

## National Defence

**Mr. Green:** Were we told last night, Mr. Speaker, that this matter would be up for consideration today?

**Mr. Fournier (Hull):** Yes, Mr. Speaker. Last night I announced that, after calling the departments into supply, we would then proceed with the resolutions to set up the following committees: on the Dominion Elections Act, 1938, and amendments; on national research council; and on radio broadcasting.

**Mr. Green:** Oh, yes.

**Mr. Speaker:** Is it the pleasure of the house to adopt the motion?

**Some hon. Members:** Carried.

Motion agreed to.

## NATIONAL DEFENCE

CONSOLIDATION AND REVISION OF EXISTING LEGISLATION—ORGANIZATION FOR DEFENCE  
—CODE OF SERVICE, DISCIPLINE, ETC.

The house resumed, from Thursday, March 23, consideration in committee of the following resolution—Mr. Claxton—Mr. Beaudoin in the chair:

That it is expedient to present a bill to revise and consolidate in one act the several acts respecting the Department of National Defence and the armed services of Canada, with provision *inter alia* for the payment of pay and allowances of officers and men of the forces, the salaries and expenses of members of the defence research board, fees and allowances of the members of the court martial appeal board, the compensation for loss or damage due to the exercise of emergency powers, advances to meet expenses and costs of calling out forces in aid of civil power, the acquisition and disposition of property and generally the costs of and incidental to the operation of the act, and all other matters directly concerning defence.

**Hon. Brooke Claxton (Minister of National Defence):** When this resolution was before the committee on March 23 last, I was making a brief statement explaining the purposes of the bill which would be introduced if the resolution was adopted. At the outset may I repeat that it is the desire of the government to refer to a select committee of the house this resolution and also the other two resolutions standing in my name, namely with regard to a measure dealing with prize money and with regard to amendment of the Militia Pension Act. Our hope would be that it would be possible to set up that committee at the earliest possible moment so that it could start its work of studying these measures in the detailed way that that procedure would permit.

In emphasizing the desirability of this procedure I should like to call the attention of the committee to the fact that the defence bill alone is the largest single measure to be put before parliament since the session

of 1934. I do not believe that many of its provisions are controversial. Certainly when it was discussed—and it was thoroughly discussed in the other place last session—it was not evident that there was much in it that was the subject of controversy. What we would want to do would be to see that the measure received detailed consideration and we would hope that, in consequence of that consideration, the measure might be substantially improved. While it has had, as I have indicated, extensive consideration in the department, also by officers of the crown and by a committee and the chamber itself in the other place, there is still room for improvement in this bill. Our hope would be that we would work together to make it the best possible piece of legislation of its kind to be found anywhere.

In its preparation we have had the advantage of similar work being carried on in the United States and in the United Kingdom. In the United Kingdom a committee called the Lewis committee was set up to report on proposed changes in court martial procedure. In the United States there was also a committee set up which resulted in legislation being proposed which is still before the courts. We have had the advantage of considering both the report of the Lewis committee in the United Kingdom and the steps that have been taken in the United States. This bill, in its preparation, I think has gone through no less than some eleven complete redrafts and has been subjected to examination not only by the legal advisers of the department but also by senior officers in the services; and on a number of occasions it has received the consideration of the chiefs of staff committee. It was considered by a special subcommittee of the cabinet, and I think I myself have been through five or six of the drafts completely. While the bill has had that study, I again emphasize the fact that we do not think it is perfect; and we would hope that hon. members would sit down with us and endeavour to make every possible necessary change in it. The purpose of the legislation is far more than simply to consolidate existing defence measures. The purposes are:

(1) to include in one statute all legislation relating to the Department of National Defence and the Canadian forces;

(2) to have a single code of service discipline so that sailors, soldiers and airmen will be subject to the same law;

(3) to make all legislation applicable to service personnel Canadian legislation;

(4) to obtain uniformity in the administration of service justice;