

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Monday, April 8, 1968

Opening Prayer by Mr. Speaker

MR. SPEAKER: Presenting Petitions
Reading and Receiving Petitions
Presenting Reports by Standing and Special Committees
Notices of Motion
Introduction of Bills

HON. WALTER WEIR (Premier) (Minnedosa) Introduced Bill No. 60, An Act to amend The Electoral Divisions Act.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): Mr. Speaker, His Honour recommends the proposed measure to the House:

MR. WITNEY introduced Bill No. 67, The Clean Environment Act.

HON. THELMA FORBES (Minister of Urban Development and Municipal Affairs) (Cypress) introduced Bill No. 62, An Act to amend The Metropolitan Winnipeg Act, and Bill No. 52, The Local Authorities Election Act.

HON. HARRY J. ENNS (Minister of Agriculture and Conservation) (Rockwood-Iberville) introduced Bill No. 32 An Act to amend The Agricultural Societies Act.

MR. ENNS: Mr. Speaker, I was reminded that I should inform the House that His Honour has been informed of this particular Act, and recommends it to the House.

HON. STERLING R. LYON, Q. C. (Attorney-General) (Fort Garry): Mr. Speaker, His Honour recommends this proposed measure to the House:

MR. LYON introduced Bill No. 61, An Act to amend The Election Act.

HON. GEORGE JOHNSON (Minister of Education) (Gimli) introduced Bill No. 13, An Act to amend The School Attendance Act.

MR. SPEAKER: Before I call Orders of the Day I would like to direct the honourable members to our visitors in the gallery where we have 40 students of Grade 11 standing from the Neelin High School. These students are under the direction of Mr. Jones and Mr. Morphy. We also have with us today 78 students of Grade 8 standing from the Ste. Anne Elementary School. These students are under the direction of Mr. Ganyon, Mr. Gamash, and Miss Derochiers. This school is located in the constituency of the Honourable Member for La Verendrye. On behalf of all the members of the Legislative Assembly, I welcome you all here today.

The Honourable Leader of the New Democratic Party.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Speaker, I rise, and I trust that I have the permission of the House, to make reference to a tragic event of last Thursday evening, in the assassination of Dr. Martin Luther King, Jr. I think that democracy was struck a blow, similar to the blow that struck the late Dr. King and I feel Mr. Speaker, that it would be proper for this Assembly to pay its condolences, not only to those immediately concerned with the late Dr. King, but condolences to his co-fighters in the interests of equality, in the interests of a better human understanding among all peoples.

I feel, Mr. Speaker, that truly democracy has lost a great champion. When one considers the individual is one thing, but for what the individual stood for, is something different; for here was a man who sort of felt, or at least he indicated in his speeches throughout the nation to the south of us that he would have to pay eventually, the supreme sacrifice of his life in the interests of his fellow man. We know that Dr. Martin Luther King, Jr. was awarded one of the highest honours that can be bestowed upon an individual for his endeavours in the interest of peace by him being awarded the Nobel Peace Prize.

So, Mr. Speaker, I know that tributes have been paid to this great American by churches, by various organizations; I think that it's fitting for us here in Manitoba to reflect upon what this man attempted to achieve for humanity and I think that we here in this House should reaffirm our desire and the desires of all, that peace loving peoples throughout the world should unite to bring about a better understanding among all peoples. It is most unfortunate, I suggest, that with the passing of Dr. Martin Luther King, that some used the event to go just the reverse and start battles and strife and looting and destruction. It is my hope and I am sure the hope of all members of this Assembly that there will be a return to the principles enunciated by this great American and that his life be not in vain and that

(MR. PAULLEY cont'd.) all of us rededicate ourselves in the interest of peace and humanity.

Isn't it tragic, Mr. Speaker, that as the result of this happening last Thursday, the President of the United States found it necessary to stay at home, instead of leaving his country in the interests of peace in Vietnam. How far-reaching was the bullet that penetrated the neck of Martin Luther King. It could well have been that negotiations would have been commenced by now toward bringing about a cessation of hostilities in Vietnam and that peace, the life objective of Martin Luther King, both at home and abroad, may have been on its road to achievement.

Mr. Speaker, from time to time we in this House pay our tributes and our condolences for members who have served in this Assembly and gone to their great reward. I think that it is fitting and proper for us here in the Province of Manitoba, a northern neighbour of the great state to the south of us, to pay similar tribute to a great dedicated American. In conclusion, Mr. Speaker, I again say, let us reaffirm, not only have it at the present time, let us dedicate ourselves toward peace, understanding and good will among all men and let not Dr. Martin Luther King's assassination be other than an incentive for us to go forward in the belief that he was right and that his ideals were correct.

MR. WEIR: Mr. Speaker, I wonder if I might just briefly and without repeating the things that have been said by the Leader of the New Democratic Party, associate the members of the government with the words that he spoke in reference to Dr. Martin Luther King.

Dr. King was a citizen of the world who believed very strongly in human dignity and worked very hard in that regard. He had a great depth of character and a powerful sense of purpose that stood with him during his many many years in the interests of his work for people. His loss and the circumstances of that loss are deeply felt, I am sure, by all Manitobans and in the hearts of all men that care. Our hearts as Manitobans, I'm sure, go out to the family of Dr. King and those who are closely associated with him and I would like to associate myself with the sentiments that were expressed by the Leader of the New Democratic Party.

MR. GILDAS MOLGAT (Leader of the Opposition)(Ste. Rose): Mr. Speaker, the death of any individual is a tragic event; the death of Martin Luther King is one that goes much further because it is, in a sense, the death of a symbol as well. I wish to associate my colleagues and myself in the comments that have been made here today.

I note that yesterday there was a ceremony here in Winnipeg at which the Provincial Secretary represented the government. I had been invited to it; unfortunately due to the circumstances of the past week, I was not here in Winnipeg nor were any of my colleagues so we could not be associated with it, but I wish today to associate my Party with this event. It is indeed a tragic event and I think it may give Canadians all over real cause for a second look. We have a tendency at times to be rather critical of our American neighbours and possibly to say that it couldn't happen here and to fail to have the complete understanding of the depth of their problem. I think in many cases we in Canada too can be concerned about bigotry and narrowness in ourselves at times. I think that we have to think constantly the approach that we should be looking at people not because of their colour or their race or their religion or their background, but for themselves, what each individual is. Tragic as this event is, tragic as it is for that family, obviously, and for that cause, maybe out of this unfortunate circumstance, possibly some good will flow. This is certainly the attitude which Martin Luther King himself exhibited at all times. I think it was marvellous to see his wife speaking to the world over television and the attitude that she took in this tragic circumstance for herself. So I join my words with those of regrets and condolence to her family and to all those who worked in that great cause.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I too wish to join in tribute to Martin Luther King on this occasion. Mention was made of his life not being in vain and certainly this is the case for any Christian believer and who has a faith in God and Christ. Life is not in vain and never will be. In Mr. King we find a person who had a purpose in life. He stood up for his people and for the rights, yet he would not go to violence. He was one that stood for non-violence and believed in peace and that things could be worked out in a peaceful way. I think this is the greatest tribute a person can have and I do hope that when a new leader emerges, that he will stand for the same principles and lead his people on in the same path that Dr. Martin Luther King did.

MR. SPEAKER: I join with the sentiments that have been given, and I would ask the House to rise with me for a moment.

(A minute of silence was observed by the House.)

MR. SPEAKER: Thank you.

HON. GURNEY EVANS (Provincial Treasurer) (Fort Rouge): Before you put the Orders, I would like to inform my honourable friend from St. John's that the answer I gave him the other day appears now not to have been entirely correct. He asked me concerning any increase there might be in the redemption of savings bonds and I replied quite definitely that there hadn't been any, although my last sentence did say that to the best of my knowledge, there hadn't been any. I am informed now that for perhaps two or three days there was a substantial increase in the amount of redemptions. I have not had any later information but I believe the pressure is now subsiding.

MRS. FORBES: Mr. Speaker I would like to reply to a question that the Honourable Member from Assinibola presented to me and also carried further by the Honourable Member from Portage la Prairie.

If a building permit complies fully with all the regulations required in order to be entitled to have that building permit then I can see no reason why the Metropolitan Corporation could refuse to issue such a permit; but however, since qualification is something that would require considerable investigation of the facts, I feel that I can only answer the question of the honourable members in this case, by suggesting that the applicant should consult his solicitor and be guided by his advice.

MR. SPEAKER: I wonder if I could interrupt the honourable gentlemen for a moment. It seems that I have made an error; it has been brought to my attention. I understand the Neelin High School is in Brandon and I make that apology to the Member for Brandon.

MR. RUSSELL DOERN (Elmwood): Mr. Speaker before the Orders of the Day I would like to direct a question to the First Minister concerning the Bank of Western Canada. Has the government taken any action to assist the Bank of Western Canada to begin operations or to remain in this province?

MR. WEIR: Mr. Speaker, there were some negotiations between the government and members of the board, but this is something that is under the jurisdiction of Court right at the moment and whether or not it can be moved or what will happen to it I think is subject to the disposition of the courts and certainly can hardly be discussed with any sort of accuracy at this time.

MR. DOERN: A supplementary question. Did the Bank representatives approach the government for any assistance, financial or otherwise?

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, before the Orders are called I would like to direct a question to the Minister of Mines and Natural Resources. Has the Manitoba Government held discussions or negotiations with Churchill Forest Products with respect to supplying pulpwood to Churchill Forest Products through some sort of a training project?

HON. DONALD W. CRAIK (Minister of Mines and Natural Resources) (St. Vital): We have had discussions, Mr. Speaker, in answer to the questions, we have had discussions with Churchill regarding the training of personnel in Manitoba that may be available to Churchill in their operation. I don't think I'm disclosing anything confidential in saying that in the training of personnel we would have production of some pulpwood or saw timber, whichever the case may be or probably both, and that we would have to have a market for this. This being the case it would be a case primarily of having a market for what was produced, rather than it being the objective to produce the wood, it would be a by-product of the training program. The responsibility of such a project has not been decided as yet. We first have to know, fairly reasonably, how many people there would be that would require the training before we could arrive at any decision as to whether or not we should in fact be thinking of an insignificant quantity of product or whether we should be thinking of something that we would need a contract for. That is the state of negotiations on the matter.

