

opinion

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Grit plan imperils judges' autonomy

THE LIBERALS AND THE CHIEF JUSTICE OF NEW Brunswick's superior court are publicly at odds over the government's ill-conceived plan to give itself veto power over where judges can live.

In our democracy, politics are subject to the law. The government's plan threatens to reverse this bedrock principle.

The government portrays this extraordinary move in bland terms, saying the new law will allow it to work more closely with the judiciary, and it is needed to ensure access to justice in both official languages. Under the changes, the Court of Queen's Bench chief justice would need the consent of the justice minister to designate where judges reside.

Chief Justice David Smith has, in a rare public statement, voiced his concern, saying he wants the government to explain how the changes would not "overstep the boundary and infringe on judicial independence." Chief Justice Smith disclosed that he was neither consulted nor even given notice of the changes.

And, just to add the inexplicable to the unwise, Justice Minister Stephen Horsman says there was no incident that prompted government to make the change.

All of this brings to mind two questions. To what problem is this a solution? And what could the government instead do to better bolster bilingualism in our courts?

On the first question, it's clear there would have to be a pressing need in order to justify this proposed legislation, which imperils the independence of the judiciary from legislators, a keystone of our democracy. The government has failed to articulate any such pressing need.

The Liberals should reverse course quickly from this dangerous detour into political interference in the judiciary.

Happily, there is a practical step the Liberals can take to improve access to justice in both English and French.

Chief Justice Ernest Drapeau of the New Brunswick Court of Appeal last week noted the lack of simultaneous translation at his court. A court that is ruling on language – the reference case on busing – is unable to conduct its business simultaneously in both languages.

If the government wishes to make a more constructive contribution to justice in both languages, it should fully fund translation at our top court, and drop this dangerous meddling in the independence of the judiciary.

City contract too rich for taxpayers

SAINT JOHN COMMON COUNCIL HAS SIGNED A NEW contract with the city's inside workers that buys seven years of labour peace but the sticker price is far too high for taxpayers.

Workers will receive annual wage increases between two and 2.5 per cent, for a cumulative raise nearing 17 per cent. This is a bad deal the city can't afford and it isn't equitable with the private sector, where wage settlements are lower.

The generous wages are a departure from the fiscally prudent decisions taken by Common Council. Signing this deal now, just months before the next municipal election, also handcuffs the next council with exorbitant labour costs.

In the new deal, council made one financial inroad by ensuring new employees will not receive a retirement bonus based on their years of service. But that bonus, on top of regular pension earnings, remains in place for the 161 current inside workers. It is another benefit, besides wage hikes that exceed the rate of inflation, that make this deal a poor bargain for taxpayers.

The city needs more labour flexibility. The cost of the city's workforce consumes the bulk of the \$151 million budget. Council should ensure it does not repeat this wage mistake in negotiations with firefighters and police. If city workers continue to receive wage increases that outpace the inflation rate, the only alternative to control those costs is to reduce the size of the workforce.

Ironically, the overly rich agreement tilts the economics in favour of more outsourcing, which the city should pursue to reduce the workforce and save money on goods and services.

The city should make sure it has the flexibility to contract out services in all future contracts so labour costs do not rise beyond the ability of taxpayers to foot the bill.



People of faith entitled to express their views

This is in response to the letter "Canada needs new end of life legislation," (Feb. 15). There is no question that end-of-life care decisions are important and often difficult for individuals and their families.

The federal government is considering new legislation on assisted suicide in response to a recent ruling of the Supreme Court of Canada. Government legislation must ensure that the rights of people suffering from serious illness are protected, whether this means the ability to refuse unwanted medical treatment or protection of their right to life if they so choose.

Furthermore, government legislation in our democracy is also expected to reflect broadly shared views of the public and to promote the collective good. For this reason, it is important that our elected representatives consider the best wisdom that members of our society can provide, including faith-based perspectives.

The letter, claiming that "separation of church and state is a valued aspect of our democratic freedom," criticizes statements by religious leaders who oppose assisted suicide legislation. In fact, the phrase "separation of church and state" has never been part of Canadian constitutional law. The Canadian Charter of Rights and Freedoms instead guarantees freedom of religion and also freedom of thought, belief, opinion, and expression. These rights apply to everyone, including people of faith who are certainly entitled to express their views on any matter of public policy. It is through engaged and informed public engagement that our elected representatives will make the best legislative decisions.

