

*Judges Act Amendment*

the Minister of Justice and the Solicitor General expressed a sympathetic attitude towards the problem.

Every major Commonwealth country except Canada now selects judges on the basis of merit. Surely the time has come for Canada to follow suit.

That is all I have to say tonight in that respect. Let me assure the government that this matter will come up again and again for consideration.

I am pleased to see that an hon. member of another party, the hon. member for York-Scarborough, has shown some interest in this subject. I hope that before too long we will see someone in the Conservative party present a bill on this subject. This would indicate that members on all sides of the house are interested in seeing a change made in our system of selecting judges.

● (9:50 p.m.)

[Translation]

**Mr. Asselin (Charlevoix):** Mr. Chairman, just a few words to tell the hon. member who has just resumed his seat that I do not entirely agree with him when he says that in most cases politicians should not be appointed judges.

Experience has proven, I think, that even if the legal knowledge of the persons to be appointed has to be taken into account, certain other social factors must also enter into the picture. As a matter of fact, those selected must be very human and have a great deal of knowledge of both men and things. I think the method used for the appointment of judges guarantees against serious mistakes. I am happy to say that former governments have appointed as judges persons who were able to perform their duties and assume their responsibilities. In fact, once appointed, they proved beyond doubt that they were impartial.

The hon. member for Burnaby-Richmond (Mr. Prittie) has, of course, raised a point that his political party has been advocating for a few years in its election platform. I do feel, however, that it is not entirely well-founded and before changing our system, I would ask the Minister of Justice and Attorney General (Mr. Cardin) to look fully into it.

I should also like to point out, as I already did when the bill was introduced in the house, that the rolls of our superior courts are very heavy, which in many cases causes serious prejudice to the people under our jurisdiction.

[Mr. Prittie.]

It has happened, even in my private practice, that some cases entered on the rolls had to wait four years before coming before the court. Now, it often happens that during those four years of waiting, one or two witnesses for the defence or for the prosecution disappear, thus depriving a taxpayer of some evidence he could have brought before the court.

It is a fact that the Superior Court rolls are very heavy.

I recently pleaded, before the Court of Appeal, a case that had been entered in 1958. I pleaded the case in 1966. After five, seven or eight years, the memory of a lawyer, or his case, may not be as clear as it would have been had he pleaded the case within two years after it was entered.

I know that the number of judges is set by the provincial authorities and that the federal government has no responsibility in this regard. But I would ask the Minister of Justice and Attorney General to bring some pressure on the various provincial governments to let the federal government appoint a sufficient number of judges to satisfy the requirements of the taxpayers.

The minister, I think, also received last year a brief from the conference of Quebec judges which emphasized the importance of a revision of the salaries of Superior Court judges which are now pitiful. Although a judge may live a more solitary life after being sworn in, he is often called upon to represent his colleagues and give lectures on cultural matters, on a social basis. He is also called upon to travel and he should be given security and protection from all financial worries.

There are judges in the province of Quebec who can hardly make both ends meet with the salary they are getting at present. Those people find themselves in a difficult position, as they have to limit their social activities and I believe that the fact their salary is not increased lowers their prestige and dignity.

The brief makes a comparison with the deputy ministers of the various federal departments. On looking at the scale of salaries of deputy ministers, we find that some of them earn \$25,000 per year, whereas we still have judges who earn \$21,000 per year. If we allow for the income tax paid by those judges, we realize that they finally get about only \$1,100 per month. How can a judge carry out his responsibilities and fulfil his duties with such remuneration, especially in 1967?