

Northwest Territories Act

jurisdiction covers an area of approximately one million square miles. The justices of the peace in various outposts deal with many cases I do not feel they are really qualified to handle. I suggest that we increase the number of magistrates in the territories. Instead of having just one located in Yellowknife whose jurisdiction covers the vast area I mentioned I suggest we should have one at Inuvik whose jurisdiction would cover an area extending from Tuktoyaktuk south along the Mackenzie to Fort Norman, then east across to Franklin on Great Bear lake and then east again to Radium and north to Coppermine and west back along the coast to Tuktoyaktuk. Another magistrate could be appointed for the Frobisher Bay area whose jurisdiction would embrace the Arctic and Hudson bay judicial districts. The three magistrates could make periodic trips around the area to try their cases. If there were not sufficient work for them to do they could also act as clerks of the court, process issuers, sheriffs and even public administrators. These magistrates could perhaps be made deputy judges to serve on the territorial court of appeal which I suggest should be established.

I am fully in agreement with the present provision in the act which requires that a magistrate be resident in the area. Anyone serving on a territorial court should be a resident and know the conditions in that part of the country. An Eskimo may commit an act which in this part of the country would seem to be criminal and extremely serious but a person living in the territories and knowing the philosophy and the way of life and thinking of an Eskimo would view it in a different light.

I again commend the minister on what is being done in terms of increasing the autonomy of the Northwest Territories and providing a more independent and democratic way of handling its affairs both politically and judicially. I urge him to give serious consideration to the suggestions I have made with respect to the establishment of a territorial appeal court and increasing generally the independence and autonomy of the territorial courts.

I do not know if at this stage of the proceedings I would be in order if I were to deal with the administrative aspects of the department so I shall refrain from doing so. If it is possible to do so on second reading of the bill I shall then deal with these questions.

Mr. Herridge: Mr. Chairman, I wish to say a few words at this time simply to express the support of this group for the principle of this resolution because it appears to be representative of another forward step in the evolution of democratic procedures in the administration of the Northwest Territories.

Before going on I would like to say that I always listen with great interest to the man whom we are pleased to call the advocate of the Arctic, namely the hon. member for Mackenzie River. He shows good knowledge of the circumstances of the people whom he represents and on occasions, as hon. members will realize, he presents his case in rather colourful language and in colourful actions.

However, we will wait for the bill to see the details before we say anything further. I would like to ask the minister one or two questions. Are these proposed amendments the result of recommendations from organizations or individuals from the Northwest Territories. If so, how long have those organizations and individuals been urging the amendments which are proposed in this resolution?

Mr. Hamilton (Qu'Appelle): Mr. Chairman, I am sorry the hon. member for Mackenzie River has walked out because I would like to say a word or two in answer to what he just said. I will answer the hon. member for Kootenay West first.

As regards those amendments, I said in my opening remarks they were very close to the amendments to the Yukon Act of last year and even though they may seem minor to some of us here, to the people in the north and to the council they are something of a major achievement. Who makes those representations? Usually they come from the council of the Northwest Territories or the Yukon. We try to act on them as quickly as we can, and I think that is the attitude on nearly everything in those amendments at the present time.

The hon. member for Mackenzie River is having just as difficult a time describing the system of justice in the north as I would if I had to describe it. For his peace of mind I will tell him that arrangements have been made, owing to representations made during this last year to me, to have an examination into the judicial system in the north, not with the idea of revolutionary changes but just looking at it from a practical point of view, as the hon. member suggests, and also keeping in mind the long range transition program of moving step by step to greater autonomy in the political, administrative and judicial fields. I believe the Minister of Justice and one other will be meeting with people from the north and dealing with this matter this summer and I think I can reassure the hon. member that this is in our minds. It may seem to some in the committee that we are going rather slowly in this matter but on the question of justice the people in the north cannot help us too