



Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



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THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Friday, April 6th, 1962.

MR. SPEAKER: Second reading of Bill No. 74. The Honourable Member for St. Vital.

MR. FRED GROVES (St. Vital): My bill had second reading this afternoon, Mr. Speaker.

MR. SPEAKER: Second reading of Bill No. 60. The Honourable Member for Winnipeg Centre.

MR. JAMES COWAN, Q.C. (Winnipeg Centre): Mr. Speaker, I . . . .

MR. ROBLIN: Are we quite clear on the point of order here? Good.

MR. SPEAKER: Is it agreed he's closing the debate.

MR. HILLHOUSE: Are you closing the debate or are you making a statement?

MR. COWAN: I would like to make a statement, but I don't know whether that is in order or not.

MR. ROBLIN: He has to be closing the debate.

MR. COWAN: Mr. Speaker, this bill is for the purpose of doing exactly what it says in the title, "to validate a certain devise and bequest in the Last Will and Testament of Esther Sbnoor, deceased." This lady died in Winnipeg in 1960, having lived with her youngest son Harry, for some 25 years. She died at the age of 85 years and was blind for the last two years. Her son Harry and his wife, helped to look after her, and as a matter of fact he was the only son that would look after her and she didn't want to go into an institution. She owned the double house in which she lived with her son Harry. She also owned another house and she had some money in the bank.

In 1951, she executed a will, whereby she gave the double house to her son Harry, with whom she lived, and the residue of the estate, and she gave the other house to her oldest son and appointed him executor, and she asked that the bank account, the money in the large bank account, be divided among her six grandchildren. She also stated in the will that the oldest son was to put a mortgage for \$2,000 on the house that he was getting, and give this \$2,000 to her second son. This will was properly executed and completed, and in 1956, by that time she had additional money in the bank and she decided that she wanted to make a new will. She changed the will in this respect: instead of having the \$2,000 to her second son being paid out of a mortgage on the house she was giving to her oldest son, she decided that the \$2,000 would be paid out of the bank account and that the six grandchildren would get the rest of the money that was in the bank account.

Both wills were kept and are in existence, but the will made in 1956 was witnessed by the wife of her son Harry, the son with whom she lived, and whom she gave in both wills this double house and the residue of the estate. Because it was witnessed by the wife of Harry, the bequest is invalid, and this bill is brought before the House for the purpose of validating the bequest so that the wishes of Mrs. Sbnoor can be carried out. Her wishes are set out quite well in both wills with regard to this son Harry. She didn't change the bequest to him in the second will. She had told him on various occasions that he was to have the house, and there is no dispute about the fact that she wanted her son Harry to have this double house -- he had helped her for years -- and we are asking this House to validate the will in order to do what is right and to carry out the wishes of the deceased lady.

I might say that only last year this House passed an Act for the relief of the Estate of Charlie Young in respect of that person's estate, and from time to time this House passes acts for the relief of various persons in order that the right thing may be done. In 1926 this House passed an act somewhat similar to the one before this House. It's in respect of the will of Johann Johnson, and it is found in Chapter 115 of the Statutes of Manitoba of 1926. In that case, the will was witnessed by only one person whereas the law requires the will to be witnessed by two people, and the Legislature passed an act validating that will. This is something that has been done before, and if we carry through with this bill we will be carrying out the wishes of the lady and doing that which is right.

Now if the bequest is left invalid it will mean that Harry, instead of receiving the house and the residue -- there's practically no residue -- so instead of receiving the double house, would only receive one-third of the double house, which makes quite a difference, the house to him, and although the house isn't a terribly valuable one, it is worth about \$9,000.00.

MR. HILLHOUSE: Will the honourable member permit a question? "Was the will of January 11, 1951, revoked by the will of December 15, 1956?"

MR. COWAN: Yes; yes.

MR. HILLHOUSE: Have the solicitors for the estate considered whether or no the doctrine of contingent revocation would not only apply in this particular case? And the fact that the will of December 15, 1956 was not properly executed it would not revoke the prior will?

MR. COWAN: I didn't ask the solicitor that question. I am sure that it has been considered and that that question has been gone into. I think that the 1956 will is not invalid; only the bequest to Harry Shnoor is invalid. The will itself under the law, the last will is valid, just the bequest is invalid to Harry Shnoor.

MR. HILLHOUSE: You are aware, are you not, that there is this doctrine of contingent revocation and where a prior will is revoked by a subsequent will which is ineffective, that the revocation of the first will does not take place?

MR. COWAN: Mr. Speaker, the second will is not ineffective, it's just the bequest to Harry Shnoor.

MR. HILLHOUSE: Wasn't he the sole beneficiary under the second will?

MR. COWAN: Pardon?

MR. HILLHOUSE: Wasn't he the sole beneficiary under the second will?

MR. COWAN: No, the second will was quite the same as the first one excepting that the \$2,000 to the second son was to come out of the bank account instead of out of a mortgage that the oldest son was to place on the house that he was getting. I've asked that members give this bill a second reading so that it can go to Law Amendments Committee, and there all the parties concerned will be represented and members can question them, or it may be going to Private Bills Committee.

MR. SPEAKER: Are you ready for the question?

MR. ORLIKOW: Mr. Speaker, I'm not going to object to this bill.....

MR. ROBLIN: The Honourable Member for Winnipeg Centre has closed debate. However, I would suggest in view of the peculiar way in which this has come up that if any member does want to speak now, I'm sure we could get unanimous consent to have it done -- if any member feels that he really wants to contribute to this debate. Otherwise, we'll call it closed.

MR. ORLIKOW: Mr. Speaker, may I speak? Mr. Speaker, it's not my intention to speak very long nor.....

MR. SPEAKER: Order. Does the honourable member have unanimous consent of the House?

MEMBERS: Aye.

MR. ORLIKOW: Mr. Speaker, it's not my intention to speak very long, nor is it my intention to vote against this bill on second reading, although representations were made to a number of members of the House and I know that there will be a delegation appearing before the Law Amendments Committee, or whichever Committee deals with this, on the basis that what this bill proposes to do is to wipe out, in effect, part of the legislation dealing with wills which was passed by the Legislature of Manitoba some years ago, and it is the feeling of the people who made representations that this is not proper, but Mr. Speaker, I think that they can make better legal representations than I can. I just bring this to the attention of the House.

MR. SPEAKER: Are you ready for the question?

MR. HILLHOUSE: Mr. Speaker, might I be permitted to ask the First Minister a question? Would it be possible to have this bill go to Law Amendments instead of Private Bills? I think it's a matter of considerable importance.

MR. ROBLIN: Mr. Speaker, I think that if the mover of the motion would agree to that, we would be happy to have it go to Law Amendments rather than Private Bills, and unless he objects I will assume that we do have that leave from him and therefore it will go to Law Amendments.

MR. PAULLEY: Mr. Speaker, I don't like raising questions of order, but is it not one of our rules that private members still should be dealt with in the Committee on Private Bills?

MR. ROBLIN: Mr. Speaker, I think that if there is consent we may do what we like. If there's not consent, well then the other procedure must be followed. But I take it that there is consent.

MR. GRAY: Mr. Speaker, on the same privilege please that the others have, I think that

(Mr. Gray, cont'd) . . . . . this bill should go to second reading for one other reason, the publicity it will get of the people -- they will feel that if they want to have a proper will and properly handled they will go to a lawyer next time.

MR. HILLHOUSE: They did.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the bill to go to Law Amendments Committee.

MR. SPEAKER: Second reading of Bill No. 34, the Honourable the Leader of the New Democratic Party.

MR. PAULLEY: Mr. Chairman this bill is a clear-cut bill. I don't think there's very many legal complications as far as the bill is concerned. Its objective, of course, is obvious; to lower the voting age in provincial elections from the age of 21 to 18. This particular matter has been debated in this House on numerous occasions. I don't just recall the year -- it may have been 1954 or 1955 -- the last time a resolution of this nature was before the Assembly under the former Liberal administration, and the resolution at that time was amended so that the government of the day would undertake, or would undertake to consult with the federal authorities and other provinces to bring about uniformity of a lower age than 21 in the Dominion. And then in 1960 a special committee of this Legislature under this present government was set up to inquire into amendments to The Elections Act, and among other matters, it dealt with the question of lowering the age from 21 to 18 or some other age under the age of 21. At that time the Attorney-General, the present Attorney-General, undertook to take the matter up once again with Ottawa, and according to a press release I have here of November 8th, 1960, the Attorney-General said that he would sound out the other provinces in Ottawa on a lower voting age at the next Dominion-Provincial Constitution talks slated for January 12th and 13th of 1961.

Now I would suggest, Mr. Speaker, that delay has been long enough in respect of this matter. It appears to me that nothing of a concrete nature has been done as a result of discussions with other jurisdictions or the federal government. It does appear to me that if we were to await uniformity across the Dominion in respect of the age of voting, we may deprive young men and women of the age of 18 and over the rights of exercising a franchise after a long period of time. The three provinces to the west of us each having a voting age of less number of years than 21. I appreciated the remarks the other day of the Honourable Member for Osborne when he said that he had conducted a poll in his own home in respect of this matter. But I would suggest that in the three provinces to the west of us that legislation for votes for those under the age of 21 has met with general approval, because as far as I am aware Mr. Speaker, no effort has been made in either Saskatchewan, Alberta or British Columbia to increase the age limit for voting in provincial elections back to 21, and it is a very peculiar situation that we have here in the Province of Manitoba. I refer to the fact that a special committee was set up in 1960 to consider this matter, and representatives on that committee of all parties agreed with the general principle, that the age of voting should be lowered from 21. I frankly confess, Mr. Speaker, that there was no unanimity as far as whether it should be 20, 19 or 18, but according to the press report -- and I think that this is a true report of the committee consideration of this matter -- it says that lower age for voting agreed, but the committee would not support the recommendation which happened to be moved by myself, to reduce the age limit.

It may be interesting just to read a paragraph or two from this news report. The report says, "Voting age in Manitoba should be lower than 21 years, agreed members of a special Legislative Committee, Monday, but they didn't agree to the point of supporting a recommendation that the minimum voting age be lowered. Instead, Attorney-General Sterling Lyon will sound out other provinces and Ottawa on a lower voting age at the next Dominion-Provincial constitution talks slated for January 12th and 13th. The Committee of MLA's was set up to see if Manitoba's Elections Act needed streamlining. They all spoke in favour of younger voters, but CCF House Leader, Russ Paulley's motion, that the age be lowered to 18, was defeated six to two." My only supporter in the committee, Mr. Speaker, was my colleague from St. John's, Mr. Orlikow. The article goes on further to say that the majority felt that they shouldn't recommend lowering the voting age to the Legislature, unless most of the provinces felt the same way. They wanted uniformity. This attitude was voiced by Opposition Leader Douglas

(Mr. Paulley, cont'd) . . . Campbell, and Mr. Campbell, the Honourable Member for Lakeside, is quoted in this report as saying, "I am in favour of any voting age between 18 and 21 years, but only if more of the provinces than have indicated would support it." My colleague --

MR. CAMPBELL: That's pretty close.

MR. PAULLEY: My colleague -- yes, but I'm going to have a comment on that in a moment. My colleague from St. John's stated, and I think correctly so, in reply to this, that if the principle is sound, we ought to proceed with it. There is a tremendous interest in high school and college in politics; then when they get out of school they can't vote. I think we should lower the age to 18 years. Then the article goes on further to indicate support of all political faiths in respect of this matter by stating in the article that W.B. Scarth PC for River Heights felt they should recommend a lower age without delay. The Attorney-General is quoted as admitting that legally some youths are infants when it comes to voting and adults in other respects, but the question had to be considered in its widest aspects. He preferred to take the question to constitution talks to see if a meeting with other provinces could be arranged. "We should leave this," he is quoted as having said, "until we are definitely sure where we are going. We should do a thorough job, a thorough and consistent job." He was supported by Liberal Leader Campbell.

MR. CAMPBELL: A fine combination.

MR. PAULLEY: Yes, like Gorgonzola cheese. Now, another two years almost was passed, or at least a year and a half. There was nothing done, to my knowledge, as a result of the amendment to the resolution that I referred to of 1954 or '55, as far as I am aware, and I believe a question was directed to the Honourable Attorney-General in the House last year, as to what has been done in regard to this matter, with negotiations between Ottawa or the other provinces. I'm more than ever convinced that we should delay no longer. I have some support however, now, that I didn't have before of another political party here in the Province of Manitoba. A party who in some respects agreed, and yet at the same time, when it came down to a question of voting for or against the lowering of the voting age, invariably voted against it and I refer, Mr. Speaker, to the Liberal Party of Manitoba. Because now they have set themselves and their organization squarely on the record in respect of the lowering of the voting age to 18, as a result of their annual convention held back in November of 1960, and I am quoting from the Winnipeg Tribune of November 21, 1960, and while this particular article, Mr. Speaker, deals with many questions, I am only going to refer to the section which deals with the new policy of this "reborn party" as some like to refer to, at their convention. And I think it's most interesting to hear some of the comments of some of the prominent individuals of the Liberal Party, because some of them have been in the political life of this province for a long period of time; some are retired at the present time due to circumstances of having to face the voters at elections, and I want to make one or two quotes from this news report.

The headline on the column reads, "Parley backs lower voting age. With strong support from an ex-premier, a former cabinet minister and a mayor, Manitoba Liberals, Saturday, threw their weight behind reducing the voting age to 18 from 21. Only a trickling of opposition faced the question when it came before the annual meeting of the Manitoba Liberal-Progressive Association. It was strongly endorsed by Stuart Garson, a former Liberal premier who said, 'I often wonder whether youths are better able to vote than adults.' Another prominent Liberal, indeed one who ran for the leadership of the National Party of the Liberal Party at a convention" -- we won't refer of course to the amount of support that he had at this convention; however he was a candidate for the national leadership -- "a chap by the name of Mayor H. L. Henderson of 'ortage la Prairie said, 'young people are very intelligent. Anybody old enough to man a million dollar aircraft is old enough to put an 'x' on paper.' " Then the article goes on to say, Mr. Speaker, that the resolution was also supported by Lem Shuttleworth, Agriculture Minister in the former Campbell government. He did have a question as to the preamble to the resolution which was subsequently deleted, and I think this is quite interesting, because Mr. Shuttleworth questioned the preamble which said, "whereas there are many intelligent and responsible people between the ages of 18 and 21 who are presently not franchised." Mr. Shuttleworth said that there was an inference here that among our young people there are some who are not intelligent. So the Association deleted the preamble so that it was just a straight vote on the principle as to whether or not the voting age should be reduced

(Mr. Paulley, cont'd) . . . . . from 21 to 18.

Now then, we have argued in this House, on all sides, as to whether or not young men and young women under the ages of 21 are qualified to vote. I would suggest, Mr. Speaker, that there is no longer any argument. I am not going into all of the various proposals or arguments in favour of extending the franchise, such as the rights to defend, or the obligation to defend our country in time of warfare; not into the question too deeply as to their rights to become married; as to their rights to do other functions within the state. I think now is the time that we should make up our minds on this question and our minds should be made up that the voting age could be reduced to the age of 18. We saw an example the other day in the voting on a Metro by-election where all adults, including possibly some of us in this House, had an opportunity to exercise a franchise in respect of metro government and only voted to the extent of 20% in the exercise of their franchise. We have seen products of our high schools and our colleges, demonstrations of a conclusive nature, of the abilities of our young citizens here in the Province of Manitoba. The Honourable the Minister of Education points with pride to the increase in the number of students who are now attending high schools in Grade 11 and Grade 12 and also going into university, so I recommend, Mr. Speaker, to the House, consideration and adoption of the principle involved in this bill. We have had over the last number of years mock parliaments in our University of Manitoba. Over the years the Tuxis Boys have had mock parliaments. The Junior Chambers of Commerce have had mock parliaments in an endeavour to educate the youth, both boys and girls of the Province of Manitoba, into their full responsibilities as members of the community, and I suggest that it is unfair to those who have such an active part and are playing such an active part in the affairs of our province, that they should undertake these extra-curricular activities and then have to wait a period of two or three years before they have the right to exercise their franchise in an election.

Therefore, Mr. Speaker, I recommend the adoption of this bill to the House. As I have pointed out, the matter has been delayed on two or three occasions by reference to Ottawa, to the other provinces. I don't think that that is any longer necessary or desirable. I mentioned three of the provinces to the west of us that have provisions for varying age limits between -- underneath 21. It is time Manitoba joined in the recognition of the capabilities and the qualifications of our youth between the ages of 18 and 21.

MR. HILLHOUSE: Would the Leader of the NDP permit a question? In those three western provinces where they have reduced the age limit below 21, have they reduced the age limit for running for election to the Legislative Assembly and have they reduced the age limit for voting at a municipal election?

MR. PAULLEY: I am sorry, Mr. Speaker, I cannot correctly answer my honourable friend. It is my impression that they have not reduced the age limit in respect of holding public office, insofar as the legislatures are concerned in the province. I think I am correct in that. I am not fully aware of the situation insofar as municipalities are concerned.

MR. HILLHOUSE: Do you know whether or no they have reduced the age limit, the legal age to enter a beer parlour?

MR. PAULLEY: No, I don't think they have, Mr. Speaker, but if I may answer to some degree my honourable friend, insofar as liquor is concerned, the laws of the Province of Manitoba recognize that an individual of the age of 18 can participate in drinking liquor in our province, providing he has the consent of his parents and in his own home. So that is a breakthrough in respect of liquor and the point raised by my honourable friend.

MR. SPEAKER: Are you ready for the question?

MR. WRIGHT: Mr. Speaker, I beg to move, seconded by the Honourable the Member for St. John's that the debate be adjourned.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. COWAN presented Bill No. 62, An Act to amend The Municipal Boundaries Act, for second reading.

Mr. Speaker presented the motion.

MR. COWAN: Mr. Speaker, this bill is simply for the purpose of changing the boundary of the Municipality of Rosser in accordance with another Act to be introduced amending the Winnipeg Charter. The Municipality of Rosser and the City of Winnipeg have agreed whereby some 3,500 acres of land in the Rural Municipality of Rosser will become part of the City of Winnipeg.

(Mr. Cowan, cont'd) . . . . They have worked out an agreement which is quite satisfactory to both municipalities and to the people living in that portion of Rosser, who then will be living in Winnipeg. The Rural Municipality of Rosser wanted to keep their municipality as a Rural Municipality and not to become an urban area, and the City of Winnipeg wanted to increase the size of its city, so it is an arrangement which is of advantage to both, and when it goes to Law Amendments Committee I would think that we should consider it at the same time as the Winnipeg Charter Amendment, so that the Law Amendments Committee can have both bills before it at the same time, and the Winnipeg Charter amendments have already been printed and will likely be before this House for second reading early in the week.

Mr. Speaker put the question and after a voice vote declared the motion arrived.

MR. SCARTH presented Bill No. 64, An Act to amend The Public Schools Act (1), for second reading,

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. J. D. WATT (Arthur) presented Bill No. 68, An Act to incorporate Virden and District Elderly Persons Housing Corporation, for second reading.

Mr. Speaker presented the motion.

MR. WATT: Mr. Speaker, this bill pretty well speaks for itself. These municipalities mentioned within the bill have asked that the bill be presented for the purpose of incorporating a senior citizens home area. I think possibly the main purpose of the bill comes under Section (3) which calls for the reapportionment of a debenture debt load at the end of a 5-year period. I think that's about all that I have on it.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. A. H. CORBETT (Swan River) presented Bill No. 63, An Act to validate By-law No. 147 of the Village of Benito; By-law No. 3/62 of the Town of Swan River; By-law No. 1404 of the Rural Municipality of Minitonas; By-law No. 1679 of the Rural Municipality of Swan River; and By-law No. 128 of the Village of Bowsman, for second reading.

Mr. Speaker presented the motion.

MR. CORBETT: This By-law was rendered necessary -- the five municipalities, the Rural Municipality of Swan River, the Rural Municipality of Minitonas, the Town of Swan River, the Village of Benito and the Village of Bowsman organized to build an elderly persons home and arranged to issue debentures for that purpose. They issued debentures up to \$143,000 or they're in the process of being issued, and they found out when they got the building built they were a little short of money for furnishings, so they had to raise another \$30,000, and this is the increase in the amount of the debenture issue that is necessary to completely finish the building.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. HILLHOUSE presented Bill No. 81, an Act to amend The West Kildonan Charter and to amend an Act Respecting Certain Orders of the Winnipeg Suburban Municipal Board, for second reading.

Mr. Speaker presented the motion.

