

Adjournment Debate

sometimes for many months, the proceedings of those royal commission hearings.

• (1805)

The result is that we in Canada now have a growing interest in the televising of court proceedings as part of this public hearing process that is guaranteed by our Charter of Rights. In June of this year the Law Reform Commission of Canada recommended that there be televised trials held in Canada on a two-year experimental basis. That was followed in July by recommendations by the Ontario Royal Commission, headed by Mr. Justice Thomas Zuber of the Ontario Supreme Court, who also recommended that, on an experimental basis for the public interest, there be televised proceedings of criminal justice trials. In August the Canadian Bar Association followed with a similar recommendation. A great deal of interest has been indicated. A great many recommendations have been made by at least three different investigating bodies.

It seems to me it is time for the Minister of Justice (Mr. Hnatyshyn) to take a stand on this issue. I know that perhaps he is concerned about grandstanding in the courts. Perhaps he is concerned about what goes on in the House of Commons with television here. But, bearing in mind his own comments that the public has to know and find out about the criminal justice system, this is a method of doing it.

I hope that tonight the Parliamentary Secretary will tell us that the Minister of Justice will be taking a leadership role and recommending the institution in federal courts of television for trials, and also taking a leadership role in urging provincial Ministers of Justice and provincial Attorneys General to do the very same thing in provincial courts.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I am pleased to have the opportunity to respond on behalf of the Minister of Justice and Attorney General of Canada (Mr. Hnatyshyn) to the Hon. Member for York East (Mr. Redway). The Hon. Member has raised many points with regard to the advantages of television coverage of criminal trials.

The question of electronic media access to the courts is a complex one. There are at least three elements that make it so. First is the degree and purpose of access; the question of which equipment is used; and the question of which courts should have this access. The complexity of the matter, as the Hon. Member has suggested, has been reflected and studied and yet remains to be studied.

In June of this year, the Law Reform Commission of Canada recommended that a national experiment be conducted to examine what effect, if any, the presence of the electronic media would have on participants in the criminal process, such as witnesses, lawyers, judges, and jurors. As an interim measure, the Law Reform Commission recommended that electronic media coverage be permitted immediately in criminal appeals, and that the use of audio recorders be allowed in criminal proceedings as a means of ensuring

accuracy in the transmission of statements made in open court, but not for broadcast purposes.

The Ontario Courts Inquiry conducted by Mr. Justice Thomas Zuber of the Ontario Court of Appeal recommended, as the Hon. Member has suggested, amending the necessary Ontario legislation to permit the use of tape recorders in the court room as a method of taking notes. The Zuber inquiry called for electronic media access to the court rooms of Ontario for an experimental period of two years.

• (1810)

This past August a special committee, established by the Canadian Bar Association to examine the issue of cameras in the courts, released its recommendations which called for full media access to all appellate courts, including the Supreme Court of Canada. This recommendation was adopted by a wide margin by the National Council of the Canadian Bar Association. However, a further recommendation calling for a two-year trial program to give access to the electronic and photographic media to cover proceedings in Canadian trial courts was adopted by only a very slim margin.

The Minister believes that these are all very serious and even fundamental concerns which have been raised. Certainly he must consider the public's right to know, the freedom of the press, the educational value of broadcasting court proceedings, and even the opposition to the suggestion of this kind of television coverage.

Opponents often refer to the prejudice of the right of an accused to a fair trial, invasion of the privacy of defendants and victims, intimidation of witnesses, grandstanding and even advertising by counsel, the physical disruption caused by cameras in a court room, the sensationalization and distortion of proceedings.

Constitutional responsibility over the whole question of electronic media access to superior, district, and provincial courts lies with the respective provincial Governments. Nevertheless, the Minister of Justice and Attorney General of Canada is following the public debate on the matter, including the remarks of the Hon. Member tonight, in part because the question arises in relation to federally constituted courts as well. He awaits with great interest the outcome of the study by Chief Justice Clarke's committee which has been undertaken on behalf of the Canadian Judicial Council to look into the same matter.

REGIONAL DEVELOPMENT—GOVERNMENT PROJECTS IN ST. JOHN'S EAST, NFLD./REQUEST FOR SPEEDY START TO PROJECTS

Mr. Jack Harris (St. John's East): Madam Speaker, I rise to elaborate further on the question which I put to the Prime Minister (Mr. Mulroney) on August 13, 1987. It dealt with projects announced by the Government during the one-month period leading up to the by-election in St. John's East on July 20. We had some \$33 million worth of projects which the Minister of Transport (Mr. Crosbie) took great pains to try to