

Judges Act

bill, which makes provision for the appointment of eleven new judges of the Superior Court, is insufficient in our view. We are certainly in favour of the bill, but we say to the minister that eleven new judges will not be enough to settle the cases pending in the various courts.

Today, the image of justice unfortunately leaves much to be desired, because of the slow administrative procedure, at least so far as the judicial districts of Montreal, Bedford, Sherbrooke and even Quebec—which I know—are concerned. The delays of the legal process gives the people a distorted image of justice. As a matter of fact, the addition of eleven new judges will not be sufficient to help speed up the hearing of cases.

Having consulted with many lawyers in various Quebec judicial districts, because those are the districts I know best, I reached the conclusion that we do not need eleven new judges to solve Quebec's problems, but rather one hundred. So that the Minister of Justice (Mr. Turner) does not feel this figure to be unduly high, I advise him to look at the docket of cases which have been pending not for six months, but for two, three or four years, which are ready to be heard and in respect of which hearing procedures have been completed. However, there is a shortage of judges and, for that reason, the administration of justice drags on and on, and both defendants and claimants are deprived of the justice they ask for. From a legal standpoint, this has become a scandalous situation.

Some friends of mine who are lawyers have had for years some of their cases pending before the Montreal courts where, in the meantime, solvent defendants have become insolvent before their cases could be heard by the Superior Court. The same situation prevails in almost all the tribunals of the province of Quebec judicial districts. From time to time, it is said that this is due to a space shortage and that there are not enough court facilities. However, some judicial districts have developed a good system whereby, in some places municipal halls have been rented in order to help the judges solve the space problems. This is the case in the judicial district of Bedford, where one or two judges of the Superior Court hold sittings two or three times a week in the Granby city hall, in order to render judgments and to expedite cases on the docket. This method should be adopted in several other judicial districts.

When I hear about the shortage of space and court buildings, it strikes me that after 1
[Mr. Rondeau.]

p.m. most courts are deserted. Court sittings begin at 10.30 a.m. and adjourn at 1 p.m. I admit that after hearings judges must refer to the statutes, review their notes, write their decisions and that it is impossible for them to sit during the afternoons. I can understand this situation, but it seems to me that the Minister of Justice and Attorney General should make representations to the provincial ministers of justice in order to have justice administered in a more expeditious manner. It should be suggested to the latter, if possible, that a number of judges sit in the afternoon and prepare their decision in the evening. Also, other judges could sit during the evening and make out their decision the next day. This method would permit the hearing of three times as many cases in the same amount of time. Yet they would have time to prepare their judgments, to refer to case law and to deliver a just sentence to both the defendant and the plaintiff in a given case. Countless witnesses, subpoenaed for 10.30 a.m. on a Monday or a Tuesday, have to return home without having been called upon because of the slow progress of justice. They have to be called again; a much greater number could be brought in during night sittings.

• (4:20 p.m.)

I know many lawyers who would not mind acting as counsels during evening sittings under such arrangements. Hearings would therefore take place in the evening as lawyers have office work to do during the day. They would appear in court in the evening, and their cases would be heard much faster instead of having them on the cause-list for three or four years running. Often their cases which were good at the beginning became less so or poor because of the slowness of justice.

The hon. Frédéric Dorion, chief justice of the Quebec Superior Court has been complaining about that situation for years. His assistant judge Challies has also been complaining for several years about the shortage of judges for our courts. I am convinced that it is not by appointing only eleven judges today, and especially after giving them another duty to perform, namely divorce cases that they will have to hear in the future, that we will solve the problem of our courts.

For a government which is proud to claim as its motto "a just society", I say that the first duty of a just society is to see to it that justice works more quickly. If our judicial procedures are so complex and lingering that