MR. HILLHOUSE: Mr. Speaker, this bill has received the unanimous consent and approval of the West Kildonan Council, and to a certain extent represents an experiment in municipal government. As all members are aware, a newly elected councillor takes office under the Municipal Act on the 1st of January. Under Sections (1) and (2) of this Act, West Kildonan is having the terms of office expire on the 31st day of October in the year which they would ordinarily expire, and the reason for that is briefly this: that where you have an election of three councillors or three aldermen in one year -- well in each year you might say -- and an election of a mayor every second year, it seems absurd that the three retiring aldermen should remain in office until the end of the year and the incoming aldermen not take over until the first of the year, because anybody who has any experience in municipal government knows that January and February in a municipal calendar are the busiest months of the year, because these are the months when you are considering estimates and getting your budget ready, and the West Kildonan Council has felt for some time that it would be a good idea for elected members of council to assume office on the first Tuesday of November and it would give them a breaking-in period of two months. So Sections (1) and (2) of the bill provide the necessary machinery to bring that into effect.

Now Section (3) of the bill simply changes the nomination base to correspond to the Municipal Act, making it the first Wednesday in October, rather than the second.

(Mr. Hillhouse, cont'd)

Section (4) of the bill amends Section (27) of the Charter. Section (27) of the Charter of West Kildonan gave the city power to form a local improvement sewer district, but not power to form a local improvement sewer and water district. Recently, we found, -- at least West Kildonan found -- when they entered into that big development agreement in which Old Kildonan Municipality is part and the Municipality of Rosser is another part, that a rural municipality possessed powers under the Municipal Act to establish a local improvement sewer and water district, and in order to have some continuity in the agreements that were executed we had to take unto ourselves the same power in that respect as possessed by a rural municipality.

Section (5) simply takes the new Section (67a). West Kildonan and a number of other suburban municipalities were, during the depression, placed under administration supervision and that was carried over to the Municipal Board. This discontinues that administration and supervision.

Section (67b) is to bring the West Kildonan Charter in line with the Winnipeg Charter, whereby a clear majority on a money by-law will be sufficient to carry that by-law instead of a three-fifths majority.

Section (6) simply deals with what has to be done to take West Kildonan out of the supervision which was previously exercised over it by the Municipal Board.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. KEITH ALEXANDER (Roblin) presented Bill No. 82, An Act to erect The Village of Roblin into a Town and to enlarge the boundaries thereof and to amend The Municipal Boundaries Act, for second reading.

Mr. Speaker presented the motion.

MR. ALEXANDER: Mr. Speaker, I think earlier on in this Session the Honourable Leader of the NDP and the Honourable Member for St. Vital established a precedent in the House that when you have a change of corporate status of a municipality that you have to give a very eloquent discourse on the history of the municipality or area, a very glowing description of the present situation, and paint a very optimistic picture of the future -- (interjection)-- Well I think mine is also going to be shorter than the past precedent even though I am outnumbered two to one.

The Village of Roblin, Mr. Speaker, was incorporated by an Act of the Legislature in 1913, and it was named after the then Premier of the Province, Sir Rodman P. Roblin, so I think it bears a very distinguished name in the present of Manitoba as well -- I couldn't resist that plug. I'd like to give a resume of the development of the town the last few years. In 1945, the real estate assessment of the village was \$284,525; 1962 assessment is \$1,509,840 which is an increase of very near seven times, and I doubt whether there are very many towns in this area and this size that can match that rate of growth. The business assessment in 1945 was \$22,730; the business assessment today \$80,540, a growth of nearly four times. The population in 1945 of 800 people; population in 1962 of 1,425. The assessment of the real estate to be added to the area is \$50,070 with a population of 63. Three years ago the Village undertook a water-works and sewage program to the value of \$345,000.00. Since then they have added a \$75,000 addition and this coming year they propose a program of \$25,000 in the area that is to be added to the present town boundaries.

I'd like to add that the town is situated very closely to the natural resources of the Duck Mountain area, and as such it is also -- I consider -- the gateway to one of the most beautiful tourist areas in Manitoba. We quite often hear the Honourable Member for Ethelbert Plains talk about the Duck Mountains, but he quite often forgets that most of this area is in the constituency of the Honourable Member for Roblin, and that it is more readily accessible via Grandview and Roblin. The town is located on the Junction of Highways No. 83 and No. 5. As most members know, 83 is one of the main north-south arteries running from Mexico straight through up to the Canadian north, and Highway No. 5 is one of our main east-west interprovincial routes. I think when we consider the increasing importance today of highway facilities and highway transportation we realize that the town is very strategically situated and I feel has an unlimited future in its growth and development.

The bill itself provides for the additional area to be brought into the town's boundaries from the municipality. This area is presently adjacent to the town boundaries and is completely built up. I'd like to point out that all residents of the area petitioned for this change except for one

(Mr. Alexander, cont'd) . . . . businessman who has a garage in the present area, and I'll be able to give more details of that in committee. The resolution favouring this has been passed by the Rural Municipality concerned, also excluding this one lot of the garage, and this they're not opposing but they didn't pass in favour in deference to the wishes of the owner. The resolution has also been passed by the town, and I think, Mr. Speaker, that I would like at this time to congratulate all those people who are involved in this situation. I think we realize that it is not too often that we have a situation such as this with the changing of property from one municipal boundary to the other, where we have practically all people in agreement and both municipal corporations in agreement as well. I think they are to be congratulated for the fact that this has been settled without any resentment or any hard feeling on anybody's part, and I heartily recommend the bill to the committee.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. S. PETERS (Elmwood) presented Bill No. 83, An Act to amend The Employment Standards Act, for second reading.

Mr. Speaker presented the motion.

MR. ROBLIN: Mr. Speaker, before you put the question or take the yeas and nays finally, I wonder if you would read it again. I must confess I didn't hear it.

MR. SPEAKER: Bill No. 83, an Act to amend The Employment Standards Act be now read a second time. Are you ready for the question?

MR. PETERS: Well, Mr. Speaker, in my opinion, when the Minimum Wage Board meets they don't get enough guidance from the Legislature, and it seems that when they do meet they always seem to take the impression that all that's needed to set a minimum wage is the barest necessities of life. And we tried, in my opinion -- what I'm trying to do with this amendment is to give the Minimum Wage Board a little more guidance and something more to work with. We spell out exactly what we feel is needed for a person earning a minimum wage.

MR. GROVES: Would the honourable member permit a question?

MR. PETERS: Certainly.

MR. GROVES: I have three short questions that I'd like to ask. First of all, could this wording, in your opinion, result in a higher minimum wage than the wording that is presently in the Act, and if that is so, why do you think so. And why do you have the reference in here to funerals?

MR. PETERS: If you're working and you need a minimum wage, you should also be able to provide for a funeral. The answer to your question is yes.

MR. SPEAKER: Are you ready for the question?

MR. GROVES: Mr. Speaker, I move, seconded by the Honourable Member for Winnipeg Centre that the debate be adjourned.

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

MR. COWAN presented Bill No. 97, an Act to validate By-law No. 4502 of the Rural Municipality of Fort Garry, for second reading.

Mr. Speaker presented the motion.

MR. COWAN: Mr. Speaker, the Municipality of Fort Garry installed storm sewer mains and street paving on some streets in the Village of St. Norbert, and they assessed the cost of these improvements on a frontage basis payable all in one year. This was done because certain developers were developing land along these streets and they wished to be able to sell the houses with all improvements paid. However, there were also on these streets old-time residents who certainly couldn't afford to pay all of these local improvement costs in one year. Because the assessment had already been made it couldn't be changed, and this Act is necessary in order that these old-time residents can pay for these improvements over a 15-year period. In the by-law which forms part of the bill there is set forth a schedule showing the various amounts to be paid by the various old-time residents who are affected by these new improvements.

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

MR. ROBLIN: Mr. Speaker, if you would be kind enough now to call the adjourned debate on amendment to The Labour Relations Act standing in the name of the Honourable Member for Elmwood.

MR. PETERS: I was going to ask this matter to stand.

MR. ROBLIN: I think we'd better call it anyway, Mr. Speaker.

MR. SPEAKER: Second reading of Bill No. 102, adjourned debate on the motion of the Honourable Minister of Labour. Second reading of Bill No. 102, an Act to amend The Labour Relations Act. The Honourable Member for Elmwood.

MR. PETERS: Mr. Speaker, unless anyone else cares to speak on this bill at this time, I would ask the indulgence of the House to have the matter stand.

MR. SPEAKER: Order stand. Committee of Supply.

MR. ROBLIN: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Mr. Speaker presented the motion and following a voice vote declared the motion carried and the House resolved itself into a Committee of Supply with the Honourable Member for St. Matthews in the Chair.

MR. CHAIRMAN: Department VII - Attorney-General. Resolution No. 38.

MR. LYON: At the outset, Mr. Chairman, I welcome the opportunity of being able to make a few general remarks with respect to the estimates which are before Committee for consideration. I suppose the most salutary remark I can make is to point out to members of the Committee that the estimates for the total operations of the department this year exceed the estimates of the last fiscal year by approximately \$500,000, just a little over a half million dollars. I hope that honourable members of the committee will see that this money is being devoted to the proper sources and to the proper programs for which this department has responsibility.

I don't believe I need remind honourable members, Mr. Chairman, that the main function of the Department of the Attorney-General is the administration of justice, both civil and criminal, in this province. Nor is there any need to dwell upon the fundamental importance of this function in any democratic society. Suffice it to say that the proper enforcement of justice is one of the bedrock qualities that one looks to in a functioning efficient democracy. I think that we can say, with no partisan sense whatsoever, that Manitoba at the present time, and indeed over the years in the past -- and we certainly hope in the future -- will continue to have that high standard of law enforcement and administration of justice which the people of this province have come to expect. While dealing with this subject, Mr. Chairman, it affords me the opportunity of paying some small tribute to the staff of the department for the work that they do from day to day to carry out this most important function. I start with the Deputy Minister, Brigadier Orville Kay, Q.C., who has been with our department now for approximately 35 years, and I can say personally -- I know I speak for at least one other member of this House, the Honourable Member for Ethelbert Plains, and certainly the Honourable Member for Lakeside would know as well -- that Manitoba has, in him, one of the most devoted, certainly one of the most capable civil servants that it could hope to have serving the people of this province.

Under the Deputy Minister we have the legal staff; the staff of the various Land Title offices, the court staff, the judicial officers, the corrections staff, and all of the various men and women who service this most important function. And each of them plays his individual role in ensuring that the law is administered properly and that justice is given according to the best traditions of this country. It is a privilege to work with a staff of this kind and certainly I think that the members of the committee -- we deserve a few moments in committee to pay them their just tribute at the beginning of the discussion of these estimates.

If I may, Mr. Chairman, I should like to add a word as well about another very important branch of the administration of justice in Manitoba, a branch that does not come within the direct purview of the department in that they are not staff members of the department, but I refer, of course, to the various police services of this province who carry on the enforcement of the law in Manitoba: the Royal Canadian Mounted Police, acting in their role as federal, provincial and municipal police; the City of Winnipeg Police Department; and the other Metropolitan police departments that operate within Metropolitan Winnipeg; and of course, the various municipal police departments which operate in some communities outside the metropolitan area. I think that Manitoba can rightfully be proud of the quality and type of police service that we have had over the past number of years and that we can look forward to having in the future. Mentioning only the two major departments, the Royal Canadian Mounted Police and the City of Winnipeg Police Department, I sometimes wonder if we fully appreciate the contribution that they make

(Mr. Lyon, cont'd) . . . . . to the maintenance of law and order in our community, because I think all of us would agree with the statement that has become almost axiomatic, that the greatest deterrent to criminal elements and to increased crime in any western civilization or any western civilized country is the existence of a good police force which is able to encounter the criminal element and to bring them to justice quickly. The expeditious bringing to justice of the criminal element is certainly something that we have a good record to our credit in Manitoba. Police work is extremely difficult. They must maintain a constant surveillance on that very small proportion of our population who are bent on wrongdoing. In addition, they have all the multitudinous duties, the protection of life, limb and property. If you go away for the summer for a two-week holiday you know you can phone up the police in your area and they'll find time somehow to keep a check on your home. These are just some of the ordinary duties that they do. In addition, they must deal with all manners of crime ranging from very serious offences of murder, rape and treason, right on down through the full gamut of them to traffic tickets and so on, and I suggest, Sir, that it requires a great deal of patience, understanding, discipline and efficiency for the police to carry on in the fashion that they do. With respect to the Royal Canadian Mounted Police and the City of Winnipeg Police department, I feel that we can say in Manitoba we have two of the finest services that a province could hope to have in those two major forces.

Now Sir, I would like to say a word or two at the beginning of my remarks about the Law Reform Committee to which reference was made in the Throne Speech. This committee, membership for which is being solicited at the present time, will be set up shortly. It will consist of leading barristers and solicitors of the Province of Manitoba from the Metropolitan Winnipeg area and from other parts of Manitoba. It is our intention to have this committee meet at regular intervals. The Legislative Counsel will become the permanent secretary of the committee. The Uniform Law Commissioner will sit as a member of the committee. Representatives from the legislation committees of the Law Society and the Manitoba Bar Association; the Presidents of each of those two committees will be ex-officio members of the Law Reform Committee. The work they will do will be that of giving counsel and advice on statutes protecting the legal rights of our citizens, and they will have the authority, which will be invested in them, to initiate discussions on any other points affecting legal rights of the citizens of this province and relating to the laws of the province, keeping them abreast of legal decisions made by our courts and other matters which come to their attention. I am sure that this committee will provide a splendid fund of advice for the benefit, not only of the department or the government, but indeed for the whole Province of Manitoba. I am sure that the work of this committee will prove to be a benefit to the province. I take this opportunity of expressing my appreciation to those persons who have agreed, to date, to volunteer their services on this committee and to meet at regular intervals in this cause.

I should like to say a word or two as well, Mr. Chairman, about the Magistrate Courts in Manitoba. I should say, first of all, that there will be again this year another conference, either of two or three days' duration, of all of the police magistrates of our province. This will be the third conference of this nature since I have had the honour to hold this portfolio, and I would say, Sir, that these conferences fulfill a very important function indeed, because it permits the magistrates to get together in an informal atmosphere and to discuss the various problems which magistrates face in the various communities of our province. It serves particularly to help them correlate their ideas on sentencing practice. In turn it gives the department the opportunity to keep the courts abreast of what the aims of the department are in the correctional field, and it gives the opportunity for outside agencies, such as the John Howard Elizabeth Fry Society and other groups, to come before this group of magistrates to tell of the work that they do and to explain generally what their aims and ideas are and of the assistance which they can render to the various courts and judicial officers of this province. Another function that occurs during these magistrates' conferences is the visit to the various institutions to which they have occasion to sentence persons either in their capacities as juvenile court judges or in their capacities as police magistrates. We think, in line with the recommendations of the Fauteux report some years ago, that this in itself, if they met for no other reason but to visit institutions, this in itself would justify the meetings that they have, because it is only with the co-operation of the courts that you can have any form of a correctional program in the

(Mr. Lyon, cont'd) . . . . . jurisdiction. I can say, Mr. Chairman, without too much fear of contradiction, that we have a high standard of persons serving in the judicial functions in the police magistrates courts in this province. I wish to pay tribute to them as well for the work that they do, day by day, without much heraldry or without much attention from the public or from the press, of carrying on the work that they do and administering justice, dispensing justice throughout the various courts -- police magistrates courts -- in this province.

I should mention as well, Mr. Chairman, that there is an addition in the estimates this year of a new circuit magistrate for the rural St. Boniface area. We anticipate that this new appointment will service on a part-time basis, the courts of Steinbach, Ste. Anne and St. Pierre, and the establishment is provided for in the current estimates. In addition to that, pay increases for the police magistrates, that is, those who work on a part-time basis for the government, are included in the present estimates and will be accorded to them the beginning of the present fiscal year.

I think a word or two might be in order now, Mr. Chairman, on the question of legal aid. In the course of the Throne Speech mention was made of this subject to the effect that the department was working in co-operation with the Law Society of Manitoba to extend the present program of legal aid to all parts of the province. May I stress at the outset, Sir, that this is a program of the Law Society of Manitoba, and that the role of the government and of this department is supplementary to that played by the Law Society which is the governing body of the legal profession in this province. We like to feel in the department that we are co-operating to the fullest extent in this function which has long been carried on by the Law Society but which is now being expanded and extended into new areas. This legal aid program, which as I said, has existed for a number of years, has two branches, the civil and the criminal. The system works generally in this way; a roster of lawyers is prepared from among those who volunteer from the profession to do free legal work, civil or criminal, for any citizen who is prevented because of financial means from obtaining or securing his rights, civil or criminal, in the courts. The civil program again is a program that is very seldom heard or talked about, but every Monday night a chairman of the committee and a number of lawyers who have volunteered for this work, sit down in the Law Courts Building and hear applications by persons who deem themselves to be indigent and who feel that they have some wrong that should be redressed through the courts or feel that they are in need of legal advice. The work of the committee then is to determine the question of indigency and then to determine whether or not a case exists or whether or not there is a wrong to be redressed; if so, to assign a barrister or a solicitor to act for no charge to the client. Of course they run through the whole gamut of actions, from trespass to divorce, to land titles work, estate work, family court work and so on, and there are large numbers being interviewed each Monday night. The society has not kept up-to-date statistics with respect to this matter over the years, although this committee has been operating for some considerable time -- the civil committee -- but I can tell the members of the committee that they heard and processed from March 31, 1961, they heard some 619 applications from various persons on matters ranging from divorce, marital problems, financial problems, accidents, real property estates, landlords and tenants, wages, miscellaneous and so on, and certificates were granted in approximately 215 of those cases or of those applications, a lawyer was assigned to carry on, either in court or through the -- whatever process was required, to act on behalf of this person for no fee. Remember, again I'm speaking only of the civil work, and I spend some time on that because this is very important to the public of the province and I feel that some attention should be paid to the role that the Society is playing in this area, in our province.

Now the other role which we hear more of, is the complimentary role that the Law Society plays with respect to free legal assistance in the criminal field. The statistics in that field are equally interesting, Mr. Chairman. Up until 1960 there was no attempt to keep statistics showing the number of cases taken. However, in 1960, over 266 requests were received in Greater Winnipeg and these requests were answered. In 1961, during the past calendar year something like 268 requests were received from the various courts in Winnipeg; the major court, of course, being the City of Winnipeg Magistrates Court. In addition, counsel were provided in cases at Selkirk, Portage la Prairie, Brandon and Dauphin by the Society last year.

I should mention to the committee, Mr. Chairman, that the Society presently has a roster

(Mr. Lyon, cont'd) .....of some 93 members who have agreed to participate in this program of criminal assistance, criminal advisory capacity to persons requesting assistance, and that leads me in turn into the program, the new and extended program by which the Department of the Attorney-General is extending assistance to the Law Society in order that this program may reach all parts of the province. The following are the proposals that have been agreed upon between the Law Society and the government and which are in operation at the present time. Counsel appointed to indigent accused -- indigents accused of indictable offenses -- will act without fee in police courts. That is the general arrangement that prevails at the present time. Where the Legal Aid Committee -- and again I am always speaking here on the criminal side -- certify to the department that a person accused of an indictable offense has been committed for trial, is indigent, should have counsel, and where they appoint counsel to represent him, the department will provide a copy of the evidence taken at the preliminary hearing, free of charge to counsel representing the indigent person on trial in the County Court Judges Criminal Court, the Assize Court or the Court of Queen's Bench Assize Court. Where a person has been convicted of an indictable offence in the Police Magistrates Court, County Court Judges Criminal Court or in the Assize Court, and the Legal Aid Committee certifies to the department that there are reasonable grounds of appeal, that the conviction should be appealed, the department will provide transcriptions of trial evidence on the appeal. Counsel appointed to represent indigent accused in areas outside of the Metropolitan area where local counsel are not available will be paid all out-of-pocket and travelling expenses by the department. The department will also pay per diem counsel fees to counsel appointed by the courts to represent indigent accused persons on trials in the County Court Judges Criminal Court, the Assize Court and the Court of Appeal, provided always that the committee certify to the department that the accused is an indigent person requiring this assistance.

And so I think members of the committee will see immediately, Mr. Chairman, that this assistance which the department is now rendering to the Law Society will cover, I think, the bulk of those cases of serious import, the indictable offences, in all of the courts of the province. I should mention as well that letters have gone forward to all of the Crown Attorneys in Manitoba, advising them of the department's role in this program of the Law Society, and soliciting their co-operation and assistance in carrying out this new program in all parts of the province. Members of the committee will recall that this program has been in operation in the City of Winnipeg Magistrates Court now for some two years and certainly the need is more apparent there because it's the largest court in the province than the need will be elsewhere, but the fact is now that where possible the service will be made available on call to all parts of the province where it is requested.

Now, Mr. Chairman, I should like to move more particularly into the general field of corrections, and make a few statements with respect to what is involved in the estimates this year and what programs are contemplated for the present fiscal year. I think there are two improvements of general interest to the whole field which will find approval among members of the committee. First of all, there will be for the first time provision for a full-time chaplaincy service to the provincial correctional institutions in Manitoba. It is the intention of the department to take on staff -- if that is the proper terminology -- a representative of the clergy of the Roman Catholic faith and a representative of the clergy of the Protestant faith to head up and give direction to chaplaincy services for the whole correctional program in Manitoba. Present plans call for the location of the chaplains at Headingley Gaol but their responsibility, of course, will extend to the whole province. As we envisage it, the program will involve the following items. They will give direction and organize a full program of spiritual guidance for all institutions operated by the department. They will assist in the organization and giving of direction to local chaplain services to institutions outside of the metropolitan area. They will conduct, of course, worship services in institutions -- Headingley and the other institutions -- from time to time themselves, and they will of course provide constant available counselling and guidance service to inmates at the provincial institutions in Manitoba.