MR. JOHNSTON: A supplemental question, Mr. Speaker. Were actual prices per cord discussed in this negotiation whereby the government would sell to Churchill Forest Products pulpwood?

MR. CRAIK: No there has been no price discussed by myself or my staff regarding it.

MR. JOHNSTON: A supplemental question, Mr. Speaker. I note the Minister said

(MR. JOHNSTON cont'd.) that there were no discussions by himself or his staff. My original question was : "Were any representatives of the Manitoba Government involved in this type of a discussion?"

MR. CRAIK: The answer to that, Mr. Speaker, is that I don't think there have been any discussions on the price of pulpwood or saw timber; I don't think there has been any discussion of it between the two parties.

MR. SIDNEY GREEN (Inkster): Mr. Speaker, I would like to direct a question to the First Minister. In view of a recent gallop poll which indicated that 60 percent of the people in Western Canada would prefer Medicare be introduced for everyone, rather than for those who need it, as against only 27 percent who were of the contrary opinion, is the Minister prepared to reconsider his announcement that Manitoba would not participate in the federal medical care scheme?

MR. WEIR: Mr. Speaker, when there are announcements to be made in that regard, either the Minister of Health or myself will make them.

MR. GREEN: Mr. Speaker -- (Interjection) -- Yes, Mr. Speaker, on the same point. If the First Minister has no announcement to make with respect to his reaction to the poll, does the Minister have an announcement . . .

MR. SPEAKER: The Honourable the First Minister it seemed to me answered the question of the honourable gentleman. He said that when the Minister of Health brings down his estimates it will be dealt with then and the First Minister said that he would speak on the matter also. I think that pretty well exhausts any further questions on that subject.

MR. GREEN: Mr. Speaker, this is in view of another development which the Minister indicated to us previously he was waiting on - that is the election of a new candidate, in any event a new prospective prime minister. Now that a new Prime Minister has been named, does the First Minister have any announcement to make with regard to the position of the government with regard to Medicare?

MR. WEIR: None whatsoever, Mr. Speaker, but we expect to have some recommendations to make to the proposed new Prime Minister.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I wish to thank the Honourable Minister of Municipal Affairs and Urban Development for her answer to my question a couple of days ago but I am not completely satisfied that all that small businesses have to do, or applicants, is to get legal counsel, because when you do get legal counsel this may delay applications for a further six months or a year and I think any small business by that time would be probably crippled.

MR. SPEAKER: I didn't hear the question of the honourable gentleman.

MR. PATRICK: My question is: is it not true that the Metropolitan Corporation will not issue any permit for construction of any buildings in an area of inner perimeter highway or proposed inner perimeter highway and at the same time will not expropriate that property?

MRS. FORBES: Mr. Speaker, I don't know. He'll have to ask the Metropolitan Corporation.

MR. FROESE: Mr. Speaker, I'd like to direct a question to the Honourable the Minister of Municipal Affairs and Urban Development. Have any regulations been passed under the Urban Development Act that we passed last year?

MRS. FORBES: Mr. Speaker, I'll have to take the honourable member's question as notice. I don't think I quite understand him, but I will speak to him.

MR. SPEAKER: The Honourable the Minister of Agriculture.

MR. ENNS: Thank you Mr. Speaker. Before the Orders of the Day I would like to table a Return to Order No. 4 dated April 14, 1967, on the motion of the Honourable the Member from Lakeside having to do with the Shellmouth and the Portage And while I'm on my feet, I may just draw to the attention of the members that it's my understanding that these pamphlets are being distributed to the members, bringing the members up-to-date on the situation of the ARDA program within the Province of Manitoba.

MR. PAULLEY: Mr. Speaker, I would like to direct a question to the Honourable the First Minister. Newspaper reports have it that the Honourable the First Minister speaking to the conference of Indians held over the weekend indicated to them that they should get off their reserves. My question to my honourable friend is - has the Government of Manitoba a plan for the Indians if they leave the reserves?

MR. WEIR: Mr. Speaker, there are various plans available to assist people in these

(MR. WEIR cont'd.) areas. Those remarks I wouldn't say were fully in context because really what I said was that it was fairly obvious with the growth that there was that there wasn't enough resources on the reserves to look after the growing population and that if they wanted to take part in the growth and development that is taking place in the rest of Manitoba and Canada, that there wasn't going to be room for all on the reserves, but I emphasized the fact that the choice was theirs.

MR. PAULLEY: May I ask a supplementary question, Mr. Speaker of my honourable friend? Does the Government of Manitoba intend to make provisions for facilitating during the transition period from leaving the reserves to the absorption into society general of the Indian?

MR. WEIR: Well, Mr. Chairman, I think that my colleague the Minister of Welfare does considerable along this field now. This is one of the areas - I also spoke of the fact that I believed there needed to be a re-thinking of the agreements that exist between the Indian people and Canada and the provinces thereof in the same way that we believe there should be re-thinking possibly of some of our areas of constitutional change. This is one of the areas of concern that the Province of Manitoba has, as I am sure, most other jurisdictions have across Canada, that are faced with the difficulties of attempting to assist our native population with taking a real part of the advancement and growth that's taking place in the country.

MR. PAULLEY: Mr. Speaker, one final question to my honourable friend or his Minister of Welfare: Will the House be taken into the confidence of what the honourable First Minister means by re-thinking of the program of the Province of Manitoba?

MR. WEIR: Mr. Speaker, I don't think I said re-thinking of the program of the Province of Manitoba. I think I was referring to the constitutional position of the Government of Canada and the provinces as it relates to our native people and I said that there were quite a number of works being carried on by the Department of Welfare -- and I would assume, Mr. Speaker, that there will be an opportunity to discuss those on the estimates of the Minister of Welfare, because I know of his personal interest in this field and the work that he and the department have been carrying on.

MR. GREEN: Mr. Speaker, a further supplemental question. I wonder if the First Minister could assure the Indian population that those people who have left the reserves have found that they are able to participate in the economic, social and cultural advancement of the Province of Manitoba.

MR. WEIR: Mr. Speaker, my honourable friend knows very well that no government can assure any particular individual that they are able to participate fully in anything. I think that there are approaches that have been taken by the government of Manitoba to assist these people, but as far as giving any individual complete assurance that they are able to take full advantage of everything that comes along, becomes a very very difficult task indeed.

MR. GREEN: Mr. Speaker, not speaking of individuals, could the First Minister assure the Indian population that a certain percentage of those people who have left the reserves have been able to take part in the cultural, social and economic advancement, which he refers to in the Province of Manitoba; and if so, could he give the percentage?

MR. DOERN: Mr. Speaker, I would like to ask the First Minister whether he regards public housing as one solution to assist Indians and other low income groups in the city. Is this one solution as the government views it?

MR. WEIR: Mr. Speaker, I think that it's true to say that public housing has a place to play in the redevelopment of these people and other people within the Community, although I don't believe that public housing is the solution to all of the housing and other problems of individuals within the community.

MR. JOHNSTON: Mr. Speaker, before the Orders are called I would like to direct a question to the Honourable Minister of Industry and Commerce. Although I have not seen it, I have been told that there have been, a newspaper report that the Greb Shoe Company may be leaving Winnipeg, the manufacturing company that is. So my question is, has any government people made any efforts to retain the Greb Shoe Company here in Manitoba?

HON. SIDNEY SPIVAK, Q. C. (Minister of Industry & Commerce)(River Heights): Mr. Speaker, I would suggest that the honourable member read the other newspaper and he'll see a report in which the president of the company indicated that the matter has been postponed

(MR. SPIVAK cont'd.) for a variety of reasons, but not that they were withdrawing from Winnipeg. And I also can inform the House that members of the Department have been in consultation prior to this announcement, or prior to the newspaper report, with the company. It is our feeling that the company will in fact be building in Winnipeg.

MR. EARL DAWSON (Hamiota): Mr. Speaker, my question is directed to the Minister of Industry and Commerce. I would like to know has a member of the staff of the Information Center been doing some photography work in conjunction with TV at Dauphin for a local event that is to take place?

MR. SPIVAK: Mr. Speaker, I'll have to take that question as notice.

MR. SAUL M. CHERNIACK, Q. C. (St. John's): Mr. Speaker, may I before the Orders of the Day direct a question to the Minister in charge of the Manitoba Development Authority. In regard to the adult education classes that are sponsored by, or conducted by the government, which I think the Manpower is recruiting, does the Manitoba Development authority play any role in the recruitment of students for this training program?

MR. WEIR: Mr. Speaker, I'll have to take that question as notice. I'm not sure right offhand.

MR. CHERNIACK: May I ask a supplementary question, Mr. Speaker? I am wondering whether the Minister is prepared to inform the House whether reports have been received from the TED organization and if so whether they'll be made available to the House?

MR. SPIVAK: Mr. Speaker, I possibly can answer that. Are you suggesting a report from the TED Commission has been received?

MR. CHERNIACK: As I understand it the Targets for Economic Development comes under the Manitoba Development Authority and are to be making reports from time to time on the studies that they are conducting.

MR. SPIVAK: Mr. Speaker, the Targets for Economic Development come under the Department of Industry and Commerce.

MR. CHERNIACK: Oh. And the question was: have they made any report?

MR. SPIVAK: Mr. Speaker, I'll have a statement in connection with this -- I'll have a statement in connection with the TED program.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would like to ask the Honourable the Minister of Industry and Commerce, can we expect a report from the Manitoba Consultative Board as in past years and when will it be available?

MR. WEIR: Mr. Speaker, the report hasn't been received as yet. We can expect it when it's available.

MR. CHERNIACK: Mr. Speaker, may I ask a supplementary question of the Minister of Industry and Commerce? I believe he indicated that he will be making a statement on TED -- I think that was his answer to my question whether reports have been received. May I ask when the statement will be made?

MR. SPIVAK: Mr. Speaker, it is my intention to make the statement in connection with my estimates, but I would just like to assure you that it's not a question of a report from the TED Commission being received by the government, it's a matter of reporting to the House the manner in which the TED Commission will operate and the information that has been supplied to the department for the information of the House. The TED Commission is now presently holding its hearings and presently is in session and we have no specific report to bring to the House other than the information which I'll be bringing forth in my estimates.

MR. CHERNIACK: A supplementary question, Mr. Speaker.

