

*Supply—Justice*

often futile procedure of private member's resolutions.

In my opinion there is a still more fundamental responsibility placed on the Minister of Justice, and that is to take the necessary action to protect human rights and freedom by bringing about the incorporation within the constitution of Canada of a bill of rights. This brings me to a question of the first importance facing Canada, a question whose solution demands the leadership of the Minister of Justice. Are we serious in saying, as we approach Canada's 100th birthday, that we intend to repatriate the Canadian constitution? Are we serious in saying we intend to take a new look at it and bring it up to date? Last Monday the minister is reported as having told the Liberal federation of Quebec—I am not certain that I have the name of the organization right—that it was necessary to re-think the whole form of confederation and adapt it to present conditions to ensure specific rights to Quebec and to French Canadians in general. I do not wish to underestimate the importance of giving clear and binding effect to the special rights of Quebec and of French Canada in confederation. But I say to the minister that in taking a new look at the constitution it is necessary for him to consider the rights of all Canadians. It is necessary to bring the new constitutional compact which I hope will be made in Canada and within this framework to recognize the basic rights and liberties of all Canadians so that they shall be immune from attack by provincial and municipal authorities as well as parliament and its agencies. We need a bill of rights composed not only of noble words but having the force of law, with teeth for its enforcement. We now have a declaratory bill of rights, a bill which has been cited over and over again in the courts with no effect. The former prime minister himself described this declaratory bill of rights as a first step. It is about time another step was taken.

What has been done about the re-thinking and adapting of our constitution? On June 19, as reported on page 1326 of *Hansard*, I asked a question about this subject. I asked what steps were being taken or contemplated with a view to having the constitution of Canada repatriated, or what consultations had been held for this purpose. The hon. member for Rosedale, answering in his capacity as parliamentary secretary, said: "None, by the present government." That was his answer. He said:

No steps have yet been taken, and if and when it is decided to do so, the government will so indicate in due course.

The answer, in short, was a complete negative. Let me warn the minister that this re-thinking and adaptation of our constitution

to the needs of the present day cannot be done by a few officials behind closed doors at a hastily summoned interprovincial conference. I have received a statement from Professor Ryan of the University of New Brunswick, president of the association of Canadian law teachers. I am not going to read that statement, though I should like to, but he urges the view of his association that the widest opportunity should be afforded for public representation and discussion before a formula for amendment is adopted by the conference which is proposed.

If the minister faces a much wider task than merely finding a formula for amendment; if, as he has indicated, what is involved is the re-thinking and adaptation of the whole form of confederation, these remarks apply even more clearly. I suggest there is no time to be lost in instituting the necessary process of public discussion and consideration which will involve not only government officials, but Canadians in every part of the country, members of opposition parties as well as of government parties, and people of all occupations.

I come, now, to another serious matter, which I have already discussed with the minister and which, in my view, gravely affects the administration of justice.

The high and unsullied reputation for integrity enjoyed by our judges is one of the foundations of our system of justice and, indeed, of any civilized system of justice. But now, in public statements in the press and in the legislature of Ontario, implications have been made affecting the integrity of a justice of the supreme court of Ontario.

It is necessary for me to go back in time to give the house the background of what I have to say. In 1958 an investigation was made into the manner in which northern Ontario natural gas issued stock at advantageous prices to public officials to promote its interest in Ontario. As the result of the investigation three ministers of the crown in Ontario resigned. At that time, Mr. MacDonald, a member of the legislature told the legislature in considerable detail that a block of 14,000 shares of stock had been issued to a company known as Continental Investments and used to secure approval by certain municipal officials in some northern Ontario town of the granting of franchises to northern Ontario natural gas.

This matter was inquired into by the Ontario securities commission and the then attorney general, Kelso Roberts, stated in the legislature that there had been no impropriety in relation to the issuing of the stock.

Last year, however, more information was discovered by the B.C. securities commission. Further investigation was made at Mr.