I may say, Mr. Chairman, that this program has been involved in the fullest co-operation with the Winnipeg Council of Churches representing the major churches in the province. I must take this opportunity to commend them for their interest, for their co-operation, and look forward to their assistance and their ideas in the establishment of this new program. I may say that

(Mr. Lyon, cont'd) . . . . . plans for the future, although not contemplated in the estimates, plans for the future will call for the building of a chapel at the Headingley Gaol site. It is the intention at the present time, subject to advice we receive in the future, to have the two permanent chaplains located in the chapel building -- that is their offices and so on in that building -- and that they will operate from this chapel site and from the business offices in the chapel at the Headingley Gaol. At the same time as I mention this program, Mr. Chairman, I take pleasure in mentioning the splendid services that are being carried on, on a completely voluntary basis at the present time, by the Salvation Army, the Anglican, the Roman Catholic, the United Church and other church pastors in the Province of Manitoba, who are presently giving or holding spiritual church services at the various institutions. Certainly this program will continue. It is our hope that by adding the two full-time chaplains to the staff that we can give direction to this program which has been operating, I must say, extremely well on a completely voluntary basis heretofore.

Another item I should like to mention in the general field is that provision is made in the estimates to provide for the first student training unit from the School of Social Work at the University of Manitoba, within the department. In co-operation with the School of Social Work we will set up in the Winnipeg Juvenile and Family Court starting with the Fall semester in September of this year, a training unit which will enable four or six social work students to receive practical field work training and experience in the field of corrections as part of their training leading to a Bachelor or Master of Social Work degree. This new unit will not fill an urgent need for additional field work placements available to students of the School of Social Work, but it will at the same time increase the variety of field work placements that are available. In addition, it will provide a much closer liaison between the Corrections Branch and the School of Social Work from which school is drawn the major proportion of our trained social work personnel in this field. I think we can also over the years look to benefits from research projects that might be carried on by this training unit, and as well of course, we can hope that students will be interested in a career in corrections as a result of the training that they receive. I think that this is an altogether commendable addition to the program and I wish to thank the Manitoba Committee on Education in Training and Corrections for the assistance that they have rendered to the department in connection with this new program which is being added.

Continuing, Mr. Chairman, in a very general way, I think I can say that one of the great needs in the province at the present time is the provision of a "Young Offenders" unit to house inmates between the ages of 16 and 25 who are sentenced to terms of imprisonment. Such units would permit of segregation and specialized treatment of youthful first offenders; it would permit of specialized trades and counselling staffs to deal with these young men during their period of incarceration. If such a unit were in Manitoba, it would permit of the reduction of the juvenile age from 18 to 16, because the unit in contemplation would take young boys and men between the ages of 16 to 25 as I have mentioned. This in turn would permit the Manitoba Home for Boys reducing its population by at least a third, again if such a unit existed here, and would permit in that institution of a much more intensified program for boys there between 12 to 16 which is the age group generally believed to be capable of more uniform treatment and better treatment so long as they're not associated with the older group from 16 to 18. It would have an additional benefit, of course, of reducing the population at Headingley Gaol where a large portion of the population is of this particular age group, and hence would enhance the ability of the staff at Headingley Gaol to provide a better program there. Thus, I think that all members would agree with me that in all respects the provision of such a unit in Manitoba would be a most desirable and much-needed addition to the program. In our studies surrounding the question of a Young Offenders unit, we have found that the bulk of the persons from the present population who would be eligible for such training would be the responsibility of the federal government, when the Fauteux plan is finally implemented by the federal government. In other words, the majority of the persons in this age group serve sentences according to present population figures and experiences of over one year. We are therefore, Mr. Chairman, now in negotiation with the Department of Justice at Ottawa, whereby we are requesting the federal government to build in Manitoba at once a Young Offenders unit as part of their institutional expansion program across Canada. We met only a few days ago with the Commissioner of Penitentiaries on this topic and we are encouraged to learn from a report of only a few days ago

(Mr. Lyon, cont'd) . . . . . that the federal department recently announced their early intention to construct four such new units across Canada. Well, unfortunately, I can give no undertaking as to the success of our submission at this state. We feel that we do have an excellent case for the building of such a unit in Manitoba, and certainly within the near future.

Pending the implementation of the Fauteux Plan, Manitoba of course could commit inmates who are of provincial responsibility to such an institution on a per diem cost basis; that is, paying the federal government authorities the cost of handling or maintaining provincial inmates in a federal institution. I am sure that this proposal which would be of inestimable benefit to the whole correctional program in Manitoba will receive approval on all sides of the House and I'm sure that I have the best wishes of all sides of the House as we carry forward these negotiations.

I come now, Mr. Chairman, to the question of the Portage Gaol for Women and the Womens' Gaol at The Pas. Members of the committee will recall that the department has been giving consideration to the problems created by the increasing number of women being committed to the Portage Gaol for Women. During the past three years the daily population of that institution has averaged somewhere between 65 and 70. The recommended population for this institution which is admittedly an old building is approximately 45 to 50; having regard to the facilities that are available. Some of the facts that I think will be of interest to members of the committee and which they should keep in mind in discussing this question of female detention in Manitoba are as follows. First, women of Indian or Metis background unfortunately compose approximately 80 percent of the population at the Portage la Prairie Gaol for Women. On the average about one-half of the average population in that institution is committed there from the northern areas of our province. Of those inmates who are committed from northern Manitoba, almost 100 percent are of Indian or Metis background. The first factor that I think members of the committee should keep in mind is this: The average sentence of women committed to this institution at the present time is about 45 to 48 days -- that is the average length of sentence for which we have these girls and women at that institution. The majority of the women committed there, again most unfortunately, have little or no formal education. The length of confinement is so short as to permit of only a very limited interest on the part of the inmates in any academic courses by correspondence or otherwise. One of the staff members who was a former school teacher is there and available to give these courses, but little interest is displayed. Hobbycraft or other simple recreations are other items in which the interest span of the inmates is unfortunately quite limited. Attempts are made from time to time to interest the inmates in art classes and gymnastics but these again unfortunately have not been suitable. The teaching of basic household skills such as cleanliness, sanitation, kitchen duties are stressed since the majority of the inmates have little training in even these basic tasks. Now with this basic background of facts in mind, Mr. Chairman, I think it's at once apparent that the problem facing those charged with the responsibility for the rehabilitation of these women -- particularly the women of Indian and Metis descent from northern Manitoba -- is a profound one indeed, and I think that that if anything is an understatement.

Having regard to the fact that the bulk of these women originating from northern Manitoba are incarcerated on liquor offences or morals offences and that there is a large amount of money spent annually on escorting female prisoners to and from Northern Manitoba to the Portage Gaol, and having in mind of course the further fact that there isn't a general absence of any requirement for maximum security -- the most of those committed from Northern Manitoba, the department as announced in the Throne Speech will undertake in 1962 to build a new minimum security womens gaol at The Pas. Present plans call for this to be a prefabricated structure to be erected to provide minimum security accommodation for a maximum of approximately 40 female inmates. A total of nine new positions is provided for in the estimates, comprising a superintendent, seven wardresses -- members will realize that the numbers required must be multiplied by three, because you have three shifts of personnel on a 24-hour basis to attend to the persons incarcerated -- and a cook. Because the bulk of the women who will utilize this facility will be, again unfortunately, either nearly or totally illiterate, a program will be undertaken to teach them basic reading, writing and very simple arithmetic at the most elementary level. Instruction will also be provided in personal hygiene and health. It must be remembered, Mr. Chairman, at all times, that these inmates will in all probability be incarcerated

(Mr. Lyon, cont'd) . . . . up there, as down here, for extremely short terms, and any instructional program again is necessarily limited by this fact. I should mention as well that provision is made in the estimates for the establishment of a full-time probation officer at The Pas to assist in the responsibilities in this area which are presently carried on by a probation officer on staff who is located in Flin Flon and serves The Pas as well. It is anticipated that this new appointment will permit of a much more intensified attack on the correctional problems in this area, which I must say are out of all proportion to the population that lives in that area. It is anticipated that this new facility at The Pas will relieve very greatly the overcrowding at the Portage Gaol for Women and will permit the staff at that institution in turn to provide a better all-round program for the more limited number of inmates which it is expected they will have to care for. I am sure that the House will agree, the committee will agree, Mr. Chairman, that this extension to the correctional facilities of our province is long overdue and that it will meet an ever-growing need, especially among our Indian and Metis population in Northern Manitoba who run afoul of the law and are incarcerated. It is our hope that the future will see the development of a form of Indian-Metis Friendship Centre at The Pas which will work in full conjunction with this new detention facility in an attempt to rehabilitate those women who are committed to the institution.

Members will also see from the estimates Mr. Chairman, that there are two additional staff members being provided for the Portage Gaol for Women, a Wardress IV to assume the duties of a night supervisor in place of the Superintendent, and a handicraft instructress who will undertake a more intensified program for short term inmates in sewing, hairdressing and other handicraft and hobby activities. And here let me pause just for a moment, Mr. Chairman, to pay a small word of tribute to the superintendent at that institution. I refer to Miss Jessie McPherson who has been on the staff of this department for a goodly number of years. I think she perhaps typifies the type of devoted person that I spoke of earlier in my remarks. She has carried on in that institution for a number of years under, I must say, the most trying circumstances, and notwithstanding all of the problems that she has -- I must say that when you go to the institution and notwithstanding the fact that it is an old building and so on, that she has an over-crowding problem and so on, she always takes a personal interest in each of the girls committed to the institution. She does what she can for them during the limited time that they are with her, and generally speaking she runs what some navy types might call "a very tight ship" under extremely tough circumstances, and certainly I think that she is the type of person who typifies the devoted staff member that we were -- the type of staff that we have on the department, and I pause to single her out. There are many others, but I pause to single her out, because of the tremendous contribution that she has made in the correctional field over the years that she has been with us.

Dealing now more generally on the question of gaols there is some general information which might be of interest to the committee, Mr. Chairman. The estimated daily average population of the various gaols at Headingley, Dauphin, The Pas, Brandon and Portage during the past fiscal year was 701. This figure includes inmates from Headingley, Dauphin and Brandon who volunteer and are placed in the three rehabilitation camps which are operated in conjunction with the provincial gaol system. Populations in the various gaols as of February, 1962 were as follows: Headingley, 484; Dauphin, 61; The Pas, 27; Brandon, 76; Portage, 56. As a result of the addition of the two new camps at Bannock Point in the Whiteshell and at Cache Lake in the famous Duck Mountains, which are now operating with a full complement of staff and trainees, we can make the statement that approximately 20% of our adult male population in Manitoba is capable now of being removed from the gaol atmosphere and being placed in the minimum security environment of a rehabilitation camp. From the figures that are available across Canada it would appear that the camp program operated by this department is now one of the most extensive of any jurisdiction in Canada having regard to numbers of population and the facilities or the capabilities of handling personnel at the three camps.

Each camp has a maximum inmate population of 40. Building for the two latest camps were prefabricated by trainee labour in the case of the Bannock Point Camp at Falcon Lake and in the case of the Cache Lake Camp at Headingley Gaol. These prefabricated buildings were then transported and erected on the campsite by trainees under the supervision of departmental staff personnel. It's not necessary at this time, Mr. Chairman, to rehearse the work program

(Mr. Lyon, cont'd) . . . . carried on in the various camps since this has been adequately covered in estimates in previous years. Suffice it to say that with the full co-operation of the Department of Mines and Natural Resources, a tremendous amount of productive work on behalf of the citizens of the province has been and will be carried out by the trainees under guidance by staff members from the two departments. As far as sanitation, reforestation, basic instruction in fire-fighting techniques plus a myriad of other general improvements to our forest recreational areas are being carried on daily by the work forces employed in these three key areas. We continue the practice of paying the trainees 75¢ per day and they work on the basis of a six-day week.

I am happy to report to the committee, Mr. Chairman, that of the 584 men who have been transferred to camps since this program was initiated in 1959, only three have been charged with escaping from lawful custody. The general atmosphere and morale of the staff and the trainees is exceptionally high at all of the camps. The staff and the government are exceedingly well satisfied with the results to date of this program. It is proving to be one of the soundest investments that could be made in the correctional field in terms of, first of all, benefits to the trainees, to say nothing of the by-product benefits which occur to the province in the form of new campsites, better forest areas for recreation development. Another very important by-product effect results from the reduction in population in those institutions from which the trainees come. As an example in the case of Headingley Gaol, you recall I gave you the gross figures before of the populations at Headingley Gaol. The average estimated daily population, as I mentioned, was some 484 to 490 men during the past year. However, because of the existence of the two rehabilitation camps in the Whiteshell it is now possible to keep Headingley Gaol population down to approximately 400 men per day, even when the gross population would be running to about 490, after taking into account the fact that ten or eleven trustees from Headingley Gaol are maintained at the voluntary detention quarters. Results of reduction in gaol population at Dauphin has also been beneficial to the gaol administration there, both from the standpoint of keeping their population at a stable level and from the further aspect of obviating the necessity of regular transfers of inmates from that institution to Headingley Gaol, which was certainly the practice in the past. We have also been able to select trainees from Brandon Gaol for the Cache Lake camp, but the bulk of the trainees at the Cache Lake camp come from the Dauphin institution directly to the camp.

You will note an increase in staff requirements in the estimates to provide 12 new positions for the two new camps. Six of these positions were filled out of the existing staff and six new personnel were taken on and were given approximately one month's training at Headingley Gaol before being assigned to their camp positions at the two new camps which were formed.

I mentioned earlier, Mr. Chairman, that the trainees at the various camps receive basic training in forest fire fighting. During this past summer when the forest fires were at their height, the trainees at Falcon Lake were of great assistance to the Forestry Branch in fighting fires in the Whiteshell. In addition to the inmates from the Falcon Lake Camp, numbering about 30, a further 40 inmates volunteered from Headingley to fight fires, and were transported to the Falcon Lake camp and operated from that base headquarters during the height of the conflagration in that area. I believe at one time -- and I'm only taking this figure from the air -- that there were as many as 100 to 110 inmates of Headingley and/or the Falcon Lake Camp in the Whiteshell fighting fires when they were at their worst.

The Director of Corrections, I can also report, has inaugurated regular staff meetings of camp supervisors, gaol superintendents and departmental staff, along with representatives from the Department of Mines in order to continue an assessment of this program and to study and discuss improvements that may be made.

Dealing particularly now with Headingley Gaol, Mr. Chairman, there are three important new additions to staff which are being provided for in the estimates before you. Firstly, a Classification Officer, a trained social worker, will be taken on staff; his duties will largely involve reviewing of pre-sentence reports, interviewing of new inmates and the determination of what type of vocational or other work the inmates should be assigned to in the institution or camp

It is hoped as well that he will be able to do some counselling work among inmates. Secondly, a full time sports and hobbycraft staff member is provided for, to give over-all direction to recreation and hobbycraft programs within the institution. Thirdly, a

(Mr. Lyon, cont'd.) . . . barber instructor will be taken on staff to establish a new course of instruction for the training of licensed barbers within the institution. It is our plan to provide the space and equipment for the establishment of a three-chair barber shop in Headingley institution, and courses, both theoretical and practical, will be given by the instructor, leading we hope for the eventual licensing of the trainees in this trade as licensed barbers. I may say that this type of trade training has proved extremely popular in other institutions in other jurisdictions -- extremely popular among the inmates, and it has the additional benefit that the inmates on relief are able, generally speaking, to obtain gainful employment very quickly as a result of being able to work in these trades and being licensed for them.

Dealing with the gaol at The Pas, Mr. Chairman, that is the existing gaol at The Pas and the community building. Renovations to that building were completed last year, enlarging the capacity of that institution from 14 to 38 inmates. New kitchen and dining facilities were added as well, and provision is made in the present estimates for four new guard officers to replace casual help used in the past, and a guard officer cook to be in charge of the kitchen and the messing facilities in that institution. May I remind members of the committee that this gaol is really a short-term detention facility, housing inmates serving terms of up to 30 days. Inmates sentenced, in northern Manitoba, to longer terms are generally sent to Dauphin Gaol for those terms. There are some other small capital changes that are being made with respect to institutions, an example of which is at Brandon where provision is made for a new enlarged recreation area to fulfil a long-standing need for outdoor space at that institution.

I can mention as well, Mr. Chairman, that during the past year facilities have been provided in both Dauphin and Brandon for the temporary custody of juveniles on remand for awaiting appearance in Juvenile Court. These facilities likewise have been needed for some time. While they are not expensive they are separate from all other adult institutions. In both cases they have been arranged for in the Court Houses located in those two centres, and in both cases they are as much as across the hall from the office of the probation officer who services and works in Brandon and Dauphin.

Coming to the Juvenile Boys Detention Home, or the Juvenile Detention Home at Vaughan Street, Mr. Chairman, a number of the members of the House had the opportunity of touring the detention home at Vaughan Street just approximately a week ago. While the average length of stay for a juvenile boy at that home is approximately four to five days during the calendar year 1961, although the overnight population is approximately 13 to 15 on the average, it is felt that boys confined temporarily to this institution and girls confined to the similar institution in the other wing of the building should have regular and continuously available counselling, guidance and recreational supervision available to them. It should be remembered always, of course, that boys and girls in the detention home are seen during the day by the probation staffs who are housed immediately above them, as members of the Committee saw -- that is, those who were over there -- and most cases are seen by the departmental psychiatrist whose office is also located in the same building. Duties of the counsellor for these two detention facilities will be to act as generally a counsellor to juveniles brought into custody and to their parents to maintain liaison between the detention home and various police departments, and I think as important as anything, to set up an activity program including outdoor exercise for juveniles in custody. As soon as this counsellor is taken on staff, regular outdoor exercise periods will be arranged in the exercise yard at the rear of the facility. I am glad my honourable friend asked me the question because I was just coming to the answer. I should also mention in this connection that an administrative change will be made with respect to the two juvenile detention facilities in that the chief juvenile probation officer will, in addition to his regular responsibilities, assume those of the person in charge of the two detention facilities and will have charge of any staff assigned to them. It's felt that this administrative change will be in the best interest of the boys and girls committed to this detention home and will have the additional benefit of insuring that there is as close liaison as possible between the probation staff and those in the detention unit.

I should mention, in a general way dealing with these remand facilities, that one of the department's main aims, in fact I think it's one of the more basic aims that we are always striving to achieve, is to keep children, boys or girls out of the detention facility. Our staff enjoy very close co-operation with the City of Winnipeg Police Department and the Police

(Mr. Lyon, cont'd.) . . . . Departments in Greater Winnipeg and the RCMP, but still we will continue to work toward the goal that no child be committed to the detention facility unless it's absolutely necessary in the interest of the child or in those few cases where it may be necessary in the interest of the public, for the protection of society, that the child be so committed. Improvements will be made to the indoor recreation area under the guidance of the counsellor in order that indoor programs may be conducted for those boys and girls detained for periods longer than five or six hours during a day. During 1961 there was a total of 1,385 admissions to the Boys' Detention Home. As previously mentioned, the average length of stay for a boy was 4.41 days. In the girls home there were a total of 549 admissions and the average length of stay in that wing was 4.75 days. Members will appreciate, of course, that these are again gross figures and include boys and girls who are in detention for only a few hours, that is admitted at ten in the morning and released around four o'clock in the afternoon, and of course these figures include, as well, re-admissions of the same boy or girl in both institutions on one or more or several occasions.

In connection with the Home, while in that general geographic area, I'm happy to report to the committee that provision is made in the present estimates for the addition to staff of a full-time psychologist who will work with Dr. Little who is the full-time psychiatrist attached to the Attorney-General's Department. The staff provides service to the Juvenile Family Court and to the various correctional institutions, and the addition of the full-time psychologist is again something that will, I think, be a great boon to the psychiatric work that is carried on under the guidance of Dr. Little.

I've left to the end, not out of any sense of the importance of it, but I merely left to the end the field of probation, because I think a few special words can be said about probation and a few of the statistics in connection with our experience in the probation field of the last few years would be of interest to members of the committee. In the adult field, the total caseload as at December 31st, 1961, was 535 as opposed to 383 last year. These figures are broken down -- 419 males, 1961, and 116 females; and in 1960 there were 309 males and 74 females. Cases completed satisfactorily, that is where the person on probation was signed out so to speak -- there were in 1961, 222; 1960, 177. Cases terminated unsatisfactorily, 32 in 1961; 30 in 1960. There were transferred out of the province, 32 in 1961; 33 in 1960. The success rate, so called, that is assuming those transferred out were terminated successfully since no adverse reports were received, the success rate is running at around 89.9 percent as opposed last year to the figure of 87.5 percent. Some financial figures that might be of interest to the committee. Restitution collected by probationer officers in the adult field 1961, \$9,200.46; in 1960 the figure was \$7,154.84. Court costs collected by probationer officers in 1961, \$3,180.20; 1960, \$1,062.30.