MR. SPEAKER: The honourable gentleman has far exceeded that privilege. He's asked three supplementaries and I'm sure he knows that that he's only . . .

MR. CHERNIACK: Of whom, Mr. Speaker?

MR. SPEAKER: Beg pardon?

MR. CHERNIACK: Of whom? I thought I addressed the Minister of the Manitoba Development Authority.

MR. SPEAKER: I wanted the Honourable Member for St. John's to be satisfied that . . .

MR. CHERNIACK: Mr. Speaker, you have twice told me in the last week or so that I've gone beyond the scope of what I should have done and certainly I accept your statement.

MR. SPEAKER: That is my purpose I believe. That is my purpose I believe. I hope the honourable gentleman will accept it as such.

MR. CHERNIACK: Thank you, Mr. Speaker. I'll keep count of when I speak.

MR. SPEAKER: I'd be very pleased to see him in my quarters at any time.

MR. CHERNIACK: Good.

MR. MOLGAT: Mr. Speaker, I'd like to address a question to the Provincial Treasurer. Will we be receiving the budget tonight?

MR. EVANS: Yes, Mr. Speaker.

MR. MOLGAT: A supplementary question then, Mr. Speaker. On Thursday the 14th of March an Order of the House was accepted with regard to the return from the 5 percent sales tax and I pointed out at that time that I purposely asked the question in a simple form so as not to involve a great deal of work. The Minister replied: "So the question is in a form that makes it as easy as possible for us to answer. I'll do that as soon as I can." Some three and a half weeks have now elapsed. Could the Minister indicate when we might get that information?

MR. EVANS: Yes, I think it should be ready by now. After all the last returns in question were only some two weeks ago to the 31st of March and I think supplying it within a few days from now will be a reasonably prompt reply.

MR. SPEAKER: Orders of the Day. The Honourable Leader of the Opposition.

MR. MOLGAT: Mr. Speaker, if there are no other matters before the Orders of the Day, I would of course like to take the opportunity to make a very lengthy statement on some important national events that took place on Thursday, Friday and Saturday of last week. However, I don't believe it is within the rules of the House to do so and I only would like to say, Mr. ...

MR. SPEAKER: ... that the honourable member has leave.

MR. MOLGAT: Well if I have leave then, Mr. Speaker, we may be here quite some time. I would like to again express my appreciation to the House for having allowed my members and myself to be absent on Thursday and Friday and the adjournment of the House and to report that all of my caucus members did in fact attend to this important national event - were all present and all voted. I cannot however report how they voted, Mr. Speaker, because this matter was left entirely to their own conscience and they proceeded to do as they wished with no strong-arm tactics on my part or that of anyone else to my knowledge.

I might add that there was a considerable degree of difference of opinion within the Manitoba delegation that went to Ottawa. There were some statements made apparently that I had made specific commitments in one direction or another. I'd like to make it very clear that I did not do so. I voted as a private individual and did not make any announcements at any time as to what my position was in this matter. I'd like to report as well that I think we have a new leader in our Party and who will shortly be a Prime Minister who will do a great deal for Canada. I think that we will find in this man a great Canadian who will devote a fantastic amount of energy and a great deal of talent to the betterment of our country and I can guarantee that he will have the full support I'm sure of all of the Manitobans who went there regardless of which way they chose to vote during that conference.

So I think that this national event now being over, we can proceed with the business of Canada and we, here, can resume our work of the business of Manitoba.

MR. WEIR: Mr. Speaker, I didn't like to bring the matter up but having been brought up by the Leader of the Opposition, I think it would be in order for me on behalf of the people on this side of the House to express our congratulations to the Honourable Pierre Elliott Trudeau on his election as Leader of the Liberal Party of Canada and I'm sure he'll be sworn in as the Prime Minister of Canada in due course.

I think it probably goes without saying, Mr. Speaker, that we will have suggestions to make to him, some advice to give from time to time and we'll be probably tending to judge the performance of this individual on the way he accepts the advice that he receives from us. Some of it he will hopefully accept, some of it he may have a tendency not to but we'll let time rule. For the meantime, I think that all members of the House probably would like to express our congratulations to him on his victory at quite a sensational convention held over the past few days.

MR. PAULLEY: I think, Mr. Speaker, it would be fitting for me on behalf of the New Democrats to say a word or two. I would suggest the first thing would be to congratulate the Prime Minister designate, Pierre Trudeau. We know that he is going to have a very difficult task ahead of him. We know that as the result of years of combined Liberal and Conservative

(MR. PAULLEY cont'd.) administration the situation prevailing in Canada is not what it should be. We recognize that as I'm sure most Canadians do also.

However, notwithstanding that, Mr. Speaker, in all seriousness I extend on behalf of my group here to the honourable gentleman who has been chosen by the Liberal Party. Thanks to the medium of TV - which sometimes we question - we were able to follow the proceedings at Ottawa with a great deal of interest and it was very obvious particularly on the Saturday afternoon that if there had of been one or two more votes the Prime Minister designate may have had a different name. It seemed as though there was quite a scurry and change of support. I say to the Honourable the Leader of the Liberal Party in Manitoba that it was quite interesting for those of us not of his political faith to watch what went on down in Ottawa and I think possibly while extolling the virtues of what happened down there, it's too bad a Manitoban didn't fare better as a result of representation that left Manitoba. In this particular case of course Manitoba didn't come first. I would like to direct one question and I don't want him to answer it because I'm sure he hasn't got the answer. When do we enter into the fray to see how long the Prime Minister designate lasts in office?

MR. FROESE: Mr. Speaker, other speakers having had leave of the House I hope I'll have the same to make a comment or two. I, too, would like to congratulate the Prime Minister elect although I do so with great hesitation. No doubt there were divergent views among the delegates at the convention in Ottawa and I think this was shown in the ballots right to the last. However it behooves us as citizens of this country to respect this office and certainly we want to extend best wishes and keep our fingers crossed and hope for the best. There is one comment though that I would like to make and that is that I just wonder whether the National Leader of the NDP will now be made a Cabinet Minister. I think there will be no need for both the NDP and the Liberals to have candidates in the next election. I think they could well join together now.

MR. SPEAKER: Orders of the Day. Adjourned debate . . .

MR. MOLGAT: Mr. Speaker, I just want to acknowledge the congratulations of my honourable friends, trust that they will have the same attitude in the battle when it comes and assure them that the Manitoba delegation attempted in every way possible to ensure that the regional interests of Canada were considered by the Government of Canada and that the new Leader is aware of these matters and I'm sure will be conscious of our needs.

MR. LYON: Mr. Speaker, before the Orders of the Day, perhaps I could have leave to give a brief resume of government business today and the order in which it will be called. We would propose to move immediately now to Committee of Supply and stay in that committee until 5:30 and then tonight the Honourable Provincial Treasurer will be moving a motion with respect to Ways and Means and when he concludes his remarks in that connection, presuming no further debate, we would then move back to second reading of Bills which are on the Order Paper.

MR. EVANS: 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 after a voice vote declared the motion carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Arthur in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Committee proceed. We were on Resolution No. 23 (c) -- passed.

MR. ELMAN GUTTORMSON (St. George): Mr. Chairman, when we adjourned on Friday the Minister was going to give us an answer to some questions that we directed toward him at that time. Maybe he has them now?

MR. LYON: When we adjourned on Wednesday I believe the Minister was going to see if he I didn't think my honourable friend had had that lost a week-end.

My honourable friend from St. George did ask a question with respect to Verna Joyce Stout, I believe it was, and he said that his information was to the effect that the charges had been dropped. I can tell him that the department reports to me that the charges were not dropped. There was a charge laid against one of the front seat passengers of the vehicle in question and a preliminary inquiry was called before a Police Magistrate and the accused was discharged by the magistrate at the conclusion of the preliminary inquiry pursuant to

(MR. LYON cont'd.) the right of the magistrate. So the charge was not dropped, the accused was discharged from further onus under the section by decision of the Court.

My honourable friend the Member for Lakeside had a question about an individual who was involved in a car accident in which lives were lost. He was subsequently charged and sentenced to six months. His question was: Has he been released? Answer: Our information is that he was released pursuant to an Order of the Parole Board after serving two months of the six month sentence, that is the National Parole Board at Ottawa. Is he driving again? The answer is no, insofar as the Department of Public Utilities is concerned. He is still a suspended driver. If he is doing any driving it is of course in contravention of the suspension order and to the best of the information of the Department of Public Utilities he is not driving -- or he is certainly not eligible to drive.

The Member for St. George also had two documents that he handed over to me. One was a release from the Department of Agriculture, and this of course is a matter on which he has previously spoken to the Department of Agriculture. They have indicated a willingness apparently to change the form to allow compensation for damage to be worded in a different way and the legal officers will of course draw up the form as Agriculture may request it. The notice from the finance company. I suppose there is some possibility that this form could be mistaken for a Court Summons although it has nothing on it to indicate such. It's really not illegal; There's nothing that one could do about it. I can appreciate my honourable friend's concern. I'm afraid though that in a case like this the department has no power to regulate this type of documentation that is sent out by a private company when it contains no words of authority on them other than just the words "noted to appear", there's nothing there that says that this is a notice being given from anyone other than the company, which of course presumably it is. I thank him for sending these to me and I return them to him as he requested -- Mr. Guttormson.

I should mention in connection with the Member from St. George's question it was not the driver who was charged in that particular case, it was the passenger in the car who apparently put his hand on the wheel. He was charged with two offences under the Criminal Code and was discharged on both of them, the passenger was -- (Interjection) -- by the Court, oh yes.

I believe that is all that I have notice of at the present time.

MR. GUTTORMSON: On this card that - I quite agree with the Minister that there's nothing illegal, but certainly to people who are not familiar with the procedures of the court and not familiar with court documents it gives the inference that it's a document from the court. Would the Minister not agree that this company should be informed perhaps to change their ad which would not imply that they were a court rather than just a private company. Because certainly I know the impressions of the people who received the card thought it was a court order. I looked at it and of course after studying it I realized it wasn't. I don't think the company should be able to do this by -- you know, by implication.

MR. CHAIRMAN: The Member for Inkster.

MR. GREEN: Mr. Chairman, I believe you called Resolution 23 (c)? Is that correct?

MR. CHAIRMAN: 23 (c).

