

## ANNUAL MEETING OF THE LAW SOCIETY OF SASKATCHEWAN

The regular annual meetings of the Law Society of Saskatchewan were resumed when the Seventh Annual Meeting was held at the Bessborough Hotel in Saskatoon on May 22nd and 23rd, 1946. Two years had passed since the Sixth Annual Meeting was held in Regina in 1944. A meeting had been arranged for June, 1945, but, almost at the last moment, it was cancelled in response to the appeal of the Transportation Control Board for the curtailing of conventions. The two-year interval wrought noticeable changes in the topics discussed but added zest both to the business sessions and the social functions.

After a morning devoted to registration and to the renewing of acquaintances by the members of a widely scattered bar, the business meetings opened on Wednesday afternoon with addresses of welcome from Mr. A. W. Macpherson, the Mayor of Saskatoon, and Mr. Roy McGregor, the President of the Saskatoon Bar Association.

Gordon W. Forbes, K.C., the President of the Society, then delivered the President's Address. It proved to be the first of two great addresses delivered to the meeting. Dealing with the International Trials of the Major German War Criminals it covered the legal aspects of the trial of German war criminals by the International Military Tribunal at Nuremberg. The content of the address was admirably suited for presentation to a bar convention; refraining from any analysis of the facts to be presented to the tribunal and from any opinions on the enormity of the crimes to be tried before it, the address concentrated on the constitution of the tribunal, on its actual functioning as a court for the trial of crimes against International Law and on the jurisprudence to be applied by it.

The remainder of the afternoon was spent in considering the Annual Reports of the Benchers and of the Library Committee.

When the meeting reassembled on Thursday morning Mr. F. C. Cronkite, K.C., Dean of the College of Law at the University of Saskatchewan, read an address on Civil Liberties in Canada. This was the second of the two great addresses presented to the meeting. There was something fortunate in having both addresses delivered at the same convention for both of them were founded on the same fundamental concept of morality that law is a means for safeguarding the worth and dignity of human beings and that liberty is to be regarded as the capacity to obey laws. Dean

Cronkite dealt with law so far as it operates between subject and subject and between state and subject in an organized national society, while Mr. Forbes dealt with law as it operates between nation and nation in an organized international society.

The discussion of resolutions consumed the greater part of the rest of the second day.

The most animated debate was aroused by three motions which originally came from different sources and dealt with two different topics. In them the meeting discerned a common underlying theory and they were eventually linked together. One related to Japanese Deportation and expressed disapproval of the action of the Government of Canada in curtailing the legal rights of British subjects resident in Canada who are of Japanese origin and urged the Government of Canada to rescind the orders in council that purported to deprive such persons of their rights under the law. The other two pertained to civil liberties and, more particularly, to the recent espionage cases and expressed disapproval of the action of the Government of Canada in holding persons under arrest incommunicado, in denying the right to counsel and in preventing recourse to Habeas Corpus.

An attempt was made to amend the Japanese Deportation motion by adding to it an amendment expressing disapproval of the Government of Saskatchewan exercising confiscatory power and taking away contractual power. This amendment was ruled out of order by the Chairman, but even after the debate had been restricted to the original scope of the motion it evoked so much discussion that it was eventually referred to a special committee, which was instructed to consider it in conjunction with the two resolutions on civil liberties and to endeavor to combine them into a single resolution for discussion by the meeting.

After the special committee had brought in its report the meeting passed a composite resolution in which it recorded its conviction that only persons suspected: having committed offences against the law, whether directly involving the state or the rights of individual citizens, should be proceeded against and then only by due process of law; and that the right to a fair and impartial hearing before the regular courts of justice with the privileges of counsel at all stages, if the accused so desires, and resort to the remedies of habeas corpus, certiorari and appeal should not be abridged, suspended or impaired, except by direct action of Parliament in time of war or great peril to the nation.

This resolution, as originally introduced by the special committee, contained a preamble reciting that the recent actions of the Government in connection with the deportation of Japanese and the arrest of persons suspected of espionage activities have aroused concern and discussion.

The debate on the preamble divided the meeting into three distinct groups. One group commended the Government for what it had done; another group condemned the actions of the Government; the third group felt that the convention should not express opinions on the wisdom of what the Government had done but should content itself with reaffirming its attitude towards the safeguarding of civil liberties.

After a rather heated debate the meeting decided to delete the preamble with its pointed reference to the two particular recent events and to restrict its declaration to the mere expression of a general opinion on the methods of protecting civil liberties.

Once again the retirement of judges attracted the attention of a law society meeting. There were those who argued that the views of the members had been reiterated so frequently by past meetings that another expression of the same opinion would be completely futile. However the majority were more optimistic and the meeting passed a resolution, supporting the principle that all judges be retired on attaining the age of seventy years and urging that the necessary legislation be passed to achieve this purpose.

Penal reform came to the fore when the meeting empowered the President to appoint a committee for the purpose of preparing and presenting to the Saskatchewan Commission on Penal Reform a brief embodying the submissions of the Society. Pursuant to the power conferred on him by the resolution, the President appointed a committee consisting of Messrs. L. C. R. Batten, K.C., L. M. Robinson, K.C., and B. M. Wakeling, K.C.

On the question of Administrative Tribunals the convention decided to recommend to the Government of Saskatchewan that a Committee of three persons be established for the purpose of inquiring into all matters pertaining to the powers, functions, constitution, procedure and review of the decisions of administrative tribunals in Saskatchewan and of making such recommendations as may seem desirable.

Two resolutions dealt with closely related aspects of professional life; one requested the Benchers to initiate a system of Institutional Advertising immediately, the cost of such advertising to be assessed and levied against all the members of the

Society; the other directed the Benchers to give consideration to setting up a bond or recompense fund and to the advisability of obtaining an amendment to The Legal Profession Act similar to the 1943 amendment to The Law Society Act of Manitoba.

Two other resolutions were designed to further the work of the Canadian Bar Association. One called on the Society to join with the Canadian Bar Association in urging the immediate appointment of a commission to inquire into the law of marriage and divorce and to make recommendations to provide for uniformity throughout Canada. The second—the final resolution of the session—resolved that the Benchers contribute up to \$500 per annum toward the Canadian Bar Association and apply for the necessary amendment to The Legal Profession Act permitting them to make donations to the Canadian Bar Association.

At noon on Thursday the work of debating resolutions was relieved by an adjournment for a luncheon tendered by the Saskatoon Bar Association. The guest speaker at the luncheon was Mr. A. M. Campbell, K.C., of Winnipeg, who represented the Manitoba bar at the meeting. His address dealt largely with the experience of the Manitoba Law Society with professional problems and especially with the reimbursement fund, public relations and institutional advertising.

Following a long-established custom, the two evenings were set apart for social functions—Wednesday evening for the Annual Ball and Thursday evening for the Law Society's Reception and Annual Dinner.

The enjoyable nature of these two functions undoubtedly assisted in earning for the convention committee, of which Mr. J. M. Goldenberg, K.C., was the convenor, the thanks expressed to them for the efficient manner in which arrangements had been made for the conduct of the meeting.

The meeting officially wound up with the Annual Dinner, but as the following day—May 24th—was a holiday many of the members were able to linger for informal gatherings instead of departing hurriedly for distant parts of the province. Perhaps the members who most nearly caught the spirit of this part of the convention were two Regina lawyers who decided that the best way to end a successful convention would be to delay their homeward journey until Sunday and spend May 24th at a Country Fair and Sports Day at a small town west of Saskatoon.