A summary of probation services from February 1st, 1957 -- is the adult services -- to December 31st, 1961. We are beginning to get now a longer term picture of the impact of probation on the whole correction theme. During that period from February 1st, '57 to December 31st, '61, the total number of persons placed on probation was 1,188. Altogether there were some 1,718 pre-sentence reports prepared. Total restitution collected over that period was \$25,838; total amount of costs collected \$15,171; and the total of unsatisfactory cases during this five year period, and this is a longer term average, is 112 or 9.5 percent recidivists, or persons who reacted unsatisfactorily to probation. The failure rate appears to be levelling off at about 10 percent, as the five year average was 9.5 and the '61 failure rate was 10.1 percent. I think that these figures, although perhaps even higher than they might be, still reflect the importance and, may I say, the success of this program, and certainly justify the confidence that we have placed in it, and did well in the important role it plays in the over-all correctional field.

Now, Mr. Chairman, I've gone on for some time and it's not my intention to take up further time of the committee at this stage. I hope that the information that I've been able to pass on to the committee at this stage has been of some general assistance to them in the consideration of the estimates before them, and I will attempt to give the committee whatever further information they may wish to have with respect to these estimates.

MR. HILLHOUSE: Mr. Chairman, I wish to compliment the Honourable the Attorney-General on a very conscientious report respecting his department, and I wish to join with him too

(Mr. Hillhouse, cont'd.) . . . . in extending my best wishes to the various members of his staff and to the various employees and personnel in the other divisions that come under, generally classed, of the Attorney-General. It would seem to me however though, Mr. Chairman, that the remarks of the Honourable the Attorney-General this evening are more conspicuous by what they have omitted to say rather than what they have said. Now he deals tonight with this Law Reform Committee which he is asking the Manitoba Law Society and the Manitoba Bar Association to set up. It seems to me that back on July 8th, 1959, the Attorney-General made a similar announcement. Now I wonder what happened to the committee which he intended to set up in 1959 -- (Interjection) -- I beg your pardon?

MR. LYON: We amended the Act the next year to make it possible to set it up.

MR. HILLHOUSE: That was July 8th, 1959, he advised this House that he intended to set up a committee to deal with matters of law reform in Manitoba and to that end he was communicating with the Manitoba Law Society and the Manitoba Bar Association. Now as far as I know, nothing has happened in the interval and I can assure you, Mr. Chairman, that there is great need for such a committee in Manitoba. To cite one example alone, the Dower Act in Manitoba is badly in need of revision, and I think just recently in the Manitoba Bar Review, certain recommendations were made by a committee of lawyers as to the changes that should be effected in that act. There are numerous other matters that have arisen during the past two years that could have studied the investigation and recommendations of such a committee, and I do hope that this committee, which he announces now will be formed and will get to work on laws of Manitoba that are badly in need of revision and reform.

The Honourable the Attorney-General when he spoke to us on July 8th, 1959, he advised us that his colleagues looked upon his program as a real "hailstorm". Now it seems to me, Mr. Chairman, that the program on the basis of performance has turned out to be a "sunshine." On the question of probation alone, he spoke very highly of the benefits of probation and what could be expected from it. We agreed with him on this side of the House. We agreed that any modern system of criminal jurisprudence should have a good probation system. At that time, he promised that he would appoint six probation officers to work in rural Manitoba. Now I believe that he has kept that promise. At that time he also promised that these six probation officers would have a caseload of 40 each. That promise has not been kept. Each of these probation officers has a caseload of at least 100 each, and I'm instructed and advised that each one of these probation officers covers a territory of 12,000 square miles.

Now in the probation field too, I think that the Honourable the Attorney-General has not lived up to his promises. It's my understanding that the probation officers in Manitoba have never yet been classified under the Civil Service Act, and I have a feeling that if any of these present probation officers in Manitoba could find work elsewhere, they'd leave tomorrow. Now I know there is a fight going on in the various departments in the government, between social workers and other individuals, but, in my opinion, I think a probation officer is a man or a woman who has to have a highly-qualified and specialized type of training, and I don't think that the mere fact that you are a graduate of a school of Social Science is sufficient to qualify you alone for that type of work. I believe that this government should institute an in-service type of training for correctional officers and I believe, too, that this government should follow the example of the British home office in setting out the qualifications and requirements for probation officers. I'm advised that in Great Britain the qualifications and requirements of the British home office in respect of a probationer officer are as follows: (1) Must be between 26 and 30 years of age upon application; (2) Must be a mature person; (3) Must have worked for a number of years in Industry or Commerce; (4) The candidate must have worked with juveniles in youth clubs, community clubs, scout groups, etcetera, during his leisure hours; (5) All training for probation officers in England is done through an in-service program -- this includes lectures at a university on all aspects of probation, law, social administration, economics, sociology, psychology, biology, etcetera; and (6) -- and this is the important one -- no university graduate may become a probation officer unless he has fulfilled all these requirements.

Now I think in Manitoba that we should introduce such a training program as an in-service program, and I think too that the first thing that we must do in Manitoba, in order to retain the probation officers that we have at present, is to give them some encouragement by

(Mr. Hillhouse, cont'd.) . . . . classifying them under The Civil Service Act. Just recently we lost the services of Ivor Halliday. I don't know the reason why he left Manitoba, but he's gone back to England and the only thing that I can presume is that he was absolutely fed-up and disgusted.

Now the Attorney-General mentions the fact that we are shortly going to have a new juvenile detention home, that under the Fauteux Report, that officers from the Department of Justice have just recently visited Manitoba with a view to making a survey. Now the Honourable the Attorney-General made a similar statement to this committee in July of 1959. I don't know whether he referred -- he said, recently he had it from the officers of the Department of Justice who went over all the different institutions in Manitoba to ascertain whether or no any of them would be suitable for the new program which was being introduced in implementation of the Fauteux Report. I presumed from his remarks on that occasion that that visit had been made in 1958. Now I may have been wrong. Well that's almost four years ago, and if it's going to take another four years for the Department of Justice at Ottawa to do anything, well it's going to be around 1966 before we even start on a program. I think in the meantime, Mr. Chairman, it's most urgent that we build a new juvenile detention home in the vicinity of Winnipeg. I feel that the present place where juveniles are kept is outmoded; it's almost mediaeval; and I don't think it's humane to keep anybody in that institution. We visited that building a few days ago and regardless of what offence an individual is charged with, while that individual is awaiting trial he must be presumed to be innocent, and I don't think that we have any right to keep any person on remand in a building as antiquated as the building in which we are keeping them today. To see these young juveniles sitting around in a room, who are not allowed any exercise at all and just sit there all day long reading comic books, is not a credit to this province and it's certainly not a credit to us as legislators to allow such a situation to exist.

Now I don't blame the Attorney-General for that situation there. That's something which has been inherited by him, but I think it is incumbent upon us as legislators of Manitoba to see that that situation is corrected. I don't recommend a "soft policy" towards juvenile offenders. As a matter of fact I think we're getting a little too soft towards them, but I do say this, whatever we do to try and correct them, let's be humane about it; let's give them decent quarters in which to live; let's segregate them so that there's no possibility of one boy being contaminated by somebody else who is worse than him; and let's do everything that we possibly can to correct them, rehabilitate them so that they can take their place in society as useful citizens. What we are doing for these juveniles today once we get them in, in my opinion is not rehabilitation, it's just custodial care and something has to be done to correct this situation.

Now as to the works camp program which has been introduced by the Attorney-General, I think that's a good program. I think it's good for these boys, rather than serving their time in Headingley Gaol to serve their time out in the fresh air, where they get used to working as a habit and where they have a chance to see things in their proper perspective. But what I would like to know from the Attorney-General is this, whether or no that program has had any rehabilitating effect upon these inmates and what percentage of these boys who have spent time in these work camps have repeated. We have received no information on that point at all.

I would like for a moment, Mr. Chairman, to deal with the Magistrates Courts. I don't think there is any more important court in any province or country than that of the Magistrates Court. I would say offhand that 95 percent of the people who run foul of the law get their experience of justice and law in a Magistrates Court, and I don't think that we could be too careful in choosing the type of individuals whom we should make a Magistrate. Fortunately, in Manitoba, we are blessed with magistrates of understanding, wisdom and a knowledge of law, and what is more, an appreciation of justice. But I do feel, and I have already expressed this view to this House on previous occasions, that what we should have in Winnipeg is a central court for the trial of all criminal offenders, a court where we could have a staff -- an adequate staff of magistrates so that they wouldn't be overworked as they are today. Any person who has ever gone down to the City of Winnipeg Police Court, which they call a Magistrates Court, and see the rate and the speed with which cases go through that court, comes away with a feeling that they have been in the "General Motors" and they have been observing something going through the mass production line. Now I don't think that's right; I don't think it's good for the Administration of Justice. I would like to see a court where magistrates would be able to spend

(Mr. Hillhouse, cont'd.) . . . more time on each individual case. I would like to see a court where the probation officers had also their offices and where magistrates could, in all cases before sentencing anybody for any offence, no matter how bad the offence was, have a pre-sentence report on that individual; have a report from a psychiatrist, so that the Magistrate knows that before he imposes that sentence he has within his knowledge and possession all the facts and all the information which is necessary to impose a fine which will be just and equitable and which will fully meet the ends of justice.

The Honourable the Attorney-General, if he did mention the Manitoba Home for Girls, he must have simply mentioned it on passing. I have no recollection of him having used that expression or used that name. And I would like to hear from him, how many escapes or how many persons have escaped from that Home since it was first occupied; how many have been apprehended; whether or not there have been any riots in that Home; whether or no any of the matrons in that Home have been attacked by any of the inmates; and if his answer to these questions is in the affirmative, what happened to these inmates by way of punishment. I would also like to know how much government property has been destroyed by inmates in that Home since it was built. I would also like to know how many members of the RCMP have been injured in that Home; the extent of their injuries; and the amount of damage that was done to their uniforms. I would also further like to know regarding that Home, what method of correction they use to recalcitrant inmates; whether the Superintendent of that Home has any say in what punishment will be given to an individual or whether the degree or kind of punishment is determined by a social worker. I would also like to know whether or no there is any segregation in that Home; whether or no there are any girls in that Home who have been sent there from the psychopathic ward of the Winnipeg General Hospital; and how many of these girls there are. It is my understanding that as far as their sleeping quarters are concerned in that home, there is a certain degree of segregation, but in the community rooms, the dining-room and the recreation hall, they all meet there together. I would also like to know what the ages of the inmates are.

Now some time ago, I believe at a magistrates' conference in Winnipeg, it was suggested that the age of juveniles be lowered from 18 to 16. I would like to know from the Honourable the Attorney-General whether or no he has ever taken that matter under advisement and whether he intends to take any action on it. It seems to me that, in view of the fact that we had a bill before this House tonight lowering the voting age to 18 years, that we should give serious consideration as to whether or no we should not lower the age of a juvenile from 18 to 16, because between 16 and 18, that two years makes a tremendous difference, and particularly with a delinquent who has been engaged in crime for a period of time. A boy who has had two more years' experience in that field knows more about it than a boy of 16 years of age, and I think the time has come when we must take a very close look at that and determine whether, in the interest of justice, the age should not be lowered to 16.

I am glad to note that the inmates of Headingley Gaol are now being given a course in barbering, and I hope that it isn't your intention to make a real "clip-joint" out of it.

There is one matter, Mr. Chairman, that I'd like to deal with before we sit down -- or there's two as a matter of fact. I'd like to deal with the report of the Commission on Judicial Boundaries which was submitted, I think in August of 1959, and which we received last November. Now I have read this report with a great deal of interest.

MR. LYON: On a point of something -- yes, of order -- did I understand my honourable friend to say that the report was received in 1959?

MR. HILLHOUSE: It should be '60.

MR. LYON: Is this the Judicial Boundaries Report?

MR. HILLHOUSE: Yes -- Wait a minute I'm just looking for the date -- '61 -- August of '61.

MR. LYON: Members of the House received it just after that.

MR. HILLHOUSE: We got it in November.

MR. LYON: Yes.

MR. HILLHOUSE: Now in my opinion the members of this House may not agree with all the conclusions that were reached by the members of that committee, but there is one part of the report that I would like to read and that is this -- it's on Page 1 -- "At our preliminary

(Mr. Hillhouse, cont'd.) . . . . meeting we decided that we would not approach the matters into which we were to enquire dominated by a desire to save money, but rather the motivating interest should be to increase the efficiency of administration of justice without diminishing services to the people, and if by so doing savings were created, that would be an additional advantage." Now I believe, Mr. Chairman, that anyone who reads this report and reads the recommendations, particularly respecting the county court divisions, that person must come to the conclusion that that committee actually did achieve by their recommendations, if adopted, an increased efficiency in the administration of justice; and I am wondering why no action whatsoever has been taken by the government in respect of this report. It's admitted quite openly and quite freely that we have county courts in Manitoba that perhaps do not have one case a year. Now these courts should be closed and I think there should be a greater centralization of county courts in Manitoba, because that is the only means by which we are going to increase the efficiency of the administration of justice. In county courts today, the officials are fee paid and unless a county court has sufficient business you cannot get efficient officials, and I would strongly urge that the government act on the recommendations of this committee or advise the House on, whether or no, what parts of these recommendations they intend to accept. I believe that this report was submitted by the government to the Manitoba Chamber of Commerce and to the Winnipeg Chamber of Commerce, but I suggest that the proper place to make this submission is to this House and not to Chambers of Commerce.

Mr. Chairman, there has been a matter which has given me some considerable thought for a long time. It's true that it deals largely with criminal law but it also has its application to civil law, and that is the question dealing with a rule of evidence, which permits a prosecutor to cross-examine an accused person on previous offences and previous convictions. Now in Great Britain they have changed that rule and they only allow prosecutors to cross-examine on previous convictions if the accused has put his own character in evidence, and I submit that we should adopt a similar rule in Manitoba insofar as it refers to that branch of the law of evidence which comes within our jurisdiction. I would also suggest to the Honourable the Attorney-General that representations be made by him to Ottawa for the purpose of seeing if that rule could not be changed under the Criminal Code of Canada or under The Canada Evidence Act. In the United States recently there was a committee set up by members of various bar associations there and by various professors from different law schools to study and report on whether or no the rules of evidence could not be codified, and that committee has come up with a report which has codified the rules of evidence in the United States into a very compact form. I think that it would be advisable for the Attorney-General, when his Law Reform Committee is set up, to ask that committee to take a look at the codified rules of evidence that have been prepared by that American Committee. At the present moment, our rules of evidence are largely to be found in the writings of text-book writers who are experts in the field of evidence, and one writer in particular, his book comprises about 700 pages with about 9,000 precedents. I believe that this committee in the United States has reduced the rules of evidence down to a very small minimum and I think it would be worthwhile for us to study it.

MR. ORLIKOW: Mr. Chairman, I join with the Honourable Member for Selkirk in commenting on the lack of enthusiasm and the lack of zeal which is demonstrated this year, although this year we have some specific proposals for improvements, but the tremendous difference between this years' specific program and that wonderful program that we were going to see in the field of justice, in the field of correction, which the Minister enunciated in 1959 as part of that great forward movement of this government. We've come almost four years and we're way behind where we were in 1959 --(Interjection)-- You're promising less today than you promised in 1959.

Mr. Chairman, the purpose of any good correctional program should be to help reform and rehabilitate offenders. After being released from one of our institutions, if a person cannot or will not live within the law, then he is no better than he was when he was committed nor is society protected any more than it was when he was first sentenced. Surely after the conviction, whether the decisions of the courts in co-operation with the probation officers, the psychiatrists and other specialists, whether there should be a program of treatment designed to help the offender develop so that he will be able to live effectively within the law in the community; and this is true, Mr. Chairman, surely whether the sentence is to a term

(Mr. Orlikow, cont'd) . . . . . in an institution or a form of probation, and yet we find in Canada that this is not happening. We find in Canada that we still have one of the highest rates of recidivism which is to be found in the world.

The Attorney-General promised many things in the past, but, Mr. Chairman, until today we have seen very little action. Today's program is just a trickle of what is required and it can be characterized only as too little and too late. This government can find money for education, for physical rehabilitation, for welfare, for roads, for hydro, and all these things are needed, but little if any money for rehabilitation of people who are unfortunate enough to break the law. Canada is near the bottom of the list of countries in expenditures to meet this problem and Manitoba is probably at the bottom of any list which could be compiled by any independent team of experts if they rated the provinces of Canada -- in Canada. We have little, if any, trained staff, and the results are what we can expect. In Canada we have a third of the population of Great Britain and we have more than twice as many people in institutions. -- (interjection) -- Where am I getting my figures? My figures can be substantiated in any book which has been written on correctional programs comparing Canada with other countries. If the honourable member wants to come to the library I'll show them to him, although I wonder if he ever reads.

Now, Mr. Chairman, I want tonight to deal in some detail with the institutions which we have in this province and with the programs in the fields of probation which we are running, and to deal with them, not on the basis of what I think, but to deal with them on the basis of principles which have been enunciated by expert teams like the Fauteux Report; by local teams of people who are interested, such as the Committee on Corrections appointed by Welfare Council in 1955; by newspaper men who are competent and whose reports I have checked for accuracy with people who work in the field and who attested to their accuracy.

Now the Minister announces tonight that lo and behold in 1962, for the first time, we are to have a classification officer in the Province of Manitoba at Headingley. Now I wonder if the Minister thinks that this will meet the bill, this will meet what is required. On other occasions the Minister has lauded and quoted approvingly from the Fauteux Report, so I want to read to this committee just a couple of paragraphs of what the Fauteux Report had to say about classification, and I quote: "Classification and segregation form the fundamental basis of all reform and active treatment. A sound and wide system of classification makes it easier to deal with individual problems of prisoners. The work of classification is a highly skilled task which requires the service of competent personnel." Not one, Mr. Chairman, I want to bring that to the attention of the Minister -- not one, but a team personnel. "Classification includes a complete examination of all prisoners" -- not just at Headingley -- of all prisoners. It recommends further: "that in every prison there should be one senior classification officer with one assistant for every 50 inmates" --(interjection) -- 150? Well I may have copied this wrong, but if I did, I accept your figures -- you still are not coming anywhere near that figure -- "The chief classification officer should be a person with thorough professional qualifications, including a knowledge of psychology and social work. Assistants, who may be described as counsellors, should be persons with psychological, psychiatric or social work training and experience." Well, Mr. Chairman, that's what the Fauteux report said and I leave it to the members to assess how far we are from that objective. Manitoba institutions have had no such personnel. We have had no classification board which would include a chaplain, a school teacher, a chief industrial officer, a psychiatrist, a social worker, and a psychologist. That's what a modern classification team is, not one classification officer.

Mr. Chairman, if you look at the whole program you can come to no other conclusion but that we have no real correction policy. If you examine the institutions individually, you see that each one has a separate and distinct program. One is strict, the other is stricter; but if the Director of Corrections really sets over-all policy and co-ordinates the program, such a policy isn't from the staff, from the workers of agencies who work with correctional programs, and from the volunteer agencies and from the public.

Now, Mr. Chairman, I want to deal with one matter which I think the Honourable Member for Selkirk dealt with and which I think is a complete negation of the British tradition that a person must be presumed to be innocent until he is proven guilty. I refer to the separation of the untried from the convicted. A person charged with an offence but not convicted should not be held with those who have been convicted and are serving sentence, and I think this is

(Mr. Orlikow, cont'd) .....obvious. In Manitoba this fundamental principle is disregarded because of lack of physical facilities. I don't blame the staff at Headingley; I don't blame the staff at the Vaughan Street Detention facility; I blame the Attorney-General. He's the one who sets the policy. -- (Interjection) -- Well we agree on one thing, it's nice to know that we agree on something. Accused persons are held with convicted persons. At Rupert Avenue Gaol, at Vaughan Street and at Headingley, untried persons are held with convicted. At Headingley Gaol because of lack of space, as many as 60 persons are held together in 40 cells -- those awaiting trial and so not yet guilty, and those awaiting transfer to penitentiary. In other words, those sentenced to more than two years, and those awaiting appeals. The American Correctional Association adopted as a principle in 1960 that this is completely improper, and we ought to follow a similar policy.