MR. GREEN: Mr. Chairman, I have a point that I would like to take up with the Honourable the Attorney-General regarding law enforcement. In looking at the estimate sheets, when I first got them, I thought that this item would probably properly come under Resolution No. 25, Juvenile and Family Court, Probation and Parole, but I think the point that I'm making is of the nature, Mr. Chairman, that it of necessity must come out of that section and as a matter of fact that's really the nature of the point.

The present situation is that any woman who is not living with her husband is entitled of course to seek redress through the Juvenile and Family Court for maintenance of herself and/or of her children, and I don't think by and large that this procedure works. The woman who seeks maintenance from her husband of course, must show that her husband has been guilty of a matrimonial offence or else she will not get that maintenance. But we have a category of cases, Mr. Chairman, which has caused a great deal of difficulty both to our welfare departments, both to our law enforcement people and to the lawyers generally. And that is the case, Mr. Chairman, where a woman and her husband are not living together, the woman has custody of the children, the husband has no objection whatsoever to her retaining custody, that is, and to clarify, he makes no complaint as to the manner in which she is

(MR. GREEN cont'd.) looking after these children, but he refuses to pay anything towards their maintenance and support. Now, Mr. Chairman, this is a very unusual type of procedure. As a matter of fact, I indicated to the House last year that although as a lawyer, one of the principles which I try to practice is that any man, no matter how guilty he may appear to be, deserves the right to counsel and to the defence of his position, even though it appears indefensible. But, Mr. Chairman, I haven't been able to apply this principle where it affects a father of children, who admits that he is the father, makes no attempt to give any money whatsoever to his wife for the children, and yet does not complain about her having custody of the children. So we have the anomolous circumstance of the husband saying, "She's entitled to them, she's entitled to look after them. I'm not going to support her and I am not going to support the children."

Mr. Chairman, I want to make it clear once again, lest I be misunderstood. I'm not saying that a husband doesn't have a right to say that he won't support his wife - and I will defend that position - but where the wife has custody of the children, then I think that it's indefensible for a husband to say that he will not support the children. And the present circumstances are such that a husband can, by one legal procedure or another, even though it doesn't appear to be spelt out that he can do this, he can, by taking various legal steps, create the situation where his wife has custody of the children and he is doing nothing whatsoever to support them.

Mr. Chairman, there is a section of the Criminal Code which my honourable friend is surely aware of, - that section provides - and I'm paraphrasing, I'm not stating it verbatim - that a father is responsible for the maintenance of his children - not the wife, but the children - and that failure to fulfil his responsibility could result in a criminal charge and a criminal offence. Now, Mr. Chairman, I may sound out of context, I'm generally one who is hesitant about finding somebody guilty of a criminal offence, although this must take place, but I have no hesitation whatsoever in saying that a man who refuses to support his children and yet permits them to remain in the custody of his wife, should be liable to that kind of charge, is liable by present law to that kind of charge, and yet Mr. Chairman, and I hope I'm not being too critical, very few departments of the Attorney-General across the country prosecute under those circumstances. And there are various reasons. It's sometimes difficult to locate the husband; it's sometimes difficult to have the administration act as an enforcer of maintenance orders and it's sometimes difficult to establish that the husband's conduct is really criminal. He might not be able to support the child; there may be no what we call in law, mens rea - no intention to do this.

But there are other cases, Mr. Chairman, and I'm going to refer to one in particular. There's a woman in Manitoba who, over the past three, four or five years, has been all the way from Magistrate's Court in Manitoba to the Supreme Court of Canada. This is the extent of her civil actions. She's been at the Manitoba Family Court, she's been in the County Court, she's been in the Court of Appeal and she's been to the Supreme Court of Canada and now there are pending proceedings in Ontario attempting to enforce an order requiring the husband to support - not her - and I'm not suggesting that she is entitled to support - but ordering the man to support his children. The information that I have with regard to the husband is that he is very well-to-do, that he has vacations in Florida and places such as that, that he drives around in a very fancy car, that he makes no pretence of being destitute or in any other way, financially unable to support his children. But, Mr. Chairman, over the past years, and I don't remember the exact number, but I'm sure it's at least five, he has contributed not more than \$50.00 to the support of those three children. And, Mr. Chairman, I am saying that where a case presents itself in this manner - and the Attorney-General's Department is aware of this case - that where there are cases of this kind, or indeed cases even less difficult from the wife's point of view than this one, that there is room to merely administering the law and the Criminal Code in the Province of Manitoba, and I, Mr. Chairman, am of the opinion that whereas I feel that many other severe punishments do not constitute a deterrent - I'm quite satisfied for instance that capital punishment does not deter the murderer; I'm quite sure that many other severe punishments would not deter the rapist for instance but - -- (Interjection) -- well, I'm not sure that my honourable friend is correct, but I really don't want to go into that. I feel confident that the application of the Criminal Code would deter husbands who are taking advantage of the fact that this section is not, for the most part, being administered by the Attorney-General.

(MR. GREEN cont'd.)

Now, Mr. Chairman, I've been practicing for roughly 12 years, almost 13 years. I've never been in Magistrate's Court where I've heard a man charged with this offence; I've never acted for a woman where this offence has been used as against her husband and last year in the House I raised this question and the department did not indicate that it in any way dealt with husbands in accordance with this charge which is clearly outlined in the Criminal Code and which is not only there, but I think that generally people are sympathetic with it. In other words, we know that from time to time an Attorney-General's department is reluctant to, let us say, prosecute for the dissemination of information regarding birth control, because it's difficult to get real social support for such a prosecution. But that's not the case with this particular piece of legislation, Mr. Chairman, and I would urge that the Attorney-General's department look into this question because I'm sure that the cost of stricter enforcement of this particular measure may result in much less welfare costs. What we have, and the people -- I venture to say that I'm not incorrect; that if you look at the welfare rolls much of the money goes to women who are looking after children whose husbands are not supporting those children. Mr. Chairman, I think that this is one area where the Attorney-General's department certainly can bear down a little harder on the obvious offender.

MR. CAMPBELL: Mr. Chairman, I don't know whether the Honourable Minister prefer to answer these questions as they come up or to deal with several of them individually. If we take them this way we can't avoid a certain duplication, I suppose, but I did want to go back to the matter on which the Honourable Minister gave information regarding a question that I had asked. I think it comes just as appropriately under this one, though, as under an earlier section, because this is Law Enforcement. If I heard the answer of the Honourable the Minister correctly, he said that this individual that I was asking about, was given a six months' sentence, was released after two months, two months, by the National Parole Board, so that in criminal cases it's the National Parole Board that acts, I take it. Well, Mr. Chairman, this certainly emphasizes one of the points that I was trying to make. Here is what it seemed to me -- and I'm not criticizing the courts when I say this. I admit there are different ways, differing ways of looking at these questions -- but what seems to me to be an extremely light sentence for a case of this kind where a tragic death occurred of a young girl, where drinking and drinking driving were involved, where infractions of the Highway Traffic Act and others simply abounded, and death resulted, seems to me it's an exceedingly light sentence to start with; and then to find that only one-third of that light sentence had to be actually served, seems to me to be going very much in the other extreme. And there's no point of me arguing this case at length here, I suppose; but once again, I would like to register my protest, for whatever value it has over the continuing and I think increasing attention that is paid to the people who commit crimes of one kind and another and apparently so little attention paid to the victims of the crime. And to let a young fellow who has a record as this one, and had been responsible for such a tragic accident, off with a six months' sentence, to have the court, whoever's responsibility it was, reduce the charge from causing death through criminal negligence, to a dangerous driving one, then to have a sentence of six months and to have only two months served, is in my opinion, entirely inadequate and I think somebody should start to pay attention to the sentences that are imposed.

Now like my honourable friend from Inkster, perhaps these deterrents don't work the way that we think they should but at least they work on the individual. When my honourable friend says he has doubt about capital punishment being a deterrent, well, it certainly deters that one person who is executed and this mightn't be a deterrent for drunken drivers and people who drive while their licences are suspended and without insurance and this sort of thing, but at least if they'd have kept him in jail the six months, he'd have been off the road for that six months. As it is he'll be out for an extra four that the court apparently didn't anticipate at the time.

And that brings me to something I know nothing about, which seems to qualify me to speak as an authority in this House, the National Parole Board. Well, here we are in Manitoba and some National Parole Board can tell us that this fellow that the court first reduced the sentence, the charge for and gave him an easier sentence, and then gave him a light sentence and then some group of experts can say that that was three times too long and he

(MR. CAMPBELL cont'd.) just has to serve two months of it. Can I get from my honourable friend the personnel of the National Parole Board? I would like to know who make a decision of that kind. I think their names should be public knowledge. It's time that we knew who these people are who do these things and then we can at least talk about them. I would expect that they're experts in penology and likely have had the advantage of some extra training in this line of work. Technically of course they know a great deal more about this than I do but I would say that I think this is a miscarriage of justice, not the administration of justice when this sort of thing happens.

Now I had asked my honourable friend one other question and that dealt with the question of the Coroner in this particular case. Did my honourable friend get time to look that up and would he tell me if any action has been taken on it. In spite of the emphasis that I try to give to some of these statements I'm not the vindictive character that I appear to be. I'm not a person who believes in an eye for an eye and a tooth for a tooth. I'm not out to persecute people. But I really do think -- and nothing, goodness knows, nothing can be done to help in a case after the tragedy has happened -- but it might help in the next case and this is the only reason that I'm asking. I'm not after anybody's skin in this at all and I'm not asking for anybody to be fired but I'm just asking for a little wee bit of milk of human kindness to be used in administration where these difficult cases are involved.

MR. FROESE: Mr. Chairman, I discussed some of these points earlier under the Minister's salary but they fall into this category that we're discussing at the present time, the allotment of \$2,310,000 for Law Enforcement. I would like to have from the Ministers some more particulars on the new agreement that was made with the Federal Government in connection with providing police for the smaller centres. I think mention was made of some of the smaller centres that had reached an agreement with the Provincial Government to provide certain services of this type and if he could give us some information and more of the particulars.

I also note that there is a substantial increase in the allotment on this item, some \$400,000 increase. Just what is the increase going for? I was very interested in the remarks made by the Honourable Member for Lakeside and the Honourable Member for Inkster in connection with capital punishment and so on. This is a very important point I think. Since capital punishment has been abolished -- well almost completely except for a certain restricted area involving police officers -- it seems to me that as a result, there is an increase in violence and murders. Just the other day we had a case up north here. Well we don't know as yet what the real facts are, or what the reasons are for this, but it seems to me that these incidents are on the increase and have become more prevalent. I just wonder whether this is not the reason, because of the abolishment of capital punishment, whether this hasn't got something to do with it and that we might see more of this as time goes on.

