

Judges Act

[English]

That deals with Clause 2 of the Bill. There is another provision in this legislation, indeed the heart of the legislation, Clause 1, which would implement a substantial pay increase for members of the bench appointed by the federal Government. The current base level of salary for a federally appointed judge at the Superior Court level or at the Federal Court level is approximately \$110,000 per year.

The Guthrie commission states that the income of judges has failed to keep pace with that of other groups in our society. Objectively, I suggest that for a man or a woman to be paid, as the lowest paid federally-appointed judge is, something in the order of \$105,000 per year is not unreasonable or unfair. I suggest furthermore that those salaries are already indexed as of January 1 of each year to take into consideration inflation.

[Translation]

Mr. Speaker, I ask the Minister whether the Government has money to spend to increase salaries and pensions in Canada. If not, why increase the salaries and pensions of judges instead of those of other Canadians who have a much greater need for such an increase?

[English]

I realize that some would say it is easy to attack a pay increase for judges since they cannot respond in the Chamber themselves, but we have an obligation to look at the legislation on its merits. The suggestion has been made that there are lawyers, men and women who should be on the bench but who are not because they cannot afford to get by on an annual salary of \$110,000 a year.

As I have said on other occasions, if a lawyer is approached to serve, something which in itself is a great honour, and says, "No, I am not prepared to serve as a judge because I think \$110,000 a year represents too much of a sacrifice for me", that lawyer should continue in the profession of the law. I do not want that kind of person on the bench. I do not want someone who believes that \$110,000 a year is not enough and who is not prepared to accept the call to the bench. The Guthrie commission stated that it has independent knowledge of eminently qualified lawyers who have declined appointment to the bench due to the loss of income that would result. I suggest with respect that for every one of those individuals there are many more eminently qualified lawyers, to use the words of the commission, who could serve with distinction but who have not been approached.

● (1600)

I oppose this Bill, as I have opposed other provisions of a similar nature. I hope when it goes to committee we might get some justification from the Minister about why it is that a Government which is speaking, as it should, of scarce resources has decided to increase the salaries of those who are already at the very highest level of income.

I want to take this opportunity as well to indicate that we in the NDP are deeply concerned that this Government has failed to follow through in another area of fundamental importance affecting the judiciary. That concerns the process of appointment to the bench.

[Translation]

It has been quite some time since the Minister of Justice promised to change the Canadian system of appointments to the bench. He would know that his former Parliamentary Secretary, the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin), chose to resign because he was so frustrated by his own Government's lack of will with respect to the appointment of judges and to democratizing the process of political party contributions in Canada.

[English]

The Minister of Justice (Mr. Hnatyshyn) knows that his predecessor, now the Minister of Transport (Mr. Crosbie), promised over two years ago to bring forward changes to the system of appointment of judges. He knows the Canadian Bar Association stated that many Canadians believe the system still contains an excessive amount of political patronage. Indeed, many examples of that remain, unfortunately.

Just today we learned of the speculation that the Attorney General of British Columbia, Brian Smith, is apparently being considered or trying to have himself considered for Chief Justice of British Columbia. What a perversion of justice. As Attorney General he has displayed utter contempt for the Charter of Rights. He has shown total incompetence in dealing with the law. He described as seditious conspiracy the efforts of British Columbians to peacefully protest against labour legislation in that province—excuse me.

Mr. Friesen: Even he chokes on it.

Mr. Hnatyshyn: You should choke on your words.

Mr. Robinson: We learned today that this individual may be considered—

Mr. Hnatyshyn: Who said so?

Mr. Robinson:—for appointment as Chief Justice in British Columbia. That is certainly possible because the federal Government and the Minister of Justice have refused to bring forward changes to the system of judicial selection which they promised.

Mr. Hnatyshyn: We were waiting for you to come back.

Mr. Robinson: How much longer must Canadians wait before the Government makes good on its promise?

[Translation]

Mr. Speaker, how many months will we have to wait before this Minister and this Government live up to their commitment to revamp the judicial appointment system?