Now I want, Mr. Chairman, to deal with the institutions which we have. I'm glad to hear the Minister announce that at some time in the future -- but I'm like the Honourable Member from Selkirk -- the promises of the Attorney-General in the past have led us to realize from experience that the future may not be tomorrow; may not be next month; may not even be next year; but may be some time when the present Attorney-General will no longer hold that office -- but even when that institution is built, Mr. Chairman, Headingley will still exist. Headingley is a place of custody for juveniles, for repeaters, for vagrants, for alcoholics, for homosexuals, as well as for first offenders, for untried, and for those sentenced and on their way to the penitentiary. It has to combine features of maximum and minimum and medium security facilities. How can we expect it to do an adequate job for all these diverse elements? We are asking the impossible and the impossible is not being done in Manitoba in 1962. The program at Headingley is neither treatment or rehabilitation. Lack of space prohibits segregation. The Fauteux Report recommended that alcoholics, drug addicts, sex offenders and psychotics should be held in separate prison medical centres. Not a word from the Minister that this is being contemplated, not even a suggestion that it is being discussed with the federal government.

Now, Mr. Chairman, it is possible to have a good physical facility and not to have a good program, but it is impossible to have a real program of rehabilitation without a competent and well-trained staff. Our record in providing or training such staff is tragic if it's not criminal. We have provided bursaries for people in mental health or public welfare but no such grants have yet been provided for people in the correctional field or probation services, although the Minister promised that -- (Interjection) -- I'm wrong? Well, Mr. Chairman, if it's been done it's been done within the last year, because in a reply to a question which we asked last year, the Minister replied that there were no people on bursaries taking social work -- and if I'm wrong, the Minister says I'm wrong, I will bring last year's journal in and read his reply into the record -- although the Minister promised that in 1959 that this would be done.

In-service training for correctional staff is largely undeveloped. In other provinces -- Ontario, Saskatchewan and BC, such on-the-job training is mandatory for continuing employment and promotion. I read into the record last year what the program in Saskatchewan, Ontario and British Columbia was. We have no such program. The Minister can tell us that some of the people took a course one night a week for 12 weeks, but that is not a training program. It's better than nothing, but that is not a training program. It was done on their own time and at their own expense I presume, and compared to the Province of Ontario where every single person who works in a correctional institution gets a six weeks' training course beginning the day he is hired and has to pass an exam before he can work in an institution, ours doesn't even deserve to be called a program.

Well, let's look at the gaol for women at Portage. Now we will have to keep in mind, of course, that the Minister has finally announced that we will have an institution in the north -- at The Pas. I think we could have paid for that institution if we had stopped sending people by plane from northern Manitoba who were sentenced to one week in gaol and who had to be flown in to Portage. I'm told that this has happened not once but many times, and that the cost is in the neighbourhood of \$350 per trip.

MR. PETERS: One way?

MR. ORLIKOW: Well, the Minister can tell us that. And you not only have to send the person but you have to send an escort. But let's look at the gaol. Let's look at what we have. I

(Mr. Orlikow, cont'd)..... want to join with the Minister in saying that we have had terrific service from the superintendent. How she did it I don't know, because she is the only trained person in that institution. Pardon me -- I think in the questions we asked last year the Minister said that three other people out of the staff of seventeen had taken that evening course, but she is the only person who is really qualified to work in such an institution. There has been no staff person responsible for counselling or training, and little if anything done to help educate the inmates, although the report of the superintendent shows how much this is needed. True that there are problems; true that many of the inmates are there for a short time; but in view of the fact that many of them are there more than once, a good deal more could have been done than has been done. One can really ask what purpose the institution serves at all. Women are admitted there time after time -- I am told that one woman has been there 90 separate times since 1939 -- 90 times. This policy of repeated sentence has neither a beneficial effect on the inmates or a deterrent value, because obviously if a person is sent there 90 times they didn't learn much and they didn't dislike it so much that they would do whatever was necessary to keep out of there.

A very large percentage of the inmates of Portage are of Indian or Metis origin. The Minister has already mentioned that. These present a special problem and I want to suggest to this committee that it's time we started to look at what the basic causes of people being there are, and try to do something besides incarcerate them for whatever offences they commit. There is no segregation at this institution. Juveniles are held in the same corridor with another inmate, there since 1956, charged with murder but not guilty because of insanity. Last year a juvenile was transferred to Portage from a juvenile institution because she was completely uncontrollable, and I quote: "an arsonist, a potential suicide and destructive." I presume that's the report of the psychiatrist. Now what this girl required was intensive treatment of some kind. She certainly couldn't get that in a gaol, but of course we have no institution for this type of case and the person responsible for that can be no other person but the Minister.

The Fauteux Report has recommended that no person under 16 be committed to penal institutes where adult persons are confined, yet as many as 11 juveniles were in Portage la Prairie at one time last year. This indicates that we have enough cases to warrant a small intensive treatment centre, a recommendation which was made I think in 1955 by the welfare council committee on corrections, but apparently, up 'till today at least, we can't afford that although we can afford many other things which I think are much less important. A very large percentage of the inmates at Portage are there simply because they couldn't afford to pay the fine assessed for their offence by the court. Surely, Mr. Chairman, this can only indicate that we have one law for the poor and another law for the rich in this province -- (interjection) -- Well honourable members can say "no, no, no", but if somebody living in River Heights commits an offence and the Magistrate says you have to pay a fine of \$25.00 or a week in gaol, they pay the \$25.00 fine. They don't go for a week in gaol at Portage which many of the inmates there do, so honourable members can shake their heads and say "no" but the facts speak for themselves.

Now, Mr. Chairman, we heard some glowing words in 1959 about adult probation services from the Honourable the Attorney-General. "We have accepted the necessity and the advisability of probation services," the Minister says. But what we have provided is, in fact, completely inadequate. The Minister in 1959 talked about a caseload for the probation officers of 40. I don't know if the Honourable Member from Selkirk is correct that the caseload is 100 for a worker, but it certainly is in the neighbourhood of twice the 40 which the Honourable Minister said would be the case in 1959. How these probation officers can be expected to do a job under these circumstances, Mr. Chairman, is more than anybody who is really interested in this field can understand. The number of case workers on staff, the standards of their qualifications and the size of their caseload needs to be examined carefully. There is a shortage of trained case workers everywhere in Canada, but the shortage in Manitoba is completely disproportionate to the rest of the country.

In answer to a question which we put down last session, the Minister reported that we had -- and I'm speaking from memory -- four trained social workers working as probation officers, five probation officers who had a BA or an equivalent degree, two probation officers who had extensive experience in the field of correction in Great Britain -- that's eleven -- we had 20 probation officers so I have to assume that nine of them had little, if any, either training or

(Mr. Orlikow, cont'd) ..... experience in the field. Competent experts have said, "minimum qualifications for probation officers: (a) the desirable qualifications are listed as graduates of social work or comparable study in the social sciences. The minimum qualifications: a minimum of one year in social work or corrections plus a BA, or (b) one year of full-time case work experience in a recognized social agency." Well, Mr. Chairman, I would like the Minister to tell us how close we come to these objectives because I think that if he does we will see that when the Minister says that we have a probation program in fact, we are fooling the public to a very large extent. Manitoba's staff appointments in the field of probation are not made in accordance with the standards I have listed. And it's not surprising, because if one looks at the salary schedule and compares it with the salary schedules in other provinces, one will see that they are so low that we will never, certainly not in the lifetime of any member of this House, we will never get qualified staff. Mr. Chairman, a probation officer's work is difficult and demanding. We should have the best and we are certainly not getting the best nor will we get the best if we don't adopt a different approach than has been adopted by the present Attorney-General. Mr. Chairman, I think that when we talk about probation, we can do no better than to follow the advice which the Minister gave the House in 1959 when he made that speech to which we have referred. I would suggest to the Minister that he re-read that speech if he wants to know what needs to be done.

Now, Mr. Chairman, I want to talk for a few minutes about the field of juvenile and young offenders. The Juvenile Delinquents Act sets out, and I quote: "That every juvenile delinquent shall be treated not as a criminal but as a misdirected and misguided child, and one needing aid, encouragement, help and assistance." Well, Mr. Chairman, I wonder how that squares with what we saw at the Vaughan Street facility the other day. I don't care what changes the Minister makes, the Vaughan Street facility will never be adequate for one single person to stay in there -- certainly not for any juvenile. Yet when we have a difficult case, we send them not to a treatment centre -- what do we do with them? In a really difficult case we say, well we have no facility so we ask the court to declare that they're adult, and we send them where? We send them to Headingley where there is absolutely no facility for the treatment of juveniles. There is no facility for treatment of adults, so why should we expect that there be any facilities for treatment of juveniles. Juveniles are held for extended periods at Vaughan Street. The Minister talks about an average of a few days. I would like the Minister to get the records and tell us in the last two years how many juveniles were kept at Vaughan Street for one month; how many were kept for two months; how many were kept for three months. I know that they have been kept there that long. How many were kept at Vaughan Street longer than three months? The Minister ought not to try to fool the members of this committee and the public by giving us quotes of average days. Of course if somebody is held there overnight until they are picked up by their family or taken by the Children's Aid Society, it's a very successful means of hiding the real facts, of giving an average which means nothing. I don't say the Minister is doing this deliberately, but I think we ought to have the whole story when we're getting a report from the Minister once a year.

MR. LYON: Will my honourable friend permit a question? When my honourable friend was referring during the estimates of the Honourable Minister of Education to the average pension received by teachers in Manitoba, would he apply the same restrictions to that average as he does to the ones that I use?

MR. ORLIKOW: Certainly. In any average there's high and low. I didn't say that the Minister's average was a lie. I said it was somewhat deceptive and I asked the Minister to correct the misconceptions by giving us the real facts. How many people were in Vaughan Street for one month, two months, three months or longer in the last two years. I don't think this is asking too much. Surely the staff and the recordings are not that primitive that the members of this committee can't get that kind of information.

What did the members of this committee see when we were there this week, Mr. Chairman? There was no provisions for outdoor exercise. Now surely it doesn't take a trained counselor to let the kids get into the exercise yard. I know that the guards at Vaughan Street haven't any formal training and for this I don't blame them, I blame the Minister and the government for not providing in the estimates for having trained staff at Vaughan Street, but surely the guards can watch the kids in small groups while they get a half an hour exercise in the yard.

(Mr. Orlikow, cont'd) . . . . . --(Interjection) -- Well what's the Director of Corrections doing? What kind of program has he got? Was it designed for 1962 or was it designed for 1892? I think this is a legitimate question, Mr. Chairman. Children have had nothing to do at Vaughan Street but eat, sleep, read comic books and play checkers.

MR. M. E. McKELLAR (Souris-Lansdowne): Is there anything wrong with that?

MR. ORLIKOW: Not a thing wrong with that if you have to do it on a rainy afternoon, but I'd like the member to join those kids, with that 12-year old boy that we saw there the other morning who was there for three weeks. I invite the member to spend three weeks there after this House finishes and let's see if he'll ask that question when he comes out. --(interjection) -- I'm not talking about that at the moment. We'll come to that, we'll come to that Mr. Chairman. I'm talking about what facilities there are for normal living in that inhuman institution on Vaughan Street.

The Free Press last June, Mr. Chairman, ran a series of articles by a very excellent reporter, Warner Troyer. I took the trouble, Mr. Chairman, to ask at least a dozen people working in correctional organizations for the Children's Aid, for the family bureau, for other organizations -- not for anybody working for the government because I think it would be unfair for me to ask them to express an opinion -- but I took the trouble to show those articles to at least a dozen people and to ask them if, on the basis of their knowledge of the institutions and the program we were conducting, there were any major mis-statements of fact in those articles. I was assured by all 12 that there were no major mis-statements of fact and, in fact, they knew of no minor mis-statements. I want to just summarize what Mr. Troyer said about the Vaughan Street Detention Home, because not all the members of this committee availed themselves of the opportunity of going to that institution and having a look at it when we were there, and I certainly don't claim to be an expert on the basis of the short time which we spent there. There are 20 beds there -- this is of last June -- for 14 boys. Surplus boys sleep on the floor on mattresses. There is no recreation, no exercise yard -- certainly no exercise yard in use -- no chance for fresh air, no privacy, no relief from boredom day after day except watching -- and I think I took this down word for word -- "watching handcuffed men being brought into the men's section." "Boys can spend months there," said Mr. Troyer. Girls are downstairs. They have no recreation facilities to speak of.

There are no facilities for segregation. Eleven-year old boys can be in the same institution with 17 year old boys. And the day we were there, Mr. Chairman, there were in that institution two 14-year old boys who had stolen a car and who had shot an RCMP officer in a chase. Now obviously those boys are severely disturbed, severely damaged individuals. What the effect of being in the same institution with them will be on some of the younger children whose problems are much less serious, I am not expert to say, but I would ask the Minister to get an opinion on what happens under these circumstances from the psychiatrist who works for the department. Let the Minister put in writing a letter along this line to the psychiatrist and let him bring the answer in writing back to this House, because I think the psychiatrist will give an honest answer and I think it will be one which will make every member of this House hang his head in shame. Emotionally sick and disturbed children are left in badly overcrowded, depressing and frustrating situations. The staff are kind; the meals are good; the floors and beds are clean; but these are small consolation for the total lack of trained staff or a program of real purpose to help solve the problems of most of these children.

I want to say, Mr. Chairman, of course we on this side welcome the appointment of the chief probation officer of juvenile sections to have charge of this facility, although, Mr. Chairman, having some knowledge of the tremendous load which every single person in the probation department is already carrying, I wonder how the director of the juvenile probation service can carry this added work load without sacrificing some of the other work which he is already doing. There has been no trained staff at Vaughan Street at all. The addition of one counsellor which the Minister announces, who I presume will work full time, will help, but it's only help of the most minimum kind, and compared to what is required and what is set out as minimum standards by any qualified correctional organization, one can say that we will still have practically no service when we have adopted the new proposal made by the Minister. We need custodial staff which has something better than a Grade eight education. I'm not being critical, Mr. Chairman, I want to repeat that again and again -- I'm not blaming the present staff. They are there because

(Mr. Orlikow, cont'd) . . . . .they meet the qualifications set by this government -- set by the Minister and his department. It's not their fault if the qualifications are far beneath anything which would be considered acceptable in any other province. The people who suffer are the children who are committed to that institution.

Our staff to service juveniles leaves much to be desired. There are not enough properly, professionally trained personnel. The co-ordination between the agencies and the institutions is inadequate, if there is any co-ordination at all. Members will remember -- members who visited Vaughan Street last week will remember the 12 year old boy we saw there, and I refer to the members who were there and those who weren't there to the report which appeared in the Winnipeg Tribune by the Director of the Children's Aid Society and by the provincial psychiatrist, each one explaining why that boy didn't quite fit into the kind of services they provided. I don't blame them but blame the government because it's the government which should have provided that service. I want to say, Mr. Chairman, that while it is good that we have one staff psychiatrist, he cannot possibly handle the work load which is there. He cannot possibly do the diagnosis and treatment both.

At the Manitoba Home for Boys, we do not have a single qualified case worker. At the Home for Girls the superintendent is taking a year's leave of absence to get further training. I would like the Minister to tell the members of this committee who is going to act in his place while he is away. I have heard some reports which are disturbing to say the least, but I cannot be certain that my information is correct and I think it's incumbent on the Minister that he tell us what will be done for the year while the present director is away. The present staff is trying hard -- we can't fault them, but they need help along the lines of the recommendations made by the Welfare Committee on Corrections in 1955.

Mr. Troyer gave some pretty vivid and pretty depressing examples of the kind of thing which goes on in our institutions. He talked about a boy who began playing truant, then graduated to smashing windows, then fighting. He was put on probation but his probation officer had 130 other cases to handle every month. The psychiatrist reported that this individual -- this boy-- was almost psychotic, and although the Manitoba Home for Boys was not an appropriate setting, it was probably the best resort we had available. So that's where the boy is, although there is not a single trained worker in the Manitoba Home for Boys, which, incidentally, was very substantially overcrowded not longer than six months ago. Juvenile probation officers are trying to help the young people who are in trouble. They are working hard, they're dedicated; many of them are trained in social work; they have a lot of successes but not often enough; and their failures are with us not for one year, not for two years, but for generations. I ask the members of the committee to think about those two 14 year old boys who shot that RCMP officer. I don't know why they did it. I don't know what can be done for them, but I want to suggest to the members of this committee that on the basis of past experience. . . .

MR. LYON: Mr. Chairman, on a point of order, I'm sorry to interrupt my honourable friend but the latest information I have is that those boys have not yet had their cases dealt with in court. The matter is still therefore subjudice, and with the greatest of respect, I don't believe my honourable friend should be referring to that case because it's still before the court.

MR. ORLIKOW: Mr. Chairman, if I erred in this matter I am sorry and I will not discuss it. I simply want to point out -- and one can use any case --that what we can expect is repeated incidents of the same kind and re-committal to institutions, and I would estimate that these long cases can cost the state somewhere in the neighbourhood of \$100,000 each before some time in the future they die. We have trained social workers working for us and they are succeeding, but we have no social workers working for us, I understand, who have been specifically trained in either juvenile or correction work. I am told by people who should know that a number of our workers would like to get further training but we have no scholarships or bursaries for them -- at least we haven't had up until now -- although it's unfortunate for these people who want to take further training that they're working in the field of correction. If they were working in the field of mental health or if they were working in the field of public welfare, we seem to have ample funds to give them the training which they want to take.

It's a good thing to know that we are finally going to get students from the school of social work doing their field placement work in the probation service. I wonder if the Minister will tell this committee why it has taken until 1962 to get this started. I suggest to the members of the

(Mr. Orlikow, cont'd) . . . . . committee that the school of social work will not set up a field placement unit in an agency which doesn't have the facility to give them a proper training, and that's why we haven't had this kind of facility up until now. It's good to know that we're starting, but we're starting four years too late. If we want to get the best staff, if we want to interest people, we're going to have to draw the universities into our work more than we've done and we're going to have to provide for adequate staff. The size of the staff is far too small. A new worker in the juvenile field can have a caseload of 100 within a month or two after he begins working for the department. Now some of these cases are simple but many of them are tough and complicated and time-consuming, and the probation officers simply can't do a job when they have as many as 100 cases to handle. Our probation officers do not have the authority or the money to really handle problems. If placement in a home is needed, the Children's Aid must be made the legal ward. In Saskatchewan, the province provides money to put a child who can benefit from going into a private boarding school -- the money is provided by the Province of Saskatchewan -- but we have no such program.

I mentioned before that we only have one psychiatrist so he sees only about 25 percent of the children who come to this juvenile court, and usually those who are going to be committed to a home. The psychiatrist sees the child, he prescribes the treatment necessary; but there are so few trained workers in the institutions we have, that's the Manitoba Home for Girls and the Manitoba Home for Boys, that the advice which the psychiatrist gives is to a large extent lost. There is no liaison with the vocational schools; there's no budget for courses for our juveniles. The probation officers perform miracles, more than we have a right to expect, but fewer than we could have and they could do if we gave them schools and the money to do the job.

Now, Mr. Chairman, I think I've said enough at this time to indicate what I think about the program which this province is operating. I intend, when we get to the Home for the Boys and the Home for the Girls, to say something about them and to put on the record what the situation is at those homes, but, Mr. Chairman, I think I have said enough so that members will realize that I for one am completely dissatisfied with the programs in the field of correction which we have had in the last four years. They have been characterized to the greatest extent by talk and more talk. The progress until today has been negligible, and even today there is practically no suggestion for the provision of adequate staff in the institutions.

Now, Mr. Chairman, I believe that people are as important as roads. This government can find all the money which is required for building roads in this province but it doesn't seem to be able to find the money to do the job of rehabilitation of human being which is both needed and required. Now I don't know whether this failure is the failure of the Minister who is in charge of the department or whether it's the fault of the Provincial Treasurer who holds the purse strings, and I don't really care because, in my opinion, the government as a whole is responsible. I can only, however, say that I'm disillusioned with the government. I have given up hope that there will be the kind of change which is required in the foreseeable future with this Minister. I do not think that we can get a real program, Mr. Chairman, until the correctional program is transferred from the Department of the Attorney-General to the Department of Public Welfare, not because I think that the present Minister of Public Welfare is a better man than the present Attorney-General, but simply because the Department of Public Welfare has demonstrated by action, by deed, that they have some knowledge, some considerable knowledge of what rehabilitation really means. They believe in working with the individual -- not in mere custody. We need to transfer the functions of this department to a new department of welfare and rehabilitation and, Mr. Chairman, we need to set out our objectives, our purposes in the field of corrections in a Corrections Act similar in intent, similar in principle to The Social Allowances Act. I give the government credit for codifying, although I will have more to say about implementation, but for codifying what needs to be done in the field of welfare in The Social Allowances Act, and we need a Corrections Act in this field. We haven't got it and I don't think we're going to get it, Mr. Chairman. So, Mr. Chairman, to put on the record my feeling of dissatisfaction, I want to move, Mr. Chairman, that Resolution 38, item (a), Minister's Salary, be reduced to the sum of one dollar.