Too, I feel that the abolishment of capital punishment will reflect in heavier costs on the provinces in law enforcement and so on as a result of this abolishment of capital punishment. It will mean more people will have to be taken on and charged with the obligation of law enforcement and as a result the costs will no doubt increase.

Then the report that was tabled by the Attorney-General's Department has a considerable amount of information on jails, but on the actual law enforcement, and the practices and so on, and whether any changes should be brought about, we see nothing of this in the report. I think the report should give us a little more information of this kind and I would like to hear from the Minister with - to comment on these.

MR. SAUL MILLER (Seven Oaks): Mr. Chairman, there is only one point I want to ask the Minister about. He knows of the case I have in mind and I don't want to make it public. This is a situation where a man was convicted on a very very serious charge and I don't question the judgments in this case at all. What bothers me is the fact that this man was convicted, sent from Winnipeg to Headingley on a remand, was there for less than 24 hours and had to be brought back to Winnipeg and hospitalized because of the terrible physical punishment that he received from the other inmates. And this is really what shocked me. There was two of them involved, I'm wondering whether we mustn't really stop and think of this situation because we know that prisons are brutalizing and this certainly is an indication of the effect the prisons seem to have. Instead of reforming or rehabilitating you have a situation where because the men do not approve of the type of crime this man is guilty of, they take the judgment into their own hands and have acted upon it in such a way as I say as

(MR. MILLER cont'd.) to force this man to medical attention which was beyond the facilities of Headingley and required his treatment in the City of Winnipeg.

Now I'm wondering whether there is no way really to eliminate the problem. I know it's difficult to watch men all the time, but surely - has the government or is the Minister considering whether there is sufficient staff; and perhaps even more important, what is the calibre of the staff, of the guards; are we raising our standards or qualifications of the people that we hire in these institutions; because to me it seems a terrible thing that the jails which are supposedly there to both - through which the man is supposed to pay his penalty but at the same time is supposed to prepare these people for the day when they return to society, if this is the atmosphere in which people are brought in, many for the first time, if this is the atmosphere in which they have to live and this is the type of psychology which they have to contend with, then its highly doubtful, it's almost impossible for them to come out any other than but bitter and brutal to reflect the kind of treatment that they received in this institution. They must certainly feel suspicious of society as a whole if we simply throw them into an institution where these things can happen.

I'm wondering whether the Minister can assure the House that this sort of situation, which I gather is not unique, whether there is no way that this can be avoided in the future by as I say perhaps an increase in the staff, and perhaps more important, an improvement in the calibre of the people who run the institutions.

MR. LYON: Mr. Chairman, I'll start with the Member for Seven Oaks first. I did enquire into the case that he speaks of where I believe the persons, the two accused were found guilty of, I think it was the crime of rape against under-aged girls and were sentenced to penitentiary terms, appealed their sentences and during that appeal period, were kept in the remand cell blocks at Headingley jail. One of them was beaten up by one or more, I'm not sure whether it was one or more prisoners, and required hospitalization or hospital treatment. The other one as I understand escaped with very, very minor injuries. He asks whether or not an improvement in staff would obviate this kind of attack taking place within the jail. We are in our estimates this year, asking for increases in the correctional staff, particularly at Headingley jail, and he will be aware from a reading of the report which I tabled of the rather extensive staff training program which we have going on in that jail and in the other institutions as well. But I would be less than frank if I were to say to him that all of these things - increase in staff and staff training program - if all of these things will bring an end to the odd case of beating up among prisoners, because you can't - unless you were to assign one guard per prisoner in jail - you really couldn't stop this. They do have periods when they are together - whether for work or during which social intercourse takes place between them and its during these periods and often for a very brief interlude that a man can be kicked or a man can be beaten up for one reason or another, it may be because of a dispute that arises between the men, some argument that might arise in the course of their incarceration.

In this case, as I am informed by the Department, this was a case where because of the peculiar set of rules that are adopted not only in Headingley jail, but apparently in all of the jails right across the country, there seems to be a feeling among prisoners that they have very little regard for sexual offenders and particularly for sexual offenders who have been convicted of offences relating to children. This is not a doctrine to which the authorities subscribe; this is one of the prison doctrines, one of the house rules if you wish to put it, that is enforced apparently in many of the adult institutions across the country. I shouldn't say enforced, it's in vogue and occasionally -- it's not a frequent occurrence, because of course of the supervision of guards and so on -- but occasionally you do run into situations where a beating up can occur.

I remind my honourable friend of a case that occurred a number of years ago at Stony Mountain Penitentiary under the Federal Jurisdiction -- and I say this not by way of any excuse, but to indicate what can happen -- where a man was knifed and was killed in that institution and to this day they haven't charged or convicted anyone for that offence, and it took place within the confines of a Federal maximum security institution. So this can occur. As I say, I don't offer this by way of excuse but merely to indicate to my honourable friend that acts of minor brutality such as the one that he speaks of, acts of serious brutality and murder can take place in these institutions from time to time, notwithstanding the strictest supervision by correctional officers, and all I can say in this case, from having read the

(MR. LYON cont'd.) report from the Department was that it certainly was, and I agree with him, an unfortunate incident. It's one that the staff do everything that they can to try to prevent but from time to time, regrettably, these things do occur. I'm just as sure as I stand here, within the next year or two or three, there will probably be another case for which we can pin no blame on the superintendent or his correctional officers, but because of the free time that is permitted to prisoners in which they can associate one with the other -- because they are not kept locked up 24 hours a day in a cell; no one would want that to happen -- it is possible that there will be cases of roughing up, such as this was, that will occur.

We will do our best I can assure him, Mr. Chairman, to see that these things do not occur, because they are corrosive of proper discipline within the institution, the staff does not like it any more than certainly the unfortunate victim and they take all reasonable steps that they can to prevent it from taking place.

The Honourable Member from Rhineland asked about the increase for law enforcement, \$2,310,805 this year. This is an increase of some \$398,000 due to the higher cost per man per year under the RCMP police contract together with an increase in the number of men for whom we are contracting service this year. The figure in that regard is that we are asking for 361 men, at, it works out to an average figure of \$6,000 per man per annum. We have an accommodation allowance that is required to be paid to Ottawa under the contract. We have allowances as well for uncollectable items, where service is requested by the police and so on, but it works out to the total that is shown in the estimates here. This reflects as I mentioned, and as I repeat, an increase in the number of men and an increase in the cost per man under the contract with the RCMP.

With respect to the services that are being offered under the new contract to towns and villages with populations of between 5 and 1,500 people, we will be going into this perhaps in more detail when we discuss the amendment that is presently before the House for second reading of the Provincial Police Act; but in a nutshell, it is a system under which the province, through the men for which the province contracts with the RCMP, the province is now enabled, as it was not before, to enter into contracts with smaller villages and smaller centres for the sale of police service and we can offer the RCMP police services to these smaller towns and villages. There will be eleven of them in this fiscal year receiving these contracts at their request and they will be paying in turn to the province the cost of this service that they receive from the RCMP.

The main restriction on the extension of this service at the present time is the shortage of manpower which afflicts the national force right across the country but we are advised that as and when their manpower requirements permit, they will set aside more men in order that we can meet the growing requirements of many of the smaller centres for police service. I believe I mentioned at one stage in the Bill that this would not include law enforcement by the RCMP for municipal by-laws; this is still a matter that will be left with the municipalities. But for those areas who are financially able to contract for these services, it will include the law enforcement for the general provincial and federal statutes within the confines of the village boundaries.

The Member for Lakeside renewed his question about the coroner, with respect to the case that he had mentioned last Wednesday and I must tell him I do not have that specific information on the coroner but I will endeavour to get it for him, either before the end of these estimates or slip it into the record as soon as the information is available to me. I think they were having trouble getting the file on that matter.

I took note of the point raised by the Honourable Member for Inkster with respect to support for children. I know of the section that he speaks. It is used occasionally. I know, I remember from my own experience. I can't tell him offhand how often it has been used in recent years; it used to be used very frequently for the reasons that he suggested, that there is a tendency here to confuse public policy with private relief and for that reason I think the departments across the country have been, as he suggests, somewhat reticent to use a general provision of the criminal law to enforce in effect a private remedy. In other cases of course, requests have been made for the use of this section, merely to, when the costs of its utilization would be fairly great in terms of the state bringing back a person from a distant place, say from Halifax. I will endeavour to find out what the more recent figures are on its use and certainly we welcome his comments on the section.

I can tell him that insofar as the general enforcement of maintenance orders is

(MR. LYON cont'd.)... concerned, within the ambit of our responsibility for that in provincial legislation, that these estimates do provide for the taking on to our staff of a full-time enforcement officer who will be able, at the expense of the state of course, be able to render assistance to wives and through them to their offspring, in cases where maintenance orders have been made and where the husband has been recalcitrant in carrying out the order of the court. This is a proper service we feel for the state to assume, because in most cases, as my honourable friend knows, the wife if not destitute, she's close to being destitute and we are trying through the instrumentality of this enforcement officer to expedite the regular payments of money into Court for the benefit of deserted wives and children.

My honourable friend from Lakeside also asked about the National Parole Board and of course I hesitate to break the rules and to discuss a matter that is not within the jurisdiction of this Legislature, except to say of course that it is established pursuant to an Act of the Federal Parliament. I don't know the full complement of the Board. It has membership from right across Canada. The Chairman of the Board however is known to me, very favourably known, because he is well experienced in this field. He is Mr. T. George Street, Q.C. who was formerly a police magistrate in the Province of Ontario. He has a number of colleagues working with him on the Board. Their responsibilities are laid down I believe it's in the -- I don't know if there's a separate Act, National Parole Act which is in the Statutes of Canada and I'd be glad to show my honourable friend that Act to show him just what their jurisdiction is in that regard. As he suggests they have total jurisdiction. The province has no jurisdiction. Once a man is sentenced and the appeal period has expired in that sentence as in the case that he mentions, it then falls within the jurisdiction of the Parole Board to determine if an application is made whether or not that person should be paroled even from a provincial jail -- always though on a Federal offence as was the case here, and they are not required to conduct any liaison with the law enforcement officers of this province or indeed with any other province. They must consider the case on its merit and very often the first we hear of any of their actions is when sometimes a note will appear in the newspaper saying that prisoner X has been released because of the actions of the National Parole Board. I don't want it to be thought from that brief comment that I am at all critical of their work because I do find that the work that they are doing across the country in a general sense -- I'm not speaking now of any specific cases -- that the work they do is exceptionally good work and in the field of "after care" generally, they fill the vacuum that was very much needed in our total penology in our total correction system in Canada. I think they are doing exceptionally good work. I make no comment about their decision with respect to this particular case. I'm rather persuaded by my honourable friend from Lakeside that he may be right in this particular case but in general terms the work that is done by this Board, the National Parole Board, is exceedingly good.

