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## Opposition slams Supreme Court review process

SUE BAILEY, CP

2004-08-26 01:33:28

OTTAWA -- To hear Justice Minister Irwin Cotler tell it, his two choices to sit on Canada's top court can pretty much walk on water. No one disagreed with him.

The first-ever committee to review Supreme Court candidates aired no qualms yesterday about Ontario Court of Appeal justices Rosalie Abella and Louise Charron.

The all-party advisory panel of seven MPs and two legal experts asked few questions about the judges themselves.

Instead, opposition members on the interim panel spent much of a three-hour session venting frustration about the process.

The interim committee has no veto power, did not see a short list of candidates before selections were made and will issue a non-binding report tomorrow. The appointments must then be made official by the prime minister.

Conservative members had to settle for grilling Cotler after the Liberals nixed their request to quiz candidates.

Conservative deputy leader Peter MacKay called the process "a sham" that breaks Prime Minister Paul Martin's promise to open the high-court selection system.

"It's a joke," MacKay said after the hearing.

"It's window dressing. It's lip service. It's just running it by us for some form of credibility that doesn't exist."

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Cotler said he wasn't about to risk judicial integrity by exposing high-court candidates to such queries as "When did you stop beating your wife?"

MacKay called the comment "insulting" and said MPs never intended to turn the screenings into a political free-for-all.

Still, much of yesterday's hearing was a mix of grandstanding and partisan clashes.

MacKay and Conservative justice critic Vic Toews lambasted Cotler for giving the panel 24 hours' notice, a three-hour televised hearing and just two days to report on the candidates.

Abella and Charron weren't announced as nominees until Tuesday.

Cotler, on the other hand, spent eight months researching potential nominees, consulting with judges and lawyers and reviewing rulings.

Toews called it a "rubber stamp" process that strips Canadians of their right to know their most powerful jurists.

He called it "astounding" the candidates were not even asked if they would appear before the committee.

Cotler fired back all parties agreed only the justice minister would take questions on a contender's intellect, demeanour, racial awareness and other attributes.

New Democrat MP Joe Comartin reminded Cotler the Liberals weren't willing to negotiate on that point.

MacKay called the hearing a pointless review of a done deal.

Conservatives had little choice but to accept a lousy process and fight for future changes, he said.

Cotler himself all but confirmed opposition fears.

It would take a lot to change his mind about Abella and Charron, he told the panel.

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