MR. HRYHORCZUK: Mr. Chairman, I can't say that I disagree with what has been said by the two previous speakers, but I do want to join with them in congratulating the Minister's staff, the key men which I worked with for a number of years. I do want to say that he is very fortunate in having the staff that he has and, in particular, I do want to make a reference to the Deputy Minister who I very highly respect and admire, not only for his contributions to the people through his office but for his assistance to many young men in leading them and training them into a useful and successful life. I think he's made a wonderful contribution to many of our youth that have gone through the office and he's also made a wonderful contribution to the Attorney-General's Department as a whole.

Now, Mr. Chairman, this department can be approached from many angles. What I'm concerned with at the moment is the fact that we never see any decrease in crime -- it's always a matter of an increase in crime. From the estimates of this year we note, as the Honourable Minister pointed out, that they have been increased by approximately half a million dollars, and if we look at the items of administration of justice, the gaols and law enforcements, we come to approximately that half million dollars. I cannot help but feel, Mr. Chairman, that there is something definitely wrong when crime is consistently on the increase, in spite of what little or much is done to control it. When you consider the fact that the vast majority of our adult offenders have been juvenile delinquents, then you realize, or cannot help but realize, that there is an awful waste of human life. I do believe that there is an answer to all this, if we'd only care to look for it and find it.

Looking at your juveniles -- and you often hear what is wrong with our youth -- why have we this increase in juvenile delinquency? I feel, Mr. Chairman, that the youth of today is no worse than the youth of our time. If there is an increase in juvenile delinquency it's not because the youth of today are worse by nature than the youth of our time. There must be some other factors that enter into the situation and make the youth what they are, and I think that any child that receives the proper understanding and the proper guidance, unless naturally defective, will not make a delinquent and eventually become an adult offender or an adult criminal. I think we are failing our youth and that we are not even attempting to do what can be done for most of them, and in spite of the fact that there is very little sympathy shown on the part of the public for our juvenile delinquents or our adult criminals, I think that we, as legislators, and the government in particular and the Minister who is in charge of this department, are responsible for allowing this awful waste of human life, because there must and is something that can be done about it.

I want to refer again as I have in the past, Mr. Chairman, to a mistake that the Attorney-General made when he disbanded the Committee of Youth. I want to repeat, because it bears repetition, that had that particular course been followed, I think we would have felt the effect of it by now. He must have felt that there was room for a committee of some type because when he disbanded the established committee on youth he told us that they were setting up a committee of interdepartmental personnel. Well that died at birning. Since then nothing has been done. Recently I noticed that the federal government has undertaken to set up a committee and do some study. Well if the federal government does as much with our youth as it has done with the implementation of the Fauteux report, then we can expect no action in that direction either.

I know that the Attorney-General has a very difficult department to administer. It is difficult for more than one reason, but I believe that it is made difficult because the public are not quite prepared to forgive an offender without looking to why that particular individual is an offender, and I think it is the Attorney-General's duty to overlook the apathy of the public and supply leadership. All these services that are provided at the moment for offenders are good in themselves and they certainly do a great deal towards helping the offender to come back to the way of a normal life, but isn't it a waste of time, money and energy that we do not do anything about seeing that the young child does not become a delinquent and eventually become a criminal.

Now insofar as this particular motion is concerned, I would very much hesitate to support it if it were not for one thing, Mr. Chairman, and I believe that one incident is sufficient to justify the motion, and that is the loss of life at the Home for the Girls during the past year. Now, Mr. Chairman, we heard a great deal about the Home for the Girls -- what a wonderful

(Mr. Hryhorczuk, cont'd.) . . .

building it was. It is a wonderful building, but the building in itself, no more than any other building, is going to do anything for those girls unless the right kind of work and supervision are given inside the walls of that building. I think that this House or this committee is entitled to an explanation from the Attorney-General as to why that young girl lost her life when it could have been avoided with a minimum of supervision. Anybody, any person -- it didn't have to be a trained social worker -- if there was anybody with those girls when they were in the recreation yard, that would not have happened. And even with girls of normal mentality, normal in every other way, we see that they have supervision. With the kind of girls that we have in that particular home, they require considerably more supervision than a normal girl and certainly a great deal more supervision than they did have at the time of this most unfortunate incident. All I know about the incident is what appeared in the newspapers. The coverage, the bravery of the gentleman that saved one of the girls was played up, but the lack of carrying out a very serious responsibility by the government through the Attorney-General was not commented on, and it deserves comment and it deserves very, very severe criticism. We do everything we can to save human life, and when a child comes under the custody of this government, it is their duty to see that that child is safeguarded in every possible way.

Now, Mr. Chairman, several years ago, out of the incident that occurred in Newfoundland about the strikes in there, we will recall that there was some question as to the responsibility of the federal government to supply the law enforcement personnel that may be needed; and I understood the Minister to state at that time that he was going to look into the agreement and make sure that an incident of that nature would not occur here in the Province of Manitoba where we did need additional enforcement personnel, and to make sure that they would be available when we needed them. I'd like to know whether anything was done about that.

I would like to know whether he has heard anything further from Ottawa insofar as the implementation of the Fauteux report is concerned. We've heard today about segregation, classification and so forth. Until the Fauteux report is implemented and the federal government undertakes the construction of the various institutions that are recommended in that report, I feel that to some degree the Attorney-General's hands are tied because I do not think that this government is in the position, in the financial position to construct the type of institutions in the number that we require here, and unless the federal government does step into the picture and take upon itself the responsibility that that commission placed upon it, then there's very little hope of the improvement that we should have.

Now, Mr. Chairman, insofar as the other branches coming within the Attorney-General's department, I cannot see that I find too much fault, with the exception again of what I mentioned last year, and that is that I do not think that the increase in fees in the Land Titles' office and throughout the various courts were justified, because I do believe that after all the government owes some type of service to its people, that's what we have governments for. I do think that the fees in the various branches here could have probably stood some increase, but not to the extent that they were increased in.

There's one other thing I want to mention at this time, and that is that we run into considerable difficulty with policing our villages throughout the province. The villages themselves are not in a financial position to obtain the services of qualified and trained constables and they do not get the services of the RCMP detachments where they are established because they are an incorporated body. I think that we should take a good look at this, Mr. Chairman, and see if it isn't possible to work out an arrangement that where a detachment is stationed, that the detachment, at some reasonable fee or consideration, also police the villages within the area that the detachment covers.

I think that until we come to the individual items, that is all that I have to say. I shall await with some interest answers to the questions that have been posed by my colleague the Honourable Member for Selkirk, and the Honourable Member for St. John's. They have asked some very, very pertinent questions, very important questions, and I will be waiting to see what the answers are before I take any further part in this debate.

MR. FROESE: Mr. Speaker, I have one or two items that I wish to speak on briefly and bring to the Minister's attention. The first matter I would like to deal with has to do with the matter of bankruptcies. Personally I feel that our Bankruptcy Act or legislation is in need of overhaul. Secondly, I think the matter of going into bankruptcy, especially when it's deliberate in some cases, should be an offence. Now normally, no one would go into bankruptcy who has a business of his own and if at all possible can make ends meet, and which will give him a comfortable living so that he can live a contented life. I feel sorry for anyone who loses his business or property after having applied himself in trying to make a success of it and still is unable to do so and, therefore, loses it in that way. On the other hand, I also hate to see families suffer as a result of bankruptcy whether they are deliberate or not. I hate to see these families suffer and I've seen some of the agony that go with such bankruptcies, having been involved, not myself, but as an inspector or as a representative of creditors where other parties went into bankruptcy and having seen at first hand the results of going into receivership where people either had no way out or just threw up their hands in a hopeless situation. Now generally the courts and also the creditors by and large will be, and are, very lenient and if there's just any chance or any hope of recovery of making good they will give the party a second chance of trying to make a success. I have evidenced this in a number of cases where I've seen people going into receivership and when they have these meetings where the creditors gathered, that the matters were first explored whether there was any hope and whether the party wished to continue; and I've seen in those cases where there was some hope that they would give help and assistance to these parties.

I have a copy here of the Financial Post dated March 3rd, 1962, which gives us some figures on bankruptcies in Canada. The heading of the article reads: "More firms went broke in 1961." And it goes on to say, "A total of 2,028 firms went bankrupt in 1961 in Canada and they left debts, \$115,778,000.00. Although the number of companies that failed in 1961 was higher than in 1960, in 1961 the amount left owing was lower than 1960's \$180 million." It says, "During the first quarter alone 553 firms failed and left liabilities of \$31,177,000 compared with 499 and \$98,689,000 in 1960. Failures in all other categories but construction advanced with retail trade showing the largest jump had 67 casualties. Largest amount of liabilities recorded went to manufacturing at \$39,027,000 while retail trade followed with liabilities of \$33,295,000.00." Then the article goes on and describes the individual provinces how they fared. And I would like to just quote the section dealing with Manitoba which reads as follows: "Manitoba - failures have been moderately steady during the last few years and in 1961 totalled 44. There were 51 in 1960 and liabilities were \$5,036,000 compared to \$7,522,000.00." Then they have a graph of the business failures under the different headings and for the years '61, '60 and '59. The total number of failures in manufacturing amounted to 329 with liabilities of \$39,027,000.00. Wholesale trade was next . . . . .

MR. CHAIRMAN: . . . . . remind the members that he's dealing with things now that come under the federal jurisdiction not the provincial, matters of bankruptcy and so forth. We should keep with what concerns us here in the province in the items of the department that we have under consideration.

MR. FROESE: Oh I think bankruptcies affect the people of Manitoba and we're dealing with the Attorney-General's department and I feel that this matter should be drawn to his attention.

MR. CHAIRMAN: It comes under the federal jurisdiction.

MR. HRYHORCZUK: . . . . . Mr. Chairman, if I may, I think with all due respect to you it's the courts in Manitoba that discuss this particular type of jurisprudence and I think that the honourable member is right in raising it at this point.

MR. LYON: . . . . . that you raise, Mr. Chairman, your statement is correct as is the statement of the Honourable Member for Ethelbert Plains, that is, with respect to jurisdiction. The Bankruptcy Act is federal legislation but there is a receiver in bankruptcy on the staff of the Department of the Attorney-General, that is, that he acts in that capacity in addition to other duties that are assigned to him. I think, Sir, that your point is well taken, but, on the other hand, I don't know under what item my honourable friend could discuss this matter unless he were to do it under a general item. But, Sir, that's a question for you to determine.

MR. FROESE: I think I was quoting wholesale trade there of 188 cases with \$9,668,000 involved. The retail trade of 975 cases, \$33 million involved. Construction with 376 cases, \$27 million involved, and commercial service 160 cases with \$6,734,000 involved. A total for all Canada of 2,028 cases and \$150,778,000 involved.

Now as already stated, I feel sorry for those cases where people just can't make a go of it and are forced into this situation, but, on the other hand I think, and no doubt the Minister will know better than I do, that we also have cases where this is going on deliberately; where people who operate businesses will milk companies dry and then try and place these funds that they abscond, place them out of reach of the law in various ways, probably in pension funds and so on, so that they build up an equity for themselves, yet are unable to be confiscated or reached by the law. I think some of these are deliberately planned and this I feel is very wrong and people who do this should definitely be taken to account for it.

Another matter the trustees in bankruptcy. If I'm right, and the Minister can correct me on this, we have three trustees in bankruptcy for Greater Winnipeg, and I'm not sure whether this is for the province as a whole. In the cases that I've been involved with work has been very slow and I felt that these people were overloaded. I would like to know whether that is the case and whether we should not have more people acting on behalf and in this work. I also would like to know the requirements and the qualifications that you have to have in order to be a trustee in bankruptcy. Further, as already stated, I would like to see an overhaul in the act in order to protect the creditors in a large way. Now you might come back at me and tell me, "Well, creditors have every right to investigate their accounts before they go into them into such an extent where they might be losing large amounts of money." Still I feel something needs to be done. And secondly, where deliberate, there should be a penalty; and also some way of speeding up proceedings should be tried if at all possible.

The other matter I wish to raise is the matter that I've already drawn to the attention of the House on an earlier occasion. That is the matter of the burglaries that have taken place in south-central Manitoba over the last couple of years. I know that people as a rule, and we all have respect for the law, and I think our mounted police, the RCMP are noted and I think, stand out as a symbol of law, and that when people get in contact with the RCMP they know who they are dealing with. On the other hand, the RCMP are there to give protection and they give and make fair dealings as far as I know, and as far as I am concerned, people are quite happy. These people also, naturally, have very good training and demand respect and therefore are respected; and I think they would like to keep it that way. Now the matter of the burglaries that have taken place over the last couple of years have been centred in south-central Manitoba and they have been more or less confined to small businesses, in particular, I would say, credit unions that are dealing in cash funds and normally would have cash on hand. Probably in many cases these are smaller organizations and therefore are not as well protected in some instances, as banks are that have heavy reinforced concrete vaults. Very often the smaller credit union has a safe and if they have a vault it would not be as heavy, and that as a result these are the targets for these people, and although I don't think any losses have resulted because most of these credit unions are bonded 100% so that they have recovered any losses in that way. But still I feel that something should be done about this in order to find these people who are doing this and to bring them to account for what they have done. And here, I think, we have failed in Manitoba because as far as I know, with all the burglaries that have taken place there, I don't think that in any of those cases have these people been found and brought to account for what they did. I would like to hear from the Minister what is being done in this case and whether any success is in sight.

MR. L. HARRIS (Logan): Mr. Chairman, I have listened and feel that there is a lot of justification in what the previous speakers have said and agree wholeheartedly with them on their views on juvenile delinquency. In 1960, Winnipeg police arrested, or formally warned, 2,975 juveniles -- children from 8 to 17 years of age. Their crimes ranged from riding double on a bicycle to rape. The words punishment and sentences are keys to any study of juvenile crime or youth problems in Manitoba because in this province, punishment, not treatment or rehabilitation is still the official rule of thumb in treating young people in trouble. Correction officers and youth workers from the Attorney-General to the House Mothers of our reform schools give lip service to rehabilitation and treatment needs. Manitoba juvenile delinquents

(Mr. Harris, cont'd.) . . . . don't use guns or carry knives -- they are petty criminals hostile, rejected, despondent. This picture of the youth of Manitoba is dull, depressing, a continuous group of unhappy, frustrated frightened children. With massive improvement in our efforts to find and help these children where and when they can be helped, the catalogue will grow thicker with each passing month. These children, they whimper in the silence of their isolation cells and they are lost to society as surely as though they had been shot. Manitoba lacks treatment facilities, trained workers and adequate government budget or policy to rehabilitate emotionally disturbed children and delinquents. Provincial policies and programs are, in a word, too mediaeval. The gleams of efficient treatment and effective care however, are clouded by fuzzy policies and frustrating gaps in staff and facilities. To use the jargon of the social worker, the correction officer -- most juvenile delinquents are still given very little probation care. All but a handful of our delinquent youngsters, confused, emotionally disturbed, hostile to society and authority, emerged from their experiences with officialdom, more confused, more disturbed, more hostile and likely to pursue their delinquencies through the steel doors of our provincial and federal prisons or into our mental institutions.

What kind of children get involved with police officials of juvenile courts, social agencies and institutions whose staffs are working so hard to salvage from five to seven percent of our youth who run foul of our society. There is Jim: Jim is 10 years old. His mother married a second time. There are six children from the second marriage and he has never felt himself part of the family, and like Cinderella, the family drudge, Jim, has run away from home five times. He has covered 500 miles without money or friends. Jim has been on probation. His probation officer, an intelligent, earnest young man who has studied social work but needs more training, has had around 150 boys to work with through different months. He didn't have enough time or training or experience or help to solve Jim's problems, so Jim has gone to the Home for the Boys, an institution with a maximum facility for 96 boys and a population of 144. Experience has shown that delinquent behaviour can often be predicted and often prevented quite early in childhood. For some reason we don't seem to be doing much along that line in Manitoba. This comment was made by social workers here.

There are two broad groups of young people who get into trouble here. In one group -- the smallest and most difficult to help -- are the children who lead normal lives until some emotional shock sends them flying -- sends them right out of proper behaviour. The death of a parent, a divorce, or some other calamity which seems so huge to them triggers a delinquent behaviour pattern where all had previously been predictable. The other, and much larger group of delinquents, are those whose social behaviour followed a pattern of rebellion from early childhood -- often from infancy. These youngsters can generally be spotted and corrected before their offences and their problems reach unmanageable proportions. Children under 14, in a first serious brush with the law can generally be helped and often salvaged. This is true even in the understaffed, overcrowded and mediocre facilities which are most common here in Manitoba. Once past 14, particularly if the offence is not the first, the very best facilities available in this province are rarely enough to be of any lasting help. Early detection of delinquent patterns coupled with early and efficient treatment can prevent a little boy who acts up from becoming the bully of tomorrow with his brass knuckles. But who is to do the detection, and who the treatment? Most parents lack the special training or knowledge to detect the difference between pre-delinquent and normal toddler experimentation except when the former reaches major proportions. Add to this the fact much pre-delinquent behaviour results from lack of warmth in the family -- a fair guarantee parents lack the insight needed to spot anything intangible in their children. This leaves the school as the next major factor in the children's lives. Why aren't the schools finding the pre-delinquent? In Winnipeg the answer is that the schools are working in this field -- working hard and working with considerable effect. The Winnipeg School Board's Child Guidance Clinic headed by a psychiatrist and staffed by professionally trained teaching specialists and social workers, is doing all it can to help maladjusted children. I thank you.

MR. CHAIRMAN: Resolution 38.

MR. LYON: Mr. Chairman, I suppose there are a few comments that might be inserted at this stage with respect to the remarks that have been made thus far in the debate. I'll deal firstly with the remarks made by the Honourable Member for Selkirk in connection with the

(Mr. Lyon, cont'd.) . . . . various items that he dealt with. He'll be happy to know that the Law Reform Committee -- the bulk of the members of that committee have already been approached. All that remains now is to formalize their appointment by order-in-council pursuant to the provision of the Attorney-General's Act which sets up or provides the basic authority for the establishment of such a committee. I'm glad that he concurs the need for such a committee and I'm sure that the hopes that I have for it and the hopes that he has for it will come to fruition because there is indeed, a great deal of work which this type of committee can do which will be of benefit to us in this House and, inevitably, of benefit therefore to the people of Manitoba.

I must say, Mr. Chairman, that he was on much stronger ground when he was dealing with legal matters, such as the Law Reform Committee, than he was when he got into correctional matters and onto matters such as probation and so on. It's interesting to hear the Honourable Member for Selkirk say that he feels that probation is a good thing and that we should be getting on with it a little faster than we are -- very interesting to hear the support now coming from the ranks of the Official Opposition, because we haven't always had that support you know, Mr. Chairman. As a matter of fact, when we announced in 1959 the expansion of the whole adult probation program to all parts of Manitoba about the best my honourable friend, the Member from Ethelbert Plains, could say at that time was, "Well, I think you better tread pretty lightly, you'd better tread lightly on that subject because" he said then, "I've noticed in some jurisdictions where the number of probation officers has been increased the crime rate has gone up." I'm sure the Honourable Member from St. John's remembers that remark because he went on in the course of his remarks a little later on to express some wonderment and amazement at this kind of response, as I must say did I, Mr. Chairman, after hearing it. So I must say to the Honourable Member for Selkirk that I'm glad to hear that he at least is now in tune with what the government is doing in the probation field and I hope that he can carry along with him his colleagues sitting to his left and, for that matter, all the other members of the Official Opposition -- all but a few of whom had, shall I say, an excellent opportunity over a much more extended period of time than has this government to do exactly the same things that they say this government should be doing today. In any case, we have said what we were doing and I suggest with deference, Mr. Chairman, that we are carrying out exactly what we said we would do and I'm very happy to see that modicum of support now forthcoming from the Liberal opposition.

Now he mentioned, in dealing with the question of probation that probation officers were not even classified under The Civil Service Act. Usually my honourable friend from Selkirk is very accurate as to his facts and I can only say to him that this is one instance where his record is sadly failing because the statement is completely erroneous. Probation officers are classified in the civil service pay plan as probation and parole officers; there are various classifications of them, I don't have the classification book in front of me but I can assure my honourable friend that it is exactly the same classification in terms of pay as applies to social welfare workers, one, two, three, four, five, six and so on, and that the same classification they're *pari passu*, they're equal, and that the salaries equated for social welfare workers are exactly the same as the salaries paid for probation officers and that they are and have been established positions in the civil service set-up for sometime -- in fact for so long as I've had any responsibility in this department. They may even have seen set up under the aegis of his colleague the Member from Ethelbert Plains. That is the fact and I'm sure that the Honourable Member for Selkirk would like to have that information.

He made reference to in-service training at the Home Office. I think that the points that he repeated there are well worth keeping in mind. I repeat again that we have to in Canada, and particularly in Manitoba, we have to adapt ourselves to circumstances as we find them and to the availability in the labour market or in the trained professional market of what people we can get, and while these would be wonderful aims or ideals to set forth, I don't know that they would be too quick of realization if we were to hold fast to such rather rigid standards in addition to the standards that we already require. I must say that the standards, to the best of my knowledge, that are laid down for probation and parole officers in Manitoba are very similar to those that are laid down in all other provinces with which I have had any contact.