MR. CAMPBELL: Does the Honourable Minister know, Mr. Chairman, if there's a Manitoba representative on that Board?

MR. LYON: A representative of the Department of Justice in Winnipeg, Mr. Rempel -- well qualified man who works in close liaison with our own provincial probation service and our correction service generally. Unless I am mistaken, I believe that Mr. Rempel does sit with respect to Manitoba cases, or certainly he deals with the Manitoba cases, deals with the applications and so on and he is the permanent representative as I mentioned of the Federal Department of Justice in this province with offices located here. I couldn't say if he is a member of the Statutory Board or not. I could check into that and find out.

MR. GREEN: Mr. Chairman, I thank the Honourable Minister for discussing the question I raised I still don't feel that I impressed him a great deal that these matters should possibly be subjected to a change of attitude but I'm happy to hear that at least there is a maintenance enforcement person on the staff and possibly that's the wedge by which this section will be used through that particular officer.

I'd like to discuss one other subject, Mr. Chairman, which I believe has very importance and for some reason we haven't arrived at a manner of dealing with it, and that is the position of a person who has a complaint vis-a-vis the police department itself. Now, Mr. Chairman, I know that we are all of the opinion and continue to be of the opinion that the police department for the most part are doing a real public service for which they have to be congratulated and this goes without saying. I hope that we can intelligently and without a great deal of emotion also discuss the possibility that sometimes the police department makes a mistake; that they are human, that they are subject to the same human weaknesses as are even within

(MR. GREEN cont'd.) members of the Legislative Assembly.

The case which I think demonstrated a great deal of the difficulty with regard to the position of a person who has a complaint about the police department is the case that occurred between sessions involving a reporter of the Winnipeg Free Press by the name of Wade Rowland. Mr. Chairman, this reporter had certain complaints about his treatment with regard to the police officers in the City of Winnipeg and for some reason -- and I venture to say that there is no real reason, that is that there were no channels -- this complaint found itself. . . .

MR. LYON: ask a question. I am not just sure whether or not that case is sub-judice now. Is there not a civil action pending on it?

MR. GREEN: Mr. Chairman, the case -- I am quite sure that Mr. Rowland has sued the Winnipeg Free Press and I don't intend to discuss his case or the actions of the police officers. I don't intend to discuss any of the facts of the case. I would like to discuss the question of a person who has a complaint against police officers and what happened in the Rowland case, and this certainly is not an issue before the Court, is that for some reason it found its way to the Police Commission and the Police Commission held, over a period of time, over a fairly lengthy period of time, what amounted to -- what not amounted to but what was an "in camera" hearing of these charges vis-a-vis the policemen, and after the charges were heard to my recollection there was a cryptic comment to the effect that Mr. Rowland brought whatever treatment he suffered onto himself. Now, Mr. Chairman, I don't want to discuss what the Police Department did; I want to discuss the procedure that an individual who believes that he has a claim against the police must follow and how his complaint will be judged. Now we know that he has a civil case, that he can sue, in which case he has to hire a lawyer and bring his case before a Judge which will then be defended on the other side and he may succeed or he may not succeed. But I think that where a charge is made vis-a-vis the Police Department itself that there is a greater public interest involved than merely the interest of the individual vis-a-vis the Police Department. And I must say, Mr. Chairman, that I am not satisfied, and I don't think that this Assembly should be satisfied, with the way it was dealt with in this case and with the way the present law stands. In other words, I don't really think that the government or the Legislature has given its attention to what should happen when such a complaint takes place. Because what we had happen in this case is that it was heard by the Police Commission.

Now, Mr. Chairman, I suggest to you that it would appear to me that this is the last body that should hear that complaint, because if Mr. Rowland had a complaint against somebody who he could then sue presumably for what happened, then surely the employer of that person who would themselves be responsible in a civil action should not adjudicate the question of the actions of the particular policeman. Now I know that the Police Commission hears questions of discipline when complaints are made by policemen and I suggest that this is their real function, that they are really hearing the policeman saying that he has been improperly disciplined and the Police Commission takes it up, but I question the Police Commission hearing this type of complaint on principally three grounds, Mr. Chairman. First of all the Police Commission is in fact the employer and it's in their interest as an employer not to be responsible for what these policemen did so they start off with an absolving position -- and that's not a position which a Board would be in when considering your complaint against policemen.

Secondly, Mr. Chairman, I don't know that there is any particular qualification of the Police Commission to adjudicate this type of complaint. One of the members is a County Court Judge but that's as far as it goes. I believe that one of the members is or was -- well the Attorney-General is shaking his head. Then maybe none of them are judges. But the fact is that they are not in a position to make judicial findings and in fact what they made with regard to the Rowland hearing was a judicial finding that Mr. Rowland had behaved in such a way that these policemen had to protect themselves. So, Mr. Chairman, that's the first reason that I'm against it, that they are the employers; the second reason is that they are not particularly qualified to make a judicial adjudication; and thirdly, Mr. Chairman, their hearings are held "in camera," their hearings are not held in public. I trust that what my honourable friend said with regard to other types of hearings that "justice must not only be done but justice must be seen to be done" should apply and perhaps even moreso when a person has a complaint against the enforcement officers of the Police Department. Now, thirdly, Mr. Chairman, it would appear to me very incongruous that the Police Department would then make a finding which in fact amounts to a finding that Mr. Rowland assaulted policemen. I must concede I know Mr. Rowland personally

MR. CHAIRMAN: . . . he is discussing a case that is apparently at present before the Courts and I would have to ask the honourable member to desist.

MR. GREEN: Mr. Chairman, I'm discussing a

MR. CHAIRMAN: You're using the case as an example that is before the Courts at present.

MR. GREEN: Mr. Chairman, I'll confine myself to the decision that was made by the Police Department, which is made public, which everybody knows about, which was published in the newspaper to the effect that Mr. Rowland assaulted policemen. I wonder whether the Attorney-General's Department is aware of any charges that this individual, who might be the first person who ever assaulted policemen, and who is not charged with that type of an offence.

MR. LYON: Maybe I can help my honourable friend because I think I know what he is trying to get at; he's trying to talk about the general principle of complaints, and merely to be helpful perhaps if I suggested to him in line with your suggestion, Mr. Chairman, that he refer to the general business of complaints. I'm not aware of the specific nature of the case that is before the Courts but we are rather bound by that rule in the House; not that there's any distaste on my part to talk about that particular case but I think that in the interest of the parties to the case we perhaps shouldn't talk about it because it is before the Court. But on the general principle of how one lodges a complaint I think without reference to a particular case we can really have a go at it.

MR. GREEN: Mr. Chairman, I'll try then to confine myself to what my honourable friend has spoken about because that's what indeed I wanted to talk about. I am suggesting that because of this case and, Mr. Chairman, because of other cases from time to time -- I remember in the back of my mind, now Senator Thorvaldson or one of the lawyers of that firm had to deal with these type of complaints. I know that there is a case which has been concluded by the Court where a man was walking around in The Pas -- I believe it was an employee of this government, a social worker. I'm not sure whether he was an employee of the government. He was told by a policeman that he had to do something and he replied that he didn't have to do something and if he was doing the wrong thing the policeman was not arbitrarily permitted to tell him what to do but had to arrest him; at which point he was arrested and then he had to sue for unjust imprisonment and that's the way his complaint was dealt with and I say that that's not as satisfactory. Mr. Chairman. I wonder whether it isn't time when the State took an interest in people who have complaints against the Police Department, treated those complaints with much the same attitude as they would treat complaints that a government person did something wrong, some improper practice, that a complaint of this kind should be referred to a judicial committee which would be held in open which would not be partial to the dispute and which would therefore do more justice to the person concerned.

Mr. Chairman, I don't want to give what I think should be the details of this procedure but I am satisfied that the procedure that was followed in the Rowland case, that the procedure that was followed in the other cases that I spoke about do not appear to be a proper remedy; and if there is a remedy which they should have taken then I'd like the Attorney-General to inform me of it.

MR. T.P. HILLHOUSE Q.C. (Selkirk): Mr. Chairman, dealing with the principle raised by my honourable friend, I would like to support him in his submission. I don't want to mention any case that is subjudice or I don't want to mention any case that has been heard but I think the difficulty lies in the fact that in the City of Winnipeg policemen are employed by the Police Commission and not by the city as a corporation. Not only that, the

MR. GREEN: Mr. Chairman, I just wonder if I could interrupt my honourable friend. As I see it the Police Commission is a body that is created by the City Charter. They receive their pay from the City of Winnipeg.

MR. HILLHOUSE: Originally, until the amendment to the City Charter was made several years ago, to which I objected, the Police Commission was an independent body, I took it at that time, and we felt that by reason of the amendment that was made to the City Charter it simply became a committee of council. But the point that I want to make is this. In the agreement between the City of Winnipeg -- at least the Winnipeg Police Commission and the Winnipeg Police Association. I think that's the name of the employees' group -- there is a provision to the effect that if any complaint is made against a policeman or if a policeman has any complaint to make against the Commission, that that complaint will be held "in camera".

