Mr. Woolliams: No. You are one of the ministers who answer questions frankly. This is a case in which the hearsay rule is being set aside. The minister could have gone farther.

Let us take another matter which has bothered lawyers for a long time. A case either is or soon will be before the courts involving a fellow who devised a very ingenious plan to get rich by running a country elevator—of course quotas are low these days—and issuing cash tickets in the name of farmers who never brought in any grain at all. If the farmer did not turn up he then forged the farmer's name. These farmers are being called to give evidence that they did not deliver grain. Many of them do not want to appear. This question has been raised by some criminal lawyers. People who give evidence can incriminate themselves if they do not have the protection of the Canada Evidence Act. The farmer might get up on the stand and say that he met the elevator man on Wednesday, that they were a little dry and wanted to get a bottle of whisky from the liquor store but did not have any money because the government is not increasing quotas, so they devised this plan.

The farmer wants to come in and clear his soul even if he does not clear the elevator man. He might then be charged with conspiracy although he has not made any statement to the elevator man. Basically he is home free while the elevator man is on the griddle, but as soon as he goes on the stand he becomes concerned. He is not really worried so much about the elevator man but is concerned about making a statement which may put him in the same position as the elevator man. If we look at section 5(2) of the act we see that it says:

> (2) Where with respect to any question a witness objects to answer upon the ground that his answer may tend to criminate him, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person, and if but for this Act, or the Act of any provincial legislature, the witness would therefore have been excused from answering such question, then although the witness is by reason of this Act, or by reason of such provincial Act, compelled to answer, the answer so given shall not be used or receivable in evidence against him in any criminal trial—

That means in any other criminal trial. Some lawyers have raised this problem. Some judges have also taken the point of view that it refers only to answers to questions. One could get up and say to the magistrate or judge that the witness is about to say something which will likely incriminate him because he wants to make a clean breast of it. He is supposed to tell the truth under oath. In such a case I would ask that all the questions asked and answers given in that sequence of facts not be used in any other criminal case against him or in any civil action by the Crown or by anybody else. That would be doing the job. The special crown prosecutor under the drug act takes the position that in respect of every question and every answer one must ask for protection. Some judges have gone along with this. It would be easy to clarify that by pluralizing and referring to questions and answers.

I mentioned the habit of land valuators, in arriving at land values in the case of sales, of going to various people. I think there should be a clearcut provision changing the hearsay rule in this regard along the lines of the very wise decision of Mr. Justice Ritchie in the Supreme Court of Canada. I am sure this is what he meant, but it could be clarified. This would be a good point to make in respect of evidence of people called on behalf of the Crown or the defence.

In respect of the other matters in the bill I do not see very much change. I agree that we are moving into the age of computers and that computers have their place. But I am concerned about whether we can ever get justice without the human element which is not found in a machine that shoots out facts and comes up with decisions. The fact is that the art of cross-examining a witness to determine whether or not facts will hold up is most important. In this way the judge can look at both sides of the fence.

I recall a murder trial where the police officer had an 11-page statement. I mention this example to show how important cross-examination is. He had an 11-page confession of some type by the accused who was charged with the murder of his wife. The 11-page statement was composed of questions asked by the police officer and the answers by the accused. In cross-examination the police officer was asked whether all the questions asked the accused and all the answers were contained in the 11 pages. He said yes. I then asked the police officer whether it was not strange that although he obtained an 11-page statement he did not once ask the accused, "Did you kill your wife?" The police officer told me that he did ask him but he forgot to put it down. One could become a little concerned about something like that. Then I asked him what the answer was. I could not ask that question before a jury but I could do