He got on to the question of the juvenile home. He mentioned that he was happy to hear

(Mr. Lyon, cont'd.) . . . . that there would be a new juvenile detention home. I think that was a -- he mis-spoke himself on that occasion, and I presume what he was referring to was the fact that we are negotiating with the federal government for the establishment of a young offenders' unit, and as I said in my opening remarks I cannot give an undertaking that such a unit will be built. These negotiations are proceeding and I hope will be successful because it will be a tremendous benefit to the whole correctional program in Manitoba.

He then went on to deal with the juvenile detention home at Vaughan Street. I'm sorry that I wasn't able to give him the information as contained in the estimates tonight, because following upon what I was able to say about some of the changes contemplated there, I think that some of his remarks fell certainly on rather deaf ears here, because a number of the things that he feels are required are, of course, have been done in the past and are going to be done in the course of the present fiscal year. Let me get on record right at the outset on the question of the detention facilities at Vaughan Street, Mr. Chairman, because I'm not going to stand before the committee and say that I am satisfied with these facilities or to say that I defend them to the last breath or anything like that at all. I say that they could be improved; that the physical plan could be improved, but I suggest that the only way of improving it is by a new facility entirely. And I say then, Mr. Chairman, that we soon get ourselves into a question of priority. Whether or not my honourable friends from Selkirk or Ethelbert Plains or St. John's wish to consider priorities is a matter of no concern to me, but those on this side of the House must consider them. And I say to my honourable friends that when one makes up estimates and certainly my honourable friend from Ethelbert Plains has participated in this experience, balances must be struck between needs in various fields. One must look at the needs, for instance, in devising an over-all program, the needs of the 98% of the children of Manitoba who don't get into trouble with the law. One must look at those needs awfully carefully. And I suggest with the greatest of deference that when one is looking at those needs and one is trying to determine priorities, one must say that the interests of the 98%, those children who require new facilities and so on for education are going to take priority, fortunately or unfortunately over the needs of the smaller group, a much smaller group, that we find from time to time required to be kept in detention at Vaughan Street. And so while I say to all of my honourable friends opposite that I do not defend the facility as being a modern facility or as having in it that type of staff that they speak of and so on, I still say that it is a matter of priorities and that certainly as a matter of priorities within the correctional field itself there are questions that can be raised as to what the priority would be with respect to that detention home. I stress again . . . . .

MR. MOLGAT: Mr. Chairman, on a point of order, I believe that it is now 12:00 o'clock and the House has no leave to sit.

MR. ROBLIN: With respect to the point of order, Mr. Chairman, I think if you'll refer to page 160 in the Votes and Proceedings of 1961, you'll find that the question as to whether or not the House could sit on Saturdays was dealt with, and the Speaker ruled that we were entitled to carry on and he was sustained on an appeal to the House by a vote of 24 to 13, so I think we have a pretty clear situation there that we have the right to sit.

MR. MOLGAT: Mr. Chairman, I would like to refer back to the rules again. The rule clearly states all the way through, Friday adjournment, rule 2, sub-rule 2, Page 4, clearly states when the House rises on Friday. If the First Minister will refer to the business of the House, it's quite clearly stated on what days the House sits, the order of business is given for Monday, Wednesday, Thursday and after 5:30 p. m. Friday on Page 10, and similarly for before 5:30 p. m. on Friday. In no place is there any indication at all of Saturday sittings and I submit that the rule book is quite clear in that regard. There's no leave to sit on Saturday unless by leave of the House.

MR. ROBLIN: Mr. Chairman, I don't agree with my honourable friend. He knows quite well, I think, that the rule 3(4) on Page 5 makes it clear that after the 65-hour sittings, the sub-rules with respect to the sittings of the House or any committee do not apply. So it is quite clear that we have the right to sit on Saturday. The matter was raised last time. The Speaker was in the Chair; he made a ruling, and I think the question is not one that requires any further debate.

MR. MOLGAT: Mr. Chairman, I still submit that the rules of the House are clear in

(Mr. Molgat, cont'd.) . . . . that regard. What my honourable friend says about sub-rule 4 applies to sub-rule 3. It has nothing to do with the other rules in the book. It has nothing whatever to do with sitting on Saturday; it applies strictly to sitting after the hour of midnight or after the hour of 11:00 o'clock, I should say, on normal nights. That doesn't mean that the House has leave to sit on either Saturday or Sunday. If one were to follow the rule that my honourable friend talks about then he could say the House could sit on Sunday. Now surely no one will pretend that that is the case.

MR. ROBLIN: . . . . . assure my honourable friend that that's the case, because it's quite clear that the House could sit on Sunday if it were under the circumstances in question because there are precedents in Beauséjour with respect to sitting on Sunday which would reinforce the position with respect to Saturday all the more so. But I suggest that the point is quite clear. The question has been raised as to whether we should continue to sit or not and I think we can ask the Chairman to make a ruling and deal with it in that way.

MR. CAMPBELL: Mr. Chairman, might I ask the First Minister does he agree with the decision that the Speaker made a year ago?

MR. ROBLIN: Yes, Sir, I do.

MR. CAMPBELL: Well then I must say to my honourable friend that I have not as great respect for his opinion of the rules as I used to have because I can understand under the circumstances that was raised last year that Mr. Speaker might, under pressure, and not giving a full consideration to it, making a quick decision, could make a mistake like that. But I can't understand my honourable friend, the First Minister, with his knowledge of the rules arriving at this conclusion. Would the Honourable the First Minister tell us what he thinks of 2 on Page 4 -- "when the House rises on Friday it shall stand adjourned unless otherwise ordered until the following Monday."

MR. ROBLIN: The House hasn't risen yet. I would just like to read in full rule 2(3) which is the thing that governs the question of rising at 11:00 o'clock. Rule 2(3) reads as follows, sub-rule 4 -- it's on Page 4: "Subject to sub-rule 4, at the hour --

MR. CAMPBELL: There's no rule 2.

MR. ROBLIN: I'm sorry, rule 3(3): "Subject to sub-rule 4, at the hour of 11:00 o'clock p. m., except on Wednesday, Mr. Speaker shall adjourn the House without question being put, or if the House in that hour is in committee, the Chairman of the committee shall leave the Chair and report to Mr. Speaker." Now subject to sub-rule 4, and what does sub-rule 4 say? "If the time of sitting in the Committee of Supply exceeds 65 sitting hours sub-rule 3 does not apply to the sittings of either the House or in committee." So in my mind the situation is clear.

MR. CAMPBELL: But that, Mr. Chairman, is on sitting days -- that applies to sitting days and Saturday is not a sitting day.

MR. ROBLIN: . . . . . the session that at this time of the day we keep right on sitting according to this rule, and it is as I interpret it.

MR. CAMPBELL: No, oh no.

MR. ROBLIN: Well, my honourable friend shakes his head, but we have been through this before. We've had the ruling, Mr. Speaker, and I think the Speaker's ruling is quite reasonable and logical. I think we should ask the Chairman to make a ruling.

MR. CAMPBELL: Then, Mr. Chairman, I want to give my honourable friend the opportunity to give some calm consideration to this. Is he really going to say that it's his opinion that we have the right to sit on Saturday?

MR. ROBLIN: . . . . . read this passage from Beauséjour -- this is page 40, paragraph 50 -- "The House may, in order to complete its business, sit on Sunday or any Church holiday because it is not subject to any rule or obligation in the performance of its high duties." Then it goes on to give a few references of both Canadian and British House of Commons. Well, if that's the case I say that all the more can it sit on Saturday. But I don't really think that's the point in reference at all. I think it was very, very clearly understood when we made an arrangement that was agreed to by all the members when the rules were last revised, about this question of rising, and it was in my mind -- and I have seen no reason to change my opinion since then -- it was clear that if the business was not completed at 11:00 o'clock after the 65 hours we would go on sitting. And that's exactly what I think we should do.

MR. CAMPBELL: On sitting days, Mr. Chairman.

MR. ROBLIN: That question has been referred to the Speaker and his ruling has been given and I am quite prepared to abide by it.

MR. CAMPBELL: Mr. Chairman, the citation that my honourable friend read from Beauchesne -- would he not agree that that would be by leave?

MR. ROBLIN: . . . . . didn't say that, Mr. Speaker, and I don't agree with him, but that's not the point on which I think this matter revolves. I think it revolves on our own rules. And our own rules say that after 65 hours the rules of the House with respect to rising, except for Wednesday, which is mentioned specially, do not apply, and I think that's what we should stick to. The Speaker has ruled on it. Mr. Chairman, I suggest you rule on it.

MR. A. J. REID (Kildonan): . . . . . if we're going to sit all night, we might as well take an hour off for lunch now. Let's adjourn for one hour and go out for lunch and then come back and sit all night. Never mind order -- I'm not going to sit here all night . . . . .

MR. CHAIRMAN: Order. Order. . . . . asked to make a ruling and this is the ruling, it's very clear in the way it was presented --

MR. MOLGAT: Mr. Chairman, before you make a ruling would you permit a comment? I would strongly urge upon you, Mr. Chairman, a very careful reading of the rules. I think you will find that in all cases the rule book clearly states the days when the House may sit. In no case, nowhere in the rules, Mr. Chairman, will you find that the House sits on Saturday. I will agree that by leave this can be done, but nowhere in the rule book is Saturday listed as a sitting day. My honourable friend the Leader of the House refers to rule 3, sub-rule 4, and says over 65 hours sub-rule 3 does not apply. I quite agree; no disagreement at all. But all that sub-rule 3 says is the House need not adjourn at 11:00 o'clock, but that doesn't mean, Mr. Chairman, that sub-rule 3 suddenly cancels the other rules of the House and establishes Saturday as a sitting day, which it is not, and that is the whole point of this matter. It's not a question of sitting after 11:00 o'clock, it's a question of sitting on Saturday, which is now the case, which is not a sitting day by our rules, and I would strongly urge, Mr. Chairman, before you make a decision on this that you read the rules very carefully. If you can show me anywhere in the rule book where Saturday is a sitting day, except by leave of the House, then I shall certainly abide by your ruling. If on the other hand, you cannot show me where Saturday is a sitting day then I shall certainly challenge your ruling.

MR. ROBLIN: Mr. Chairman, I think you are quite safe in being able to take the precedent set by our Speaker when this matter was raised last year.

MR. CAMPBELL: One moment, Mr. Chairman, I think my honourable friend knows better than that. The honourable gentleman made the suggestion in here a couple of days ago that he was sorry to see all these points of order being raised and rather suggested that there was obstruction because of that. I tell my honourable friend that he's making a mistake if he thinks that he can play fast and loose with the rules of this House and -- that's right, and he's doing it. -- (Interjection) -- Yes he is. Mr. Chairman, my honourable friend knows better than this.

MR. ROBLIN: Mr. Chairman, I reject in an unqualified manner, the allegation made by my honourable friend. I was not even in the House last year when this matter was before the Speaker and when he ruled, and to suggest that in proposing to the Chairman that we should observe the ruling already settled by Mr. Speaker last year, to say that in doing that that I am in any way trespassing on the rules of the House just is a complete misunderstanding of the truth.

MR. CAMPBELL: But when Mr. Speaker is wrong it should not be a precedent -- and Mr. Speaker was wrong. -- (Interjection) -- Yes, that is my opinion. My honourable friend is saying that we should go by the precedent. We should not when the precedent is wrong -- and the precedent is wrong. That is my opinion, and my honourable friend doesn't want to carry it through to the logical conclusion either.

MR. ROBLIN: What is the logical conclusion?

MR. CAMPBELL: The logical conclusion is that we will get the opinion of the Speaker of the House of Commons, and that's the right thing to do. I did that once last year and I've never reported it to this House because I didn't want to tell the House that I had found the -- by asking the Speaker of the House of Commons that we had found the ruling of Mr. Speaker to be wrong -- not on this matter but on another one. I wrote Mr. Speaker in Ottawa and I showed

(Mr. Campbell, cont'd.) . . . . the letter to our Speaker here before I sent it and suggested to him that he write too, and I got the reply back and I can produce it. He said that the Speaker here was wrong. And we'll do that again, because this is wrong. And my honourable friends both the Chairman and the Speaker and the Leader of the House shouldn't be making wrong decisions. -- (Interjection) -- No, this is not a challenge. That's what we will do.

MR. HAWRYLUK: Mr. Chairman, I'm just questioning the motives of the government in this case to force an issue on the opposition members. Is there a deadline that the government has to finish the business of the House? Since when do we have to quit at a certain time that somebody on your side of the House decides. We've sat in this House into May and you were a member at the time when we sat into May. -- (Interjection) -- All right then if that is the case then we can get to May -- there's nothing to say that we cannot -- into June if necessary but not force an issue tonight to make us stay because it's a matter of provocative business on the part of the government. If you have to stay an extra week we'll stay an extra week -- a month, we'll stay it, but don't bring this issue up right now because we have to stay here 'till after 12:00. I don't recall that we ever stayed on a Saturday -- the only time I think I recall we stayed on a Saturday was when we were closing the session. We closed the session -- yes -- we closed the session when we stayed over on a Saturday because we finished on a Saturday. But I don't recall that in any normal time we stayed over to the late hours we are today.

MR. ROBLIN: Well I can refresh my honourable friend's memory and tell him that he stayed over on a Saturday on March 24th of last year if he was here.

MR. HAWRYLUK: That doesn't mean it's right.

MR. ROBLIN: All right.

MR. HAWRYLUK: Doesn't mean it's right.

MR. ROBLIN: All right, but I think that we on this side of the House are just as much entitled to our opinion as gentlemen on the other side and I don't know why it should be that if we hold an opinion in one respect that seems to contradict the opinion held by other gentlemen that we are considered to be breaking the rules or trying to do something that is improper. I reject that completely. Now honourable members opposite, in my opinion, have been dilly dallying and lally gagging around during their 65 hours -- we could have had a much further advance in the business than we've had so far. While that 65-hour period was on I don't think -- I may be wrong -- but I don't think I uttered any complaints about the way in which gentlemen opposite were conducting their share of the business. I don't think I complained about it. Because we came to an understanding, and that understanding was that, based on 65 hours, which was the experience of the past, that that would be fair to have no doubts or worries about rising at 11:00 o'clock. We didn't have that rule in the past. I sat in this House for eight years, Sir, without that rule, and we were obliged sometimes to sit after 11:00 o'clock, which was our customary time, though it wasn't in the rules, when it was thought that it was in order to do so -- and I suppose I complained about it. But when the rules were changed we tried to arrive at what was a fair solution -- and we all agreed it was fair. It wasn't forced down anybody's throat. It was accepted in all parts of this House that we try to get along in a reasonably amicable fashion -- that we'd sit 65 hours and that ought to take care of the bulk of the business and that if we didn't finish it in 65 then we would have the right to sit later.

Now, regardless of resolutions, which don't impinge on our 65 hours and things of that sort -- regardless of all that kind of thing, we've made very slow progress in the 65 hours compared with the bulk of the work that remains to be done so can it be wondered at that we want to sit a little longer? Now I'm not in favour of sitting too long, and I think that I have enough commonsense to know that I don't have to worry about whether members will regard it as petulant if we sit a little longer than we're sitting at the present time, or weak if we rise a little sooner than some think we should, because it's something that we want to be reasonably fair about. It had been my hope tonight that if we had followed what I had suggested to opposition leaders a little while ago, that we allow the Minister to make his statement, that the two lead-off men on the other side could make a statement, then we would move from the Minister's salary and then deal with the items as they arose in the estimates, that we'd come to a friendly arrangement about how we would manage the business. My hope had been that if we had the Minister speak tonight and a couple of lead-off men from each of the other parties speak, then we could pass the item and we could rise; that would be a reasonable amount of business to do

(Mr. Roblin, cont'd.) . . . . in any one night. But it appears we're back in the same old circus of everybody speaking about everything on the Minister's salary, regardless, and I just don't see how you can have a reasonable arrangement of the business in the Committee of Supply if we do that. But members want to do it -- there's nothing I can do about that. If we can't come to some understanding on it in that way there's not very much I can do about it. But I think honourable members will have to agree that we have a certain responsibility to see to it that as much business as is reasonable is done.

Now there's no deadline in our trying to -- there's no deadline on when we have to rise; we can stay here as long as we like. But who was it the other day who asked me to deal with Supply as expeditiously as possible? The Leader of the Opposition. I didn't reproach him at that stage for what I thought was unnecessary delay in the proceedings in the Committee of Supply to that stage. I could have. It was a logical opportunity to do so, but I didn't, because I was willing to take his suggestion at its face value. And now when we are sitting a little longer in Committee of Supply, who is it that's complaining? The Leader of the Opposition and some of his friends. And I naturally -- that's a very sound word naturally -- but I just don't understand him, because he tells me one day before the Orders of the Day "Get on with Supply for goodness sake; give it precedence; get the work done; we're going to be here all night or all summer." I thought he was right. I go ahead and we sit a little longer and that's what happened.

Mr. Chairman, I don't really think that the Honourable Member for Lakeside is doing us justice on this side when he suggests that we're perverting the rules. I don't think we are. I think our interpretation of this matter is just as likely to be right as his. He shakes his head, but after all it's been reviewed before, and we have a decision to go on with. As I say, I wasn't even in the House at the time that the Speaker made that ruling. I was away. Nothing to do with it. I looked up the precedence because I expected someone to raise this matter and it seemed to be quite clear and open and nothing to it -- (Interjection) -- and I'm still of the opinion that I am now. I think that we should simply ask the Chairman for a ruling and if he rules that we are right to continue sitting then I think that appeal to the House may be taken or appeal to the Committee may be taken and we can find out what the members think. That I, myself, do not think that we're doing anything that violates the rules if we ask the Chairman to rule in the way that I've mentioned.

MR. CAMPBELL: Mr. Chairman, I'd like to say, in despite of my honourable friend, that he mentions that when we didn't have this 65 hour in Supply Committee rule in effect that the government of the day quite frequently kept the committee sitting beyond 11:00 o'clock at night. That's true; but never on a Saturday night -- on a Friday night. Never did we go past midnight on a Friday night. Never did we go past midnight on Friday, into Saturday. I'm sure my honourable friend will not be able to find any case at all because of the simple fact that the House has no authority to sit on Saturday. And why did we always in those days, in the closing ten days or two weeks -- why did we always introduce a motion allowing us to sit on Wednesday evening and on Saturday, and why does my honourable friend do the same thing now he does? Mr. Chairman, I suggest to the First Minister that he's adopted, in his last remarks on this subject, he's adopted quite a reasonable attitude. He told us what he had planned for this evening. I suggest to him that because some of us are so sure that we have no authority to sit on Saturday, that it's not a case of us minding a little extra time on any day. We're quite prepared to sit as late as the House wishes on Monday, on Tuesday and on Thursday, and certainly on Wednesday and Saturday after the usual motion is put in. That's quite okay with us. But not, in the meantime, until Saturday is included, because I just cannot feel that that is a correct ruling. I can't feel that we have the right to sit there and I don't like the idea of losing out on a matter of principle.

MR. ROBLIN: Well, Mr. Chairman, the point of order was raised by my honourable friends. It's a legitimate point of order. I think the Chairman should rule on it.

MR. MOLGAT: Mr. Chairman, before you rule, would you point out to the House where the rules permit us to sit on Saturday.

MR. CHAIRMAN: I'm making the ruling that we have a precedent for this and I'll read from the record here. This was in March -- 24th March, 1961. The House resumed adjourned debate on the proposed motion of the Honourable Mr. Carroll for second reading of Bill 39, An

(Mr. Chairman, cont'd.) . . . . Act respecting the Manitoba Hydro Electric Board. The debate continued and Mr. Campbell having spoken, Mr. Molgat, on a point of order said: "Mr. Speaker, I believe it is now Saturday. I believe the House has no leave to sit on Saturday." In the debate arising on the point Messrs. Molgat, Lyon, Campbell, Evans, Carroll, Schreyer, Martin spoke, whereupon Mr. Speaker ruled it was in order to sit until there is a motion to adjourn including Saturday. Mr. Campbell then said: "Then you rule, Mr. Speaker, that it is in order to pursue the debate;" Mr. Speaker ruled in the affirmative. Mr. Campbell then appealed from the ruling. The Speaker then put the question "Shall the ruling of the Chair be sustained?" The question being put it was agreed on the following division. So I must rule that it is in order for us to proceed with the debate in committee at this stage.

MR. MOLGAT: Mr. Speaker, I cannot agree with the ruling in the light of the rules.

MR. CHAIRMAN: Well I could put it to a vote.

MR. LYON: Mr. Chairman, approximately a half an hour ago when I - -

MR. MOLGAT: Mr. Speaker, I challenge the ruling.

MR. LYON: . . . . . first we've heard of it.

Mr. Chairman took a standing vote the result being as follows: -

Those in favour of the ruling: 24. Those opposed: 16.

MR. CHAIRMAN: I declare the motion carried, and we can carry on.