Now I think that we could overcome that insofar as a citizen is concerned if we amended

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(MR. HILLHOUSE cont'd.) the City of Winnipeg Charter, particularly that section dealing with the Police Commission, and we put a prohibition, in there against hearings "in camera" in respect of complaints of citizens, I quite agree with my honourable friend. I think it's a denial of justice to have such a method or mode of trying a complaint of a citizen against a body of that nature and I think it should be tried in an open court. Now it's perfectly true if an individual is assaulted by a police officer, notwithstanding the agreement between the City and the Police Commission, that individual can bring an action in Court just under the provisions of the Criminal Code if he wants to, but that procedure has certain defects and certain handicaps insofar as the individual is concerned. I think that there should be a procedure set-up either by an amendment to the City Charter or by a special Act whereby an individual citizen who has a grievance against a police officer any place in Manitoba has a remedy and has a specific procedure to follow in enforcing that remedy, and I support the honourable member.

. . . Continued on next page.

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, just to be helpful to the Committee and certain interested parties, I commend them to two books that are put out, by the Federal Government I guess, one called "Handbook on Paroles" and the other one, "Canada's Parole System", and it gives the names, members of the board, the representatives in each province and so on. This one was revised in 1966, so I guess it's pretty well up-to-date.

But I am interested in the point that was raised by the Honourable Member for Lakeside. He has dealt in great length on this particular case, in which he claims - and I certainly agree with him - that the sentence that was handed down in the first place was not long enough. That's number one; it wasn't long enough in the first place. And then the Parole Board, they didn't shorten the sentence I guess, because as I understand the parole system, it doesn't shorten a sentence but it shortens his life in prison; that is this particular case, as I understand it, he did serve two months in prison and four months out of prison for a total of six months. But the point that he has made is: first, it was altogether too short; second, that parole should not have been granted in this case.

So the question that I want to put before you, Mr. Chairman, is, does the province, the Crown in Manitoba, do they not have the opportunity to review every case that has been dealt with by the Parole Board? -- (Interjection) -- They do not? Well, I think they should, particularly in cases of this kind, that they should. I would suggest that you should have the authority to review these cases, and probably in this case you would say, "Well, I don't agree with the Parole Board in this one." Now, do you not then have the opportunity to review all cases, and in certain cases where you believe that the sentence originally was too light, to appeal the ruling? Well then, that could have been done in this particular case.

On reflection, I know of a recent case - well, within the last year I believe - in the Neepawa area where there was a death of a person, a young person too, and it seemed evident that not only was the driver of the car - the other car - had he been drinking, but he drove right across the road and hit a car on the opposite side of the road. I think there were six charges laid and he was acquitted on the whole six. Didn't even suspend his licence, I don't believe. He may have had to file a proof, but surely in cases of this kind where it is evident that the sentence is too light, that the Crown should review it and appeal the ruling. I urge my honourable friend to review some of these cases where it is so evident that a sentence is not stiff enough.

MR. EDWARD L. DOW (Turtle Mountain): Passing interest, Mr. Chairman, has been mentioned of the various penal camps within the -- work camps in the province, and there's one in my constituency. I think it would be of interest to the House if the Attorney-General would have some figures in regard to, say, the per capita cost of having these prisoners retained in these camps and the amount of useful work that they are doing. This camp to me has been well handled and has done a good service in the particular area and has done a lot of good work in the parks system, and I'm interested that if there's any such comparison to retention in the various jails, that is if the comparison is any way equal, maybe we should be expanding this to a larger degree, because I think this is one place where it would to me show a useful purpose to rehabilitating the people that are working in these camps.

MR. LYON: Mr. Chairman, I wish to thank the Honourable Member from Turtle Mountain for his words in support of the work camp projects that we have operating within our penal system in Manitoba. They certainly are successful in terms of the work that is done, in terms of the atmosphere that is created, in which the trainees or the prisoners can operate. And I think there is residual benefit as well - although not intensively so - but I think there is residual benefit as well in the individual rehabilitation that results to some of the prisoners. Certainly not all of them, but to some of them, such things as some acquaintance or exposure for the first time in many cases to the discipline of a regular work day, getting up in the morning at a fixed hour, having breakfast, going out to the bush and carrying out the assigned work as regular citizens do at regular jobs. Many of these men have not had the exposure to that kind of personal discipline before and it occasionally works wonders on them.

We have camps - I've been to the camp at Turtle Mountain - we have camps as well at Falcon, Falcon Lake Camp; we have the Bannock Point Camp, also in the Whiteshell; we have the Cache Lake Camp in the Duck Mountains; we have a camp in the Spruce Woods Forest Reserve; we have a camp in Birds Hill Park, just on the outskirts of Greater Winnipeg. At one stage - I don't know if the figures still obtain and I can check on this to find out - but I think we have certainly one of the most intensive work camp programs of any provincial jail

(MR. LYON cont'd.) system in Canada. We have a high proportion of our incarcerated people in work camps. Now when I say a high proportion, I'm talking about figures in the proportion of roughly 15 to 20 percent of our adult male population in jail at one time out into the camp system. I don't have the per capita cost figures but I'll see if they are available. They may be difficult to arrive at because of the capital expenditures that are required to set them up, but they do good work. The men receive still 75 cents a day for the work that they do. There hasn't been any labour-management negotiations to increase that figure over the past nine years, but it does result, if a man stays at the camp for a period of six weeks or two or three months, it results in him having a bit of a nest egg which he is given at the time of his discharge to help him along in society when he is freed from his period of incarceration.

So by and large we are quite happy with the camp system. I can only say that if the figures show that it could be usefully expanded, I'm sure that the Director of Corrections and the others responsible for the day-to-day administration of the plan would make a recommendation, and certainly there would be no objection from the government to providing the money, if we can make it available to them for it. I should have mentioned as well, there's a day camp operation operating out of The Pas Jail as well, where they do some work in the provincial park areas around The Pas.

With respect to the questions by the Honourable Member for Gladstone, perhaps he was absent from the House when I spoke on the Parole Board earlier. We do not have jurisdiction over that Board, or indeed over their decisions with respect to individual cases. He says that we do have responsibility and jurisdiction, as indeed we do, to appeal sentences where it is evident that the sentences are too light, and I agree with that statement. The only rhetorical question I would put to him in response would be this: Evident to whom? Because this is where you get into the value judgment as to whether or not a sentence is too light or too heavy or whatever, and in this regard we must be guided of course, as we are, by the individual Crown Attorneys whose decisions are then reviewed by the Director of Criminal Prosecutions or indeed the Deputy himself, and in a case where they recommend an appeal, that appeal, to the best of my knowledge, goes ahead. If they don't recommend an appeal, usually no appeal is taken. The decision is made on a professional basis, having regard to the facts of a particular case and having regard to the severity, or indeed lack of severity, of sentences which magistrates or courts generally are imposing for this type of offence at this time.

And this is a changing factor because the sentences that are handed down, say today, for offences of armed robbery or break and enter, are not the same sentences in terms of severity that were handed down 10 years ago, and so you have peaks and valleys manifested by the courts in terms of their reaction to the particular type of offence in relation to the social context in which the offence is committed in the province at the time. So it's a difficult decision from time to time to determine where an appeal should be taken or where it should not be taken, and by and large I think the departmental officials who are charged with this responsibility do a very good and a very reasonable job in protecting the public interest in this connection.

I come to the point raised by my honourable friend from Inkster and the Member from Selkirk. I certainly can see the merit of the argument that they put forward with respect to the largest municipal police force in Manitoba, which is of course the City of Winnipeg Police Department. It's a vexing problem. As the Member from Selkirk pointed out, until an amendment was made to the City Charter a number of years ago, as I recall at the request of the City of Winnipeg, the Winnipeg Police Commission did have representatives on it who were not elective; that is they were not from the City Council. The purpose of the amendment, as I recall, was to permit elective people to be put on to the Commission and I find no great fault with that suggestion on their part. It used to be -- there was a County Court Judge on before, and I believe a Police Magistrate used to serve as well. And the present complement, the exact proportion of it escapes me, but I believe that there is now a majority of the Police Commission made up from elected members from the City Council and then citizen members at large are appointed. The name of one that I know at the present time is well-known to all of us, and he's the former deputy Attorney-General of this province, Brigadier Kay, a man who, in my judgment at least, would have a very balanced judicial outlook on these matters.

But I can certainly see the point that is raised by them with respect to individual citizen complaints, and moving forward from that point whether or not -- and I suppose this is really the question that is being put -- whether or not there should be some form of citizen review

(MR. LYON cont'd.) board such as we find occurring in different cities in the United States. I must say from my brief reading of some of the developments in the United States with respect to these boards that have been established, I'm not entirely sure that that is the total answer to the question, but I can see the point that is raised, and an argument certainly can be made for some independent forum or arena in which the citizen can take his complaint with respect to alleged misconduct on the part of the police officer, whether it's the city or whatever, and it's something I think we can certainly give attention to.

I have had, to the best of my recollection, no suggestion from the City of Winnipeg in this regard. I would have to search the correspondence to find out the particular case that my honourable friend mentions. I won't go into any of its details for the same reasons that he didn't. I did have discussions, however, with the person in question and know him and think highly of him, as does my honourable friend from Inkster. I'm satisfied as well, however, that notwithstanding the fact that the hearing of this complaint was in camera, certainly the complainant was represented by counsel, and as I understand it, the Police Commission were represented as well. There was a transcript of the proceedings taken at that time and I have no reason that I'm aware of for suggesting that the finding by the Commission in that regard was a prejudiced finding. I wouldn't be perhaps as quick as my honourable friend from Inkster to say that because the Police Commission is responsible for the day-to-day administration of the Police Department of Winnipeg that it would thereby be found to be incapable of making a judicial finding. I appreciate at the same time that there may be propensities on the part of any such commission, without mentioning that one specifically, to have emotions that might be weighted on the side of the police, and for that reason I say that there's probably merit to his suggestion.

But when complaints are made I think in the first instance, as in this particular case, the logical place to lodge the complaint is with the Police Commission. First of all, and I'm here not attempting to speak on their behalf because they are a body who are not within our specific jurisdiction, but it would seem that it would be a logical place to start with the complaint. It might well be that on further review of these matters, and if it were found to be a reasonable approach, that we might consider some such an alternative as was utilized with respect to another complaint that was made a number of years ago against the Public Works Department where, as I recall, the City of Winnipeg then did ask for a judicial officer to be appointed. This was done in the person of a County Court Judge and he reviewed a matter that had been banded about before the Council for a number of years, made a final adjudication upon that matter and settled it. I don't know if that procedure is open to the City of Winnipeg as a general procedure under their Charter or not. If it isn't, perhaps the city fathers should be giving some consideration to it because it does have the great benefit of achieving some finality in these matters and providing an alternative forum which would certainly have the appearance in any case of being less biased than the forum as it is presently constituted, and I'm not saying - I underline this and reiterate it - I'm not saying that that forum is a biased one, but this is something that could well be looked at with respect to the Charter of the City of Winnipeg.

