

Supply—Justice

Mr. Sharp: Mr. Chairman, the hon. gentleman would have to inform me of the views of the Secretary of State. I may have missed one of her utterances.

Item agreed to.

The Deputy Chairman: This concludes the estimates of the Department of Finance for the fiscal year ending March 31, 1968. We will now consider the estimates of the Department of Justice.

DEPARTMENT OF JUSTICE

1. Administration, including grants and contributions as detailed in the estimates, gratuities to the widows or such dependents as may be approved by treasury board of judges who die while in office and authority to make recoverable advances for the administration of justice on behalf of the governments of the Northwest Territories and the Yukon Territory, \$13,513,800.

Mr. Trudeau: Mr. Chairman, as hon. members know, the estimates of the Department of Justice were examined by the standing committee on justice and legal affairs on June 27 and June 29. The standing committee examined the main estimates of the department and its report is tabled. I refer to pages 3 and 4 of the minutes of proceedings and evidence, No. 3, dated June 29, 1967. I doubt that anything I said before the standing committee bears repetition here. I am, therefore, prepared to deal with any questions hon. members care to put to me in this connection.

Mr. Woolliams: Mr. Chairman, in opening my remarks on the estimates of the Department of Justice I am sure that my colleagues would join me in congratulating the minister. This is the first time we have had an opportunity of congratulating him upon his appointment. I believe all of us like to see a young man get such an important portfolio. Of course, I believe it has to be thoroughly understood that when the department was divided there was not a large degree of responsibility left with the Department of Justice compared with the responsibility the department had previously.

The main responsibility of the department, of course, is the administration of justice itself. I want to deal with three points and I should like the minister to give some answers. Before doing so I should like to say a few preliminary words concerning the procedure on estimates. When I spoke on the estimates of the Department of Manpower and Immigration I said that I was one of those who looked with some scepticism on the new rule which applies the guillotine to

the consideration of estimates. When one asks the minister important questions about his department, the new rule allows no time for answers. The new gambit is to say, "I could not help it, the time ran out." Then the minister writes letters to various members and those letters are published in the newspapers. Hon. members are then able to read the answers in the newspapers but there are no further questions or explanations.

If this method is going to continue, and I cannot see any way it can be avoided if these rules remain, then so far as I am concerned the real function of the opposition to examine government expenditures is gone. After all, I think the main function of the opposition is to scrutinize every expenditure carefully and get answers from the various ministers. We have failed in our attempts to get the answers on these estimates. When the clock strikes ten tonight the guillotine will fall, since this is the last day for estimates. It will not matter whether ministers have answered questions with regard to expenditures or not; we will just start all over again next year.

So far as I am concerned, these rules really usurp the power of the opposition. I am one who has said privately and in the house that I am against this gagging of the opposition. When you take away the function of the opposition to scrutinize government expenditures you take away the power of the opposition. If we cannot carefully scrutinize all expenditures of the various departments we may as well lock the doors of parliament. Parliament is dead and democracy has actually been destroyed.

Following those remarks I want to deal with three subjects this afternoon. The first is the jurisdiction of the Exchequer Court of Canada. The second is a review of the Criminal Code and why it should be effected. The third is the important matter of the administration of justice and the increase in crime in Canada.

The first point I want to deal with is the jurisdiction of the Exchequer Court. When the Exchequer Court was set up it was set up as a special federal court. It was felt that it should have a special jurisdiction because the other courts were either too busy or not capable of doing the job. What is that special jurisdiction? Apart from practically all matters that affect the crown, the main jurisdiction of the Exchequer Court is in reference to expropriation cases and tax appeals. I want to deal for a few moments with the expropriation jurisdiction of the Exchequer Court.

[Mr. Bell (Carleton).]