and Constitutional Affairs. We have two bills before us today, the first being Bill S-21, an act to amend the Criminal Code. Following the disposition of that bill we will proceed to Bill S-22, an act to incorporate National Farmers Union.

Upon motion, it was *resolved* that a verbatim report be made of the proceedings and to recommend that 800 copies in English and 300 copies in French be printed.

The Acting Chairman: Honourable senators, Mr. W. J. Trainor of the Department of Justice is the only witness to appear on Bill S-21. I understand that he is mainly in the capacity of an observer, not to object to the bill but to give us any views we might wish to discuss. If honourable senators desire to ask Mr. Trainor questions we will proceed in that manner.

Senator Flynn: We would like his views.

The Acting Chairman: We also have with us the sponsor of the bill, Senator John M. Macdonald with us, so we have the best legal talent in both provinces, Ontario and Nova Scotia.

Mr. W. J. Trainor, Criminal Law Section, Department of Justice: My position with respect to this bill is simply, as has been stated by your chairman, that I am here this morning as an observer only. I am not here officially in a position to express any views of the department with respect to this bill.

Senator Flynn: Are you suggesting that the department has no views on this at all?

Mr. Trainor: We are not taking a position at the moment.

Senator Flynn: You may have views but you dare not express them yet?

Mr. Trainor: That is correct.

The Acting Chairman: So the department is not objecting to the bill?

Mr. Trainor: My position must be, as I have said, one of neutrality rather than taking a positive position of not objecting.

Senator Flynn: Have we any other witnesses, Mr. Chairman, who are ready to express views on the bill?

The Acting Chairman: We have no other witnesses.

Senator Flynn: I then move that we report the bill.

The Acting Chairman: It is moved by Senator Flynn that the bill be reported without amendment.

Hon. Senators: Agreed.

The Acting Chairman: Honourable senators, we will direct our attention now to Bill S-22, an act to incorporate National Farmers Union. We have four witnesses this morning: Mr. Golden, the Counsel for the National Farmers Union; Mr. Atkinson, the President of the National Farmers Union; Mr. Langdon, a director; and Mr. Young, a staff member of the National Farmers Union.

Senator Flynn: Are there officials from any department?

The Acting Chairman: There are no officials from the department.

Senator Flynn: No expressions of opinion.

Mr. E. Russell Hopkins (*Law Clerk and Parliamentary Counsel*): I represent no department, but I have a letter from the