familiar with the atmosphere and the judges who sit and is familiar with the environment in which he is practising. The judges are able to make decisions more fitting to the average man because of the familiarity not only the lawyer but of the judge, with the area in which the questions of contract or tort are based. This is what the professor said. I do not know who insisted on calling Professor Watson but as sometimes happens when you are the lawyer for the defence and find witnesses for the Crown more favourable to the defence, Professor Watson proved to be a good defence witness. Maybe it was the boys from the Liberal side from Toronto who felt that another view should be put forward, and that is why he supported this suggestion.

Mr. Turner (Ottawa-Carleton): May I ask the hon. member a question? Does he realize that Professor Watson is primarily dealing with another branch of law and has never handled a case before the courts?

Mr. Woolliams: He would not be alone in this regard—and I hope this gets reported—because I know a lot of Queen's Counsellors who would not know how to draw a small debt summons. I also know a lot of judges whose first appearance in court was after they were appointed. This does not shock me. I do not think there is anything wrong with that.

• (4:10 p.m.)

Many professors have not had court experience, but at least they do not become stereotyped. They analyse a problem from an academic point of view. The problem with a practising lawyer is that he becomes non-flexible. I am more of a defence lawyer. I have never prosecuted anyone, but I have defended many cases. Possibly my built-in ideas about the rights of people go too far because I am a defence lawyer. I find that Crown lawyers, including the Minister of Justice, have a different mechanism. The moment a charge is laid, Crown lawyers want to put the fellow away for a long time. Of course, the judges and juries keep the balance. I will return to the remarks which I was making before the very kind interruption of the Minister of Justice.

An hon. Member: What about Joe?

Mr. Woolliams: I think the Minister of Energy, Mines and Resources (Mr. Greene) is a very good lawyer. He is also a good salesman. This bill really only gives this court bits and pieces. In view of that, there will only be a few people in a limited number of situations who will be able to resort to the court on a regular basis. Consequently, only a small group of lawyers will practice in that court. This will produce a real problem with regard to the jurisdiction of the court in certain types of cases.

When a person from a small town or city in Canada becomes involved, he contacts his regular legal adviser. The legal adviser suggests that this is a matter for the Exchequer Court. The lawyer will tell him that he does not have much experience in litigation of this type. The normal pattern is for the lawyer to suggest some expensive lawyer in Ottawa who will handle the case. This is why we need concurrent jurisdiction. The minister or one of his officials stated that in the United States they have these courts, but there is a difference.

In Canada, the judges are appointed by the federal government and the magistrates by the provincial governments. The federal government appoints judges of the county court, court of appeal, Exchequer Court, the new exchequer court of appeal and the Supreme Court of Canada. My friend stated that many matters will now come under the new federal court, because jurisdiction will be removed from the provincial courts. All the Minister of Justice has to do is to ensure that the men he appoints are specialists.

I have practised in most types of courts in Canada, including courts outside the province of Alberta. I have seen some judges deal with highly specialized matters. I am certain their judgments were equal or superior to those that would have been made in the Exchequer Court because they had knowledge of the situation. For example, a judge in the province of Alberta would have knowledge of national parks. In dealing with a dispute under the Canada Grain Act, a judge from western Canada would at least know the colour of wheat. Familiarity with subjects is important. That is why I ask for the support for this amendment. Professor Watson had this to say:

> Looking at the news areas into which the Federal Court Bill would take us with regard to jurisdiction of the court, who is to be the grateful beneficiary of the investiture of the new Federal Court with concurrent jurisdiction over negotiable instruments?

That is a very important point. If we look at the present jurisdiction, we see that there is jurisdiction over negotiable instruments when the Crown is involved.

> Is it finance companies or is it to be debtors who are going to thank the federal government for having given them another forum to which to take their disputes? Or will it be either one of them who first finds himself involved in a battle, a jurisdictional battle in the court for which he will pay to litigate to find out the answer as to whether or not—

As to whether or not he is in the right court. That is the trouble in the United States. There are so many different courts in that country they need a group of specialists to determine which court should deal with the matter. If provincial courts are given concurrent jurisdiction there would not be any procedural argument as to which court is the right one. He goes on to say:

> I simply raise this question: Is the only answer to give this jurisdiction to a federal court? In other words, would it not be possible to draft, if there are problems—and I gather there are problems with regard to, for instance, the location of an action against a federal tribunal the problem of the plaintiff moving from one province to another suing a federal administrative tribunal—

He says it is very simple to get over that objection noted on page 13. Once you choose a jurisdiction, you are stuck with that particular jurisdiction in all provinces.

I now wish to deal with the matter of legal chaos. I will use the example of a three-way accident involving