MR. MOLGAT: Mr. Chairman, I shall not appeal to the Speaker in this case, because obviously my honourable friends' majority will be as strong then as it is now. I still say that I disagree with the rule.

MR. LYON: Mr. Chairman, I was dealing with the remarks of the Honourable Member for Selkirk, and dealing in a general way with some of the other comments that he had to make about correctional facilities. He asked a number of particular questions with respect to the Home for Girls. I will take those questions as notice, the particular ones, and probably under the item in question, will attempt to give him the answers that he seeks. Although I can say to him that there have been no riots as such at the Home for Girls, and certainly that -- the other questions we will have to enquire from the Superintendent to determine whether or not there was any incidence of the type of disturbance he refers to.

MR. HILLHOUSE: . . . . any fires started by the girls?

MR. LYON: Yes, we'll look into all of them. He raised the question, Mr. Chairman, about the Judicial Boundaries Commission -- and I'm glad to hear him say that he agreed with the report -- and his questioning as to why there was no action taken on the report at this session of the Legislature. Well I can say to him, Mr. Chairman, that this report is being looked at by the department at the present time. I think the honourable member will appreciate that to bring into force the . . . . and recommendations of that report would require a considerable expenditure of monies, both in terms of capital money for new facilities and current estimate increases to cover full-time personnel who would be required if the recommendations were adopted. But I can assure my honourable friend that we have not gone to the trouble of gathering together a commission, the personnel of which I consider to be good and representative of rural and urban areas and getting the report from them just to put it away. That is not the case at all. It is receiving consideration. I think that he can look forward in due course to implementation of some of its recommendations, if not all of them. I don't say that all of them would be adopted holus-bolus but certainly the report itself is not going to be shunted aside. He raised an interesting point on the rule of evidence with respect to cross-examination of accused persons. I think that point has been discussed in committee before.

Now we come to the remarks of the Honourable Member for St. John's, and of course I always believe in saying to my honourable friend from St. John's that I appreciate the remarks that he has to make because I really believe -- notwithstanding the shafts that are aimed at this side of the House, that he has a genuine interest in the whole correctional field and he is trying to be constructive at least in some of the portions of his remarks -- certainly if not in all of them. He's trying to be constructive and I appreciate that, Mr. Chairman, but certainly in his attempt he falls far short of realization, just as I'm sure he would agree that an attempt in the correctional field to meet all of the demands that he would call for not only this government but all governments in Canada, probably falls short of the ideal that he would hold forward. Well now, Mr. Chairman, I think there's room for a great deal of productive debate about some

(Mr. Lyon, cont'd.) . . . of the remarks made by the Honourable Member for St. John's. First of all I don't disagree one tittle with his definition of the purpose of correction -- no argument on that point at all. The rehabilitation of offenders is certainly the main consideration in any correctional program, so we start off on common ground together. He broadened his remarks, I was happy to see, to include all of Canada, and then of course he brought them home in some particular regard with respect to Manitoba.

I'm always intrigued by these constant references by the Honourable Member for St. John's to the remarks that I made in 1959, and to the alleged failure to carry out promises that were made in 1959. Well now, Mr. Chairman, I'm not one who is accustomed to going back over his old speeches, but in view of the particular attention that the Honourable Member for St. John's has paid to the particular remarks I made in 1959, I have gone over that speech on more than one occasion. I went over it last year to see whether I had, in fact been the villain that he tried to paint me, and I found then that I wasn't. And I went over it again this year, and I don't mind -- I could read the whole speech to the Honourable Member -- I don't think I should have to do that, but what I did at that time was to outline the Fauteux conference -- the agreement that had been reached then, and to say that we looked to this to be one of the forward strides in the whole correctional field in Canada. But I did tell him then that I was a strong believer in probation and furthermore backed up that belief on behalf of the government by augmenting the probation staff at that time.

MR. ORLIKOW: Mr. Chairman, I wonder if the Honourable Minister would let me quote just one sentence from that speech. He said with regard to the expanding probation officers, "by each of these additional probation officers it is expected to acquire a caseload of some 40 probationers " Now you take it from there, Mr. Chairman.

MR. LYON: According to the information we had at the time, Mr. Chairman, that was the case. I'm not here tonight to deny that they have acquired larger caseloads at all so we have no argument on that point at all; no argument at all. They have acquired larger caseloads because they're doing more work and the area that they have to cover is larger and so on. But, Mr. Chairman, I think my honourable friend is quite quick to disregard the fact that prior to that statement being made in 1959 there was no effective adult probation outside of the Greater Winnipeg area at all. My honourable friend can talk all he wants about failure to implement promises but I can tell him today that there is adult probation in Manitoba and that's what we said we would have in 1959 and that's in fact what we have. And I was able to announce tonight the addition of another probation officer at The Pas which is one of the controversial sore spots in the whole correctional field in the province. Further, I would suggest corroborating exactly what we said in 1959. I announced in 1959 the beginning of the camp program which since that time has been expanded fourfold from what it was then. I announced in 1959 that under construction at that time was the Home for Girls, which since that time has opened and is in operation. I announced at that time the new detention wing that we have built at Headingley Gaol which was then in operation. I can't see where my honourable friend can say that there was any false promise held out to anybody. That was done. I would suggest that by a careful perusal of what was said in 1959, my honourable friend will find that by and large that every statement I made there as to the future intentions of this department and of the government in this field were carried out; and if he can prove me wrong in that regard, I invite him to do so. I could detail seriatim the various items that were covered in that regard but I don't propose to waste the time of the committee in doing it, because I'm sure that my honourable friend being a reasonable person when he reconsiders will look at this and realize that he was in error in that regard. But he did make a very interesting statement tonight. He made a statement to the effect -- I marked it particularly -- that there had been little or no progress going on in the correctional field since 1959.

Now, Mr. Chairman, I find that statement hard to relate to other remarks made by my honourable friend which certainly bears some consideration. But I know the he is not blind and I know that unless he is doing it for partisan purposes, he must accept the statement that that remark of his is completely erroneous and wrong. Since 1959, since this government came to office something like \$1 million has been expended in the capital field alone in the correctional field in Manitoba. Since 1959, we have built up from nothing a camp program to which now we are able to devote 20% -- in which we are able to handle some 20% of the adult male gaol

(Mr. Lyon, cont'd.) . . . . population in this province. Since that time we've built the Home for Girls -- and I didn't mention the Home for Girls particularly in my opening remarks -- I was going to save the comments on that until we got to the item because there is a place where I think we can really point with some pride to the type of program that's being carried on, not only there but in the Marymound School. And I stand before the House tonight, Mr. Chairman, and say that nowhere in western Canada at least, and I haven't seen the facilities in eastern Canada, but certainly nowhere in western Canada is there a juvenile femal program that is any better in any respect whatsoever to the one that is being carried on in Manitoba in two very excellent institutions. Now my honourable friend is a great one to refer to Saskatchewan, that Saskatchewan does this, Saskatchewan does that and so. I wonder why my honourable friend has never mentioned the Home For Girls in Saskatchewan? Because, of course, Mr. Chairman, they don't have a Home for Girls in Saskatchewan; they don't have one at all. They send their girls to another jurisdiction. And do you know what that jurisdiction is? It's Manitoba. That's where they send them. They send their girls to the Marymound School and have been doing for a number of years. For years gone by they used to send them, I'm told, long before we had responsibility they used to send them to the Old West Kildonan Home for Girls operated by the Province of Manitoba. The numbers they send, I understand, are small.

MR. ORLIKOW: Exactly, the numbers are small.

MR. LYON: The numbers are small, yes. But my honourable friend is a great one talking about the building of new institutions to handle specialized cases and so on. I merely put this academic question to him. If this is such a good policy why does not his socialist government in Saskatchewan follow the same policy and build special institutions for the problems they have?

MR. ORLIKOW: Mr. Chairman, if the Minister wants me to act as an intermedaiator with Saskatchewan, I'll suggest that to them when we bring back the deaf and mute children. We'll make a trade "even steven". I'll act as the intermedaiator.

MR. LYON: I merely say to my honourable friend that in pointing to Saskatchewan he should point to some of the other areas of the program where perhaps his friends there would not agree with the type of condemnation that he makes about the program in Manitoba. So, Mr. Chairman, we come to a number of these items that my friend conveniently overlooks -- the probation program which I already mentioned. It's unfortunate of course, that I made any remarks at the outset tonight, because otherwise my honourable friend's speech would have sounded rather good, but I'm afraid that a number of paragraphs that he probably had in his speech were found to be redundant and unnecessary because the programs are going forward as we said they would go forward, and are going forward this year.

Now, Mr. Speaker, he talks a lot about building specialized institutions in Manitoba. He mentioned drug addicts; he mentioned near-psychiatric cases; he mentioned other behaviour problems types and so on. He knows as well as I do -- any person who has done any reading in the correctional field knows that the number of persons committed to institutions in Manitoba for drug addiction is very small indeed. So small, Mr. Chairman, that it would not justify this province, or for that matter most other provinces in Canada in building such institutions. So small that in the Fauteux report itself this fact was recognized and the responsibility for this type of specialized institution, the drug field, and all of the other specialized areas, was recommended to be placed with the federal government. And that's exactly what the federal government has undertaken to do; and in fact today is building the first specialized institution for the treatment of drug addicts in the Province of British Columbia where the problem is the greatest. I would hope that when that institution gets into operation that arrangements can be made under the Federal Penitentiaries Act and by arrangement between the province and the federal government whereby persons having this problem in Manitoba who are committed to our institutions may be committed to a federal institution there if one is not built at a closer location to Manitoba. So I don't deny that there is a need for specialized types of institutions, but I do say that the bulk of the recommendations that he makes are beyond the economic or financial competence of the province, of any province, to do it; because all he has to do is reread the Fauteux report to find out. Why did the Fauteux commission recommend that the federal government take over all prisoners serving terms in excess of six months? For this very reason, because no province could justify to its electorate the spending of vast sums of

(Mr. Lyon, cont'd.) . . . . money for new facilities to treat three, four, five, six or sixteen people in a year. And that is precisely why the Fauteux recommendation was made in the form that it is. And my honourable friend I suggest with the greatest of deference knows this. It's all very nice to put up an argument about building special facilities for a handful here and a handful there, but he knows that no other government in Canada, except governments in large provinces where they have large populations, are doing; and he knows very well that it would be sheer folly on the part of this or any other government in Canada at the present time, for instance, to start building a facility for drug addicts on a provincial basis. Absolute nonsense, and that the public would not tolerate it. So I merely say to my honourable friend to display that element of intellectual honesty with this Committee that I know he is capable of displaying to other people, because he knows as well as I, that this problem is a federal responsibility and it's going to be looked at, is in fact being looked at by the federal department at the present time.

Now I don't propose in the few remarks that I make tonight to talk about quotations from the Winnipeg Free Press by newspaper reporters and so on, and when I listen to the Honourable Member from Logan read back practically word for word one of those articles, it was very interesting listening and so on, but we've seen them all, and I would merely suggest that the Honourable Member for Logan might change some of the phraseology so that it wouldn't be quite so apparent as to what his sources are. He says that Headingley is a place of custody for juveniles, for drunks, for vagrants, for hardened offenders and for persons who are on remand. Mr. Chairman, I challenge him to take me into any provincial institution of a general nature in Canada where he will not find vagrants and drunks and prisoners on remand and hardened criminals. You'll find them in every institution across Canada. I've been in a few of them. I made a trip to Saskatchewan not too long ago and I was out to the Regina Gaol and they're doing a good job. They've got a good program going in Saskatchewan. But I saw drunks, and I saw vagrants, side by side with hardened criminals, and I saw people on remand, and that's exactly the type of thing that you'll find in most other institutions. And I don't say this in a critical way of Saskatchewan or any other province. But I do ask my honourable friend again, to be a bit more reasonable with the committee when he makes these statements, because he knows very well -- he knows very well that type of situation obtains right across the country; it obtains, I'd suggest, in most jurisdictions in the western world, because specialized institutions of the nature that he calls for just have not been built. They have not been idealistically -- desirable as they may be they have not been built certainly in federal states where the province has the responsibility for the care of prisoners.

Now, Mr. Chairman, there are a number of other items that he has raised -- some queries that he has asked which I will endeavour to get the answers for. He raised the point about flying people in from The Pas. It may have occurred on one or two occasions where because of the particular type of individual who was being transported down that a person might have been flown, but by and large, the transportation is by automobile from The Pas, and certainly that was a factor in recommending that we go ahead with this institution this year. But I'm afraid that the transportation costs were not all that my honourable friend would have us believe they were. In any case, we're quite happy to be going ahead with that institution at The Pas because that is the locus and that is the centre of a great deal of the problems that we have, particularly with respect to female women.

Now we could get into a long argument about a law for the rich and a law for the poor. My honourable friend said that a number of the people, a number of the women in the Portage Gaol were there because they couldn't pay their fines. Well that's quite a statement to make and on the surface I'll say, first of all, that it's true; and on the surface one can draw horrible pictures of poor indigent people being forced into gaol because they were unable to pay their fine. But I want to tell my honourable friend what the facts are with respect to these situations, because remember these people are sentenced -- these women are sentenced by magistrates. Does he not give the magistrate the credit for having at least an ounce or two of common compassion and humanity? I'm sure they have. I know they all have. In fact I'm sure that most of these magistrates, Mr. Chairman, are much more experienced in life and are much more experienced in dealing with problems of this kind than perhaps my honourable friend or even myself. And I want to tell you what happens. This is the type of case that you get. A girl is

(Mr. Lyon, cont'd.) . . . . picked up drunk on the street. This happens. It's not nice, but it happens. It's going to be happening a hundred years from now. It's happening today. She goes into court, she's fined a nominal fine. She can't pay the fine; she's given time to pay. She comes back twice -- maybe a month later -- maybe a week later. She's given another small fine and she's given more time to pay. Three times, four times, five times, six times, seven times, eight times -- up to a dozen times, Mr. Chairman, she comes back. At the end of a dozen times or at the end of eight times, if you were sitting in the place of the magistrate what would you do? Is the law going to become a mockery? Are you going to say, "Well, you don't have to pay the fines and if you don't pay them you can get away with it?" There is a point beyond which the magistrate must -- there is a point at which he must draw the line and at which he must say, not only to the accused in front of him, but to society who's standing by watching this: "Here I draw the line and because of all of the chances I have given in this particular case, this person must either pay the fine or in default serve a term." Now that's what happens. It may be hard. My honourable friend may not like to admit that things like this go on but I can assure him that they do. I've done a bit of reading in this field myself and these things have been going on for the last 20 centuries at least. They're going to be going on for another few centuries ahead of us.

MR. ORLIKOW: We solve the problem when we send them to gaol for a week?

MR. LYON: No, I'm not pretending that we solve the problem when we send them to gaol at all but I'm telling my honourable friend why they end up in gaol, and it's not because there's any lack of compassion on the part of anybody who deals with them -- either police magistrate or the people in the gaol. But one must admit occasionally that there is some responsibility I suggest, upon the individual when given an opportunity -- fourfold or fivefold or ten times over -- there is some responsibility on the individual to respond to the opportunity that is given, and if the response is not forthcoming at some stage something must happen and that's when the incarceration takes place. Now that's not a pretty picture but that's life. That's the way life is, whether or not my honourable friend would like to admit it or not. And that is what has happened in some of the cases that we deal with at the gaol for women in Portage

My honourable friend wants a small intensive treatment centre for juveniles. How small? How many are we going to build it for? He wants a separate treatment facility for drug addicts. Well, I've already dealt with that and showed that it's really not -- he's really not serious I don't think in suggesting it. How many such other small specialized institutions does he want us to build? I would like him to tell us this because you can't -- he raises the question for instance at the Home for Girls of segregation -- the girls must mix together in the recreation room. I believe the Honourable Member for Selkirk said this. It's true they have segregated living quarters, but isn't it awful they've got to eat together and they've got to have their recreation time together. How many recreation halls does he want us to build? How many dining rooms does he want us to build? Does he want us to have a separate cook for every girl? Does he want us to have a separate counsellor? Does he want us to keep them in little cells or units so that there will be no chance of communication between them at all? Mr. Chairman, I ask my honourable friends opposite to be reasonable about this, because what we're talking about at the Home for Girls in terms of segregation is -- the fact of segregation at the Home for Girls is much better than a number of the institutions that I've had the pleasure to see in other jurisdictions. Nine girls in single rooms and two small dormitories of three each, in each of the three wings -- three girls at most sleeping in one dormitory. I've seen a home for girls, a very modern building and a very good program being carried on with a dormitory type of accommodation where you have 15 or 20 in one room. Now which way does my honourable friend want? He's going to tell me that at Portage la Prairie that there shouldn't be 15 or 20 or 25 boys to a cottage. Well how many cottages are you going to build? If the Home for Girls is no good then I suggest to him that he'd better come up with the idea as to what is good because that is one of the best types of segregated sleeping and living quarters that I have seen in terms of juvenile detention homes for girls. But I'd really like to hear what he has to say in that regard.

And having said all of that, Mr. Chairman, I don't claim perfection. I don't claim perfection for that institution at all, but I say it will stand up and match any other institution of its kind right across the country and my honourable friends know that, but they must pick over

(Mr. Lyon, cont'd.) . . . . these bones and I suppose some people say they're trying to interest the public in correction. Well they take rather a perverse way I suggest to interest the public in correction because that's precisely the type of thing that turns the public sour -- turns the public sour on correction, because out of it you get such ideas as mollycoddling and so on. We're not trying to mollycoddle them as my honourable friends opposite from Selkirk and St. John's know; that the type of program, particularly at the Home for Girls is a good program and is one that this province can be proud of. Now there were a number of other items that he mentioned about salaries and so on. I will get detailed information on that.

Before I close there is only one remark that I wish to make with respect to the comments made by the Honourable Member for Ethelbert Plains. He made reference to the unfortunate loss of life of one of the girls at the Home for Girls last January and made reference -- or made innuendo to the effect that this was the responsibility of those in charge of the Home and that it would not have occurred had a different type of program been carried on at the Home or a different type of supervision had been carried on at that Home.

Mr. Chairman, I have never thought that I would hear that type of an allegation come from any member of the House. I want to say that it is completely false, it's completely erroneous and it deserves no attention from anybody here at all. That situation -- a most unfortunate situation -- most regrettable and one which certainly no one would ever want to see repeated at all. But I can tell my honourable friends in a few brief words what happened. I was out there that night shortly after it occurred. The girls were out in a recreation area on the skating rink. It had a nine-foot fence around it with the barbed wire coming inward. They were on the rink by themselves that is true, but they were in this confined area and under supervision from inside the institution by institutional personnel. Within a minute or two of when the supervisor last looked at them and watched them out on the ice the girls were gone. They crawled over the fence -- took off their boots, crawled over the fence, scaled over this barbed wire portion and were off. They ran toward the river and this was not known at the time. A search was started immediately -- within a matter of a minute or two when they were noticed -- a search of the institution was made first to see where they were and then the police were called to assist with this problem and before any knowledge was known as to where the girls had gone, one of the three girls came back to the institution -- no shoes on and her feet wet -- and reported to the superintendent that the two others, in attempting to get across the Red River, that is, east of the institution, they had fallen through the ice and that the two were in the water. The staff under the Superintendent and with assistance from neighbours living in the area across the street, immediately went down to the river and went out on to the ice -- broken rotten ice because of the proximity to the sewage disposal plant out in West St. Paul -- they at great danger may I say, to themselves, were able to get lights on this hole. They saw the one girl still hanging on to the ice. They were able to get out to her with branches and with ladders and so on to get a rope around her and miraculously to get her out. I don't know how they got her out. It was just really an act of God that they were able to get this girl rescued from that spot -- and she had been in that water some 10 minutes as closely as we can judge it before they were able to take her out. They did this and brought her back. They searched the total area for the other girl and we can only presume, because no body has been found as yet, we can only presume that she went under the ice and was drowned. Now those were the circumstances. The two girls that survived this incident were taken immediately to hospital. There were ambulances there. Neither of them suffered any long-term effects from this most unfortunate circumstance. But for my honourable friend from Ethelbert Plains to suggest -- and I don't take this personally at all -- but for him to suggest that there was any scintilla of negligence on the part of anybody on the staff or that the staff program or the type of custody led to this type of thing occurring, I suggest is not befitting of a member of this House, and I dismiss categorically all of the remarks that he had to say in that regard, and I suggest that honourable members of the House and any who may have had occasion to hear it dismiss them just as categorically as I suggest they should be.

Mr. Chairman, I move the committee rise.

MR. CHAIRMAN: Committee rise and report. Call in the Speaker.

ACTING CHAIRMAN: Mr. Speaker, the Committee of Supply reports progress and ask leave to sit again.

MR. K. ALEXANDER (Roblin): Mr. Speaker, I move, seconded by the Honourable Member from Rupertsland, that the report of the Committee be received.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. ROBLIN: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that the House do now adjourn.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Monday afternoon.