Ken Brien
New Maryland

City should say yes to development

I have been reading with interest the proposal put forth by Troy Northrup for the east side of Saint John. And of course I have also seen many positive and negative points of view of the matter, both from people concerned about changes to the landscape, and flooding etc., which are valid points, and also cries of foul from the corporations owning certain area malls, not only on the east side, but as far away as the west side of the city.

I don't why it is, but for some reason when a new development is proposed for Saint John, the negativity is as thick as the fog in our harbour at times. Is it any wonder people move away to find work.

SUBMISSIONS: Letters must bear the writer's name, address and daytime telephone number and be between 100 and 300 words in length. We prefer letters that respect the word count, are on a single subject currently in the news and contain no personal attacks. We will consider opinion articles on any subject. All submissions must be original, should not have been previously published other than in a Brunswick News

publication and should be between 500 and 800 words in length.

We reserve the right to publish letters and commentary at our sole discretion and to edit them for clarity, length, libel, taste or non-verifiable information.

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Developments such as this bring more people in from areas far from the city, and everyone benefits, including the existing malls. I believe Mr. Northrup, who I do not know personally, is one of the best things this city has seen development wise. These developers are now keenly aware also of the scrutiny that they will be under concerning flood plains and drainage etc.

We wonder why Halifax and Moncton get things like Ikea, Cabelas and Bass Pro shops. Although I do not live in the city, I go there to shop. To the mayor and council of this city, when this proposal comes before you, have the courage to stand up and say yes for a change!

Mike McCormick
Kingston

We need to change our power habits

One cannot be as naive to think that we will return to the dark ages if we stop using petroleum. I would like to point out many modern forms of power we can take advantage of such as solar, wind, tidal, and biodiesel, electric, etc.

Here in New Brunswick we have an excellent source of tidal power on the Fundy Coast. We have a wind farm outside of Bathurst that is doing great, not to mention all the studies being done at our universities on renewable green energy. We need to change our habits for the future for our grandchildren and reduce our effects on climate change. The time to act is now!

Rachel Imhoff
Rosehill

Achieving bilingual certification a failure

We now have fewer than 400 students per year in anglophone New Brunswick achieving bilingual certification in Grade 12.

Thousands of Grade 12 students do not qualify and/or do not pass the standards. A maximum 20 per cent of courses are in French in Grade 11 and 12 even if one ignores university entrance.

What a waste, injustice and a malfunctioning process. Effectively, they are cut out of bilingual openings in the private and public sector. If 1755 was the year of the Expulsion of the Acadians, then this year is the Exclusion of the English. They will have to go elsewhere to demonstrate their intelligence and to get meaningful jobs.

The move away is on. For years we have seen the English Department of Education start French in Grade 1, maybe Grade 3, maybe in Grade 5.

They were very undecided, disorganized and a lot of window dressing occurred.

Along came the era of social media communication within the Department of Education. We still have terrible results, abysmal and non-functional. The age of computers and communication is not used to the benefit of students and their verbal communication skills.

The English Department of Education clearly has no vision, no energy, no direction to help students, and only exists as a puppet leg of the government far away from any accountability. With these results, private industry would have fired them long ago.

Iain Dunlop
Florenceville-Bristol

Protect privacy rights in our society

Protecting privacy rights in our society has become more challenging.

The global video surveillance market has increased from \$11 billion in 2011 to \$38 billion today with millions of closed-circuit televisions installed for reducing crime and vandalism, while increasing public safety. We have sophisticated aerial surveillance that can monitor virtually everything in an area the size of a small city.

Google is now translating into 103 languages which means it can cater to 99 per cent of the online population. Apple has become so concerned about privacy issues they have challenged the FBI request wanting them to break into the iPhone of one of the San Bernardino shooters, although they have unlocked dozens of them in the past for federal investigations. They do not want to create a master key that could have the unintended consequences of paving a way for hackers to break into iPhones.

Apple has support from Facebook, Twitter, Google, American Civil Liberties Union and Mark Cuban whereas a narrow majority of Americans want Apple to unlock the terrorist iPhone.

Apple has suggested a commission of experts on intelligence, technology and civil liberties to discuss strategies needed for law enforcement, national security, privacy and personal freedoms.

It is essential for companies to continually confront the security challenges facing social network users.

It is important not to bully, share inappropriate pictures, materials and make threats on social networking sites that could cause serious life consequences and unexpected personal repercussions.

Harold Phalen
Fredericton

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