

work with the windows open. It will make law reform a visible, understandable process in which not just legal professionals but Canadians in every walk of life can play their part.

Furthermore, because of its structure, the commission will not be remote or isolated. Last but not least, it will approach its task with a vigilant attention to cost.

The principles that will govern the make-up of a commission and guide it in its work are set out in the preamble of Bill C-106. The House should know that these principles were not developed in a theoretical test tube. They emerged in a rigorous nationwide consultation that preceded the drafting of the bill. They reflect the synthesized thinking of many disciplines, sectors and groups. These are the characteristics that Canadians tell us the process must embody if it is to work effectively.

The first principle is related to the unwritten goal of every aspect of this work, the building and the maintenance of confidence in our system of justice. To that end, this principle points to the need to democratize and demystify the making and remaking of the law.

It provides that the commission must be transparent, must involve disparate interests in its work. The door to the workshop of law reform must be open to all who want to watch or join in the process. The results of that work must be available for inspection by all in a form understandable by all.

• (1645)

The second principle is that the commission must not only have keen foresight, it must also have wide peripheral vision. It must see the challenges of law reform in their full social and economic context. To achieve this end, the commission will have to be multi-disciplinary in its approach. It will focus not just legal expertise on the issues, although that will be needed, but the talent and training of all the relevant disciplines—for example, in economics, in technology, in the social and natural sciences, in the field of law enforcement.

The third principle is that the commission should be responsive and accountable. Specifically, it should forge partnerships with a wide range of interested groups and in particular with the academic community. The law is never static. Only in this way can the commission keep ahead of endless change to avoid gaps or duplication in agendas and to make the most of limited resources.

[Translation]

The fourth principle is one that would have seemed odd in legislation drafted 25 years ago, but seems perfectly natural today.

It is a requirement that the Commission, as it tackles today's tasks, employ today's technologies, wherever it is appropriate to do so. The Commission must take advantage of the capabilities

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of new tools and new methods, particularly in information technology. This is essential to success in every aspect of the Commission's operations—to its ability to share work with other groups and institutions—and to operate effectively within its modest budget.

[English]

The fifth principle relates to the overriding requirement that we arrive at solutions we can pay for. This principle requires that the commission in its deliberations must never fail to consider the elements of cost and economic impact. This too is a matter of relevance in the 1990s.

These then are the five principles as set forth in the preamble. There is a sixth, which may not be spelled out expressly but which hon. members will find implicit throughout the statute. That is to say, the requirement for balance, the need for the commission to be both independent of government in its decisions and accountable to the public for its actions. This principle and indeed all the others find expression in the structure of the commission as set forth in clause 7 of the bill. Let me touch briefly on that structure.

The executive branch of the Law Commission would be appointed by order in council. It would comprise five members, a full-time president and four part-time commissioners, who may all be drawn from different disciplines. In terms of size, it seems to me this is the balance we need: large enough to be diverse, but small enough to be decisive.

The fact that four of the five commissioners will serve part time has many important advantages. First of all, it means that these individuals will not run the risk of becoming isolated from the world beyond the national capital region. They will retain their roots in their home communities and in the sectors they represent and their careers will not be interrupted. There is another benefit. It will make it easier for government to attract the calibre of person we want on such a commission to join in the work of law reform.

The second element is an advisory council made up of 25 members representing a variety of viewpoints and disciplines and backgrounds. All of these people will serve as unpaid volunteers, except for reimbursement of expenses. This arrangement supports the independence of the process. The council will be appointed by the commission, not by the government, and the commission, not the government, will be the client of the council.

The third component also fosters independence of the whole. It comprises the study panels that the commission will set up as required to focus on specific issues. Each panel would be headed by one of the commissioners and the other panel members would be drawn from the relevant disciplines or interested groups. For instance, a study panel on biotechnology might include repre-