

Proceedings on Adjournment Motion

copy of a letter that he had obtained from the Acting Deputy Attorney General, he having asked for the opinion of the law officers of the respect in the Department of Justice with respect to the propriety of paying certain civil servants' salaries under the conditions that existed during the interim supply debate. I wish to quote from the second last paragraph of the letter:

Your second question concerns the payment of amounts in respect of departments which have received only a certain amount by way of interim supply. As I understand it, these departments have sufficient unencumbered balances as a result of the enactment of the Appropriation Acts No. 3, No. 5 and No. 7, 1966 in appropriate estimates items out of which salaries may be paid to cover payment to the employees therein of their mid-month salaries. I see no legal impediment to payment in this case, subject to any applicable provision of the Financial Administration Act being complied with.

I have shown that letter to members of the house who are also members of the legal profession. One thinks it is a very questionable opinion and another thinks it is a very sound opinion. So you can see where we stand when it comes to getting legal opinions. This afternoon, however, I complained during the question period of the fact that the Minister of Justice on numerous occasions had refused to give a legal opinion with regard to any statute or any clause in any statute when asked to do so by members of the house. I thought this was most unfair to members of the house who are not members of the legal profession.

I might say that this parliament has the highest percentage of lawyers of any parliament in the Commonwealth. It is all right for those gentlemen because they can form their own opinions with regard to the statutes. I am speaking only as one member who, since I am an old pioneer rancher, is interested in production, increasing the gross national product and things of that sort. But I am also very interested in scripture. I read the Bible quite frequently, and in following up my argument I should like to quote from Luke, chapter 11, verse 45:

Then answered one of the lawyers, and said unto him, Master, thus saying thou reproachest us also.

Then verse 46:

And he said,—

This is our Lord speaking.

—Woe unto you also, ye lawyers! for ye lade men with burdens grievous to be borne, and ye yourselves touch not the burdens with one of your fingers.

[Mr. Herridge.]

Then verse 52—and it is our Lord again:

Woe unto you, lawyers! for ye have taken away the key of knowledge: ye entered not in yourselves, and them that were entering in ye hindered.

That is my complaint. I think that verse is very appropriate because that is what happens to members of this house who are not members of the legal profession. We are hindered in obtaining knowledge. I realize that according to the rules of the house we have to refer back to Erskine May's Parliamentary Practice. I find there, in respect of examples of inadmissible questions, that you cannot put a question to a minister asking for a legal opinion, seeking an expression of opinion on a question of law, such as in the interpretation of a statute or international document, and so on. Therefore I understand that the minister is quite within his right, but we are left out of this because we have not been trained to give these legal opinions.

I know that the time of the parliamentary counsel is pretty well taken up with the preparation of private members' petitions and in giving advice to members thereon, as well as with other duties. I should like to make this point, however, in fairness to those of us who are not members of the legal profession. We have a library research staff.

• (10:10 p.m.)

I am informed that there is one lawyer on that staff, a lady who deals with academic questions in respect of the law. In fairness to members of this house who are not members of the legal profession a lawyer with practical experience in a somewhat wider field should be appointed to the library research staff to give legal opinions to those members of this house who are not learned in this profession.

I put this suggestion forward because I have discussed this matter on a number of occasions and because I think it would be helpful to hon. members who require legal opinions in respect of statutes and various sections and clauses thereof. These members are not entitled, and properly so, to obtain opinions from the Minister of Justice. I trust that someone on the government side of the house will reply to my proposal in this regard.

Mr. Albert Béchard (Parliamentary Secretary to Secretary of State): Mr. Speaker, I apologize to the hon. member because I am not able to quote from the Bible as I do not know the Bible by heart.

In answer to the hon. gentleman let me say that I am advised that the functions of the