

Judges Act and Financial Act

There is mounting unemployment in this country. There are many people who must live on unemployment insurance or on low levels of welfare and we have the problems of our pensioners trying to make both ends meet. We are told that these people must wait and wait and wait. The process grinds very slowly for them. In this bill, however, there is one increase in the salaries of judges which is to be retroactive to January 1, 1971, and there is another increase which is to come into effect on January 1, 1972. This is not a bill which is picayune in character. When it is all through, as I understand it, the salary range will be from \$22,000 to \$50,000. The highest salary specified is \$47,000 but the \$47,000 judge receives an extra \$3,000 for things he might be called upon to do. I know that lawyers are not the highest paid people in the country according to taxation statistics made public a few days ago. They are second. Doctors come at the top. I still suggest that in this Parliament, where we have to do something about people who are unemployed, who are in poverty, who are on pensions and so on, we are going a little too far and too fast in respect of salary levels in the upper brackets. I know the mood in this House and the arguments we have had before, but just as I objected to the increases we made earlier in this session in respect of our own salary levels I object to these increases.

The other word I intended to say I could have held for the next debate, namely on motions No. 2 and No. 3, but perhaps since reference has been made to the matter I might do it now and not have to do it again. One of the perquisites, of course of being a judge is the pension arrangement. This pension is being increased by virtue of this bill and let it never be forgotten that these are non-contributory pensions. The judges receive them without putting one nickel into them. They are very good pensions. They are not the kind we vote for other people. I think one must consider this in light of the salaries. For these reasons, I feel I must indicate my objection.

I want to say at the same time, as one who has long been concerned—and I think that concern has been amply demonstrated—about the pension arrangements which apply to public servants generally, that, there are a number of improvements which need to be made in the pension arrangements particularly for widows and dependants. The minister knows, or at least I assume he knows, that in some cases widows of judges long since deceased have been appealing to him as strongly as they can to do something about the level of their pensions. These are widows of judges who served the courts years ago. Therefore, the pensions these widows have are still very low because they were fixed a long time ago. When we reach report stage motions No. 2 and No. 3, we will be providing for a certain amount of retroactivity. This I suppose is mainly because of the fact that it has taken so long to get this bill through. This retroactivity, however, dates back only to January 1, 1971, and therefore does not affect the widows of judges whose pensions date back before that time. I feel the minister should still give some consideration to these people and do something for them at this time.

While I am on my feet perhaps I should say a word about the point raised by my friend the hon. member for Edmonton West (Mr. Lambert). As I have already said, I believe there are vast improvements which still have to be

made in public service pensions generally and that others need to be made with regard to judges, but I must say I cannot go along with the hon. member in his request that a certain principle be abandoned, namely the principle that when a person goes from one public service job to another, from being a Member of Parliament to being a judge, or from being a Member of Parliament to being a Senator or a member of the Immigration Appeal Board or what have you, that that person should not receive both the pension he had earned up until that point and the salary he would get in the new job. Generally speaking, that principle is a valid one. We have provisions which take care of public servants up to certain levels, where they move from one area of service to another, but I think the notion that one can stand up in this House and say that a person has earned a pension according to law and should get it even though he receives a salary from the federal treasury, does not follow.

• (3:00 p.m.)

This pension that Members of Parliament earn according to the law is just that. The law that sets up our pension provides that if a retired Member of Parliament goes to the Senate or goes to some job to which there is attached a salary from the federal treasury, that pension is suspended. One of the reasons that our pensions can be as generous as they are is that we have that kind of arrangement.

This is no day to go into all of this in great detail, but my friend, the hon. member for Edmonton West (Mr. Lambert) and I often have these differences. We disagree, and we not only disagree in our seats but we put our disagreements on the record. Even so, I think that not so much for judges but particularly for judges' widows and their dependants there are improvements that could be made, and I hope that even yet the minister will respond to some of the strong pleas that were made to him in that connection. As for these new, higher salaries for judges, I believe we should say no.

Mr. Turner (Ottawa-Carleton): I have never known whether the rules under 75—

The Acting Speaker (Mr. Laniel): Order, please.

Mr. Knowles (Winnipeg North Centre): The minister is finding out now.

The Acting Speaker (Mr. Laniel): It seems that the Minister of Justice (Mr. Turner) is seeking the floor at this time. The interpretation of the Chair of Standing Order 75(9), to which the minister was just about to refer, does not allow him to speak again. The mere fact that he put the motion in his name, even if he only spoke a few words and even if he had not spoken at all, prevents him from speaking a second time unless he obtains unanimous consent of the House, and I imagine that this is what the minister was about to ask.

Mr. Turner (Ottawa-Carleton): No, Mr. Speaker.

[*Translation*]

Mr. Gérard Laprise (Abitibi): Mr. Speaker, I expected more men of law to deal with this question in the current debate but the contrary seems to be happening. I am not a lawyer, but I feel I can interpret quite accurately the