There was one final point with respect to the Honourable Member from Lakeside. He raised the question - I believe the Member from Gladstone mentioned it as well - something about the charge being reduced in this particular case to which he made reference. My understanding - my notes indicate to me that this was a jury trial and that the jury actually came back with the finding of not guilty on the major charge and guilty on the lesser offence. That's what my note would indicate to me, that there was no reduction of the charge by the court, but I can check into that point more thoroughly to let him know, and then of course once the jury made that finding then it was up to the court to pass sentence.

MR. JAMES COWAN, Q. C. (Winnipeg Centre): Mr. Chairman, in spite of a low rate of unemployment and large amounts of money being spent today for welfare and a large number of welfare agencies being available to help people and lots of organizations giving help and large expenditures of money by government, the rates for crime continue to rise year after year, both for crime among juveniles and among adults. So evidently our punishments of fines and jail sentences aren't very effective in stopping people from committing crimes and we should be thinking of other deterrents or of other punishments that they might be required to go through. If we send people to jail, that is one of perhaps the worst punishments in that we are sending people to a school for crime, because when people go to jail they learn from the other inmates how to commit crimes and they come out well-schooled in crime, whereas perhaps when they

(MR. COWAN cont'd.) went in there originally they only knew of the particular offence, they were only guilty of the offence and interested in the offence with which they had been convicted. So putting them in jail is putting them into a school for crime, and we know too that about 80 percent of those in penitentiary are, after they are let out, are back in trouble again. Perhaps we should try and think of some other deterrent, and the suggestion I have is publicity.

Many many people today will pay quite a lot of money, will do their very very best to make sure that the crime or the offence which involves their family or themselves are not publicized. Perhaps after the first offence, that for second and subsequent offences, not including of course offences like parking offences or offences like that, that the name and the address, the offence and the punishment, be published in a list in Manitoba in the two Saturday papers, and if that list was published each week I am sure many families would take a much greater interest in their children, to make sure that their children and their families didn't get involved in crime, because they don't want to see their name and address in that paper. This suggestion is both for juveniles and adults, but after the first offence. The first offence - no penalty. The family then know that their son or daughter is in trouble and I think that publicity would do a great deal to stop some people from becoming involved in crime and would result in some families taking a greater interest in making sure that people in their family didn't get involved.

Another punishment that I think would be effective for many people would be that of taking away their driver's licence. Many people regard that as quite a punishment, to lose their driver's licence for three months or six months or a year, and if that punishment was given to some people it would certainly have an effect and help to stop some people from committing crimes and they would think twice before they got involved. Today many are finding that jail and fines, particularly fines, are not very much of a deterrent to the commission of crime.

MR. CHAIRMAN: (c)--passed; (d) (1)--

MR. DOERN: Mr. Chairman, I just wanted to ask the Minister about a point that was raised before but I don't recall him giving a reply. This is on the question of whether or not there is any place where a person who has been involved in a narcotics charge, particularly one who has been taking narcotics, whether magistrates do in fact have facilities to send them for first of all, for cure; secondly, whether there is any places involved where one can get information and assistance, assuming one is not an addict; and also whether or not the Attorney-General's Department is involved in any sort of public information or campaign, because I think there are people around who want assistance and who certainly need assistance, and the question is, where do they go? This is unquestionably a growing problem and I don't wish to take up any time reeling off statistics in that regard.

I don't know whether the Minister is going to answer the remarks just made by the honourable member, but I for one am not very keen on the idea of publishing the names, of juveniles in particular, because I know what will happen. It will tend to be a case of the people who have the money and the people who are able to hire top legal counsel and so on, they will undoubtedly get the best lawyers and their children will undoubtedly be kept out of the papers and will be kept out of the jails, and it will be the lower classes and the people who have to go for free legal aid, or the young people who go into courts as they do every day without legal counsel and simply take the rap -- and I've seen some of these in my short experience in watching any kind of proceedings at Magistrate's Court.

So I wonder whether the Minister would then express his opinion on what facilities are available for treating people involved in narcotics, or helping them, and I'd also like to hear his opinion on what one of this fellow colleagues just said about publicizing names.

MR. LYON: Very briefly, Mr. Chairman, some years ago there was an intention on the part of the federal authorities to establish a special institution for the reception of drug addicts in Canada. I believe the planning at that stage was that it was to be located at the West Coast where there then was the highest incidence of narcotic drug use. Of course narcotic drugs all come within the total purview of the federal authorities. They prosecute the cases, and the sentences of course go either to the Federal Penitentiaries or the Provincial jails, depending on the severity of the sentence. I am not up-to-date as to whether or not those plans ever proceeded. I have reason to believe that they didn't but I'm not certain. So if those plans did not proceed, then there is no special place that I'm aware of, certainly not in Manitoba, and I'm not aware of any special place in other jurisdictions where narcotic users receive any specialized kind of treatment. But I'll try to get up-to-date information on that point from connections

(MR. LYON cont'd.) of the department with the federal people.

The question of publicity raised by my honourable friend from Winnipeg Centre is certainly an interesting one and arises from the suggestion that has been heard from time to time, particularly with respect to juveniles, that some publicizing in juvenile cases of names might have a deterrent effect. It's an open question. I think that you would really have to try it for awhile to determine whether the publication would have a deterrent effect or whether it might sometimes attach a stigma to the youngster, and of course, particularly under The Juvenile Delinquent's Act which is now in the course of revision, we try, the public authorities all try to adopt an attitude toward juveniles which is not strictly that of arrest and punishment but rather treatment, rather more consideration is attempted to be given by all of the jurisdictions across the country to removing the child from a state of delinquency in which the court may find him. Whether or not publicity would have that desired effect, perhaps in traffic cases it would. There is a possibility that it might in traffic cases; whether in the more serious cases, I don't know.

In any case, it's a matter over publicity, except with respect to juveniles, is a matter over which this House has no jurisdiction. That belongs to my honourable friends in the fourth estate, and from my experience with them, they are pretty hard. If you try to get a name, as I'm told, if somebody tries to get his name removed from the paper, chances are his name will appear in the paper, so I don't think they are all that subject to this kind of entreaty from private citizens who try to keep their names out of the paper. I think by and large they do a good job of publicizing the names of those convicted and the sentences that are given. The juvenile matter though is a separate question. It's a moot point.

MR. DOERN: Mr. Chairman, I'd just like to have a more specific reply if I may. In Manitoba, if a person has been convicted of a narcotics charge and he requires some help, what do the magistrates do? Where do they send him? Is there a facility in this province to help such people?

MR. LYON: There is no special facility, no. But if that person for instance is sentenced to a provincial institution over which we have responsibility, where we have medical staff in attendance, certainly the medical staff can treat him either on request or at their own initiation, but there is no special facility that I'm aware of here or in any other jurisdiction, although I will check to see what the federal authorities have done or may be contemplating.

MR. CHAIRMAN: (The balance of Resolution 23 and Resolution 24 were passed.) Resolution 25 (a) (1)--

MR. DOERN: Mr. Chairman, connected with this whole question of probation and parole, I want to raise one minor point and one specific illustration of problems that some people encounter.

I wonder if the Minister could tell us in general whether there is such a thing in Manitoba as a half-way house, whether we have actually this type of facility for people who are coming out of prisons, and also what sort of a financial gift is made. I understand -- someone was telling me that this was only a question of \$1.00 being given to people who come out of a provincial institute.

On a particular instance, I asked the Minister several days ago whether he would comment on a question of an application for a beverage waiter's licence or a cocktail waitress' licence, as to whether or not there was in fact a question on that form asking whether you have ever been arrested or convicted for any offence, and he replied "Yes" that the question was there; and he also replied "No", that it would not jeopardize a person's application. I wanted to give him an example.

MR. LYON: Mr. Chairman, I don't recall saying that it wouldn't jeopardize it. I just said that it was a question that was asked and that it was not by itself a bar to his being licensed. It might, along with other circumstances, certainly jeopardize.

MR. DOERN: Fine. I wanted to cite an experience of a woman in my constituency who had experience in a private club working as a waitress, who worked there for several months and did not as a result of working in a private club require a licence. Apparently if you are in this type of a set-up you don't need the badge and the special licence. This particular woman has a criminal record, and since that period of time, some six or eight years ago, is now a married woman, etc., with family, and has been plagued continually by the problem of looking for employment and is continually running into this question no matter where she goes. For example, in trying to get into the United States she was barred from the United States and her

(MR. DOERN cont'd.) husband had a terrific job opportunity there. In applying for insurance on a car, she was apparently asked by the representative whether or not she had a criminal record, and also in applying for other types of employment.

It seems to me that this whole question comes up too frequently, and I want to refer to this particular instance in Manitoba where a person who has had a record and is in effect leading a - what shall we say - a moral life, or a proper life, is attempting to go straight, if we use that type of an expression, if you look at this particular form which I mentioned to the Minister, the question on there saying have you ever been arrested or convicted for any offence in any court is very much played up. If you look at the form, it's written in red ink in the centre. It seems to have a danger signal attached to it. It asks you for a breakdown of your record: place of arrest, residence, charge, penalty imposed, and then at the bottom it explains, do not attach. Then you are supposed to take this to your employer, show him the application with your criminal record on it and ask him whether he'll hire you. Presumably the employer then looks at your record and decides to sign or not to sign and then turns it into the Liquor Control Commission. After this, you go before a Police Board and apparently there are some eight or nine policemen who stand there and ask questions of you, and then if you are accepted at that point, you get this badge - I have one of them right here, \$1.50 - which you pin onto your uniform and so on.

When this happened to my constituent, she went through this stage, got to the end and decided that it just was another instance to her almost of, well what she might regard as persecution or a constant reminder of this type of thing.

I'm raising this, Mr. Chairman, as a specific illustration of a very much larger problem. I ask the Minister what the reason is for this badge. Why is this badge needed at all, and in particular, why is this question on the criminal record there? When people are handling money, I'm sure that the people in charge of the business are very careful in any case, that they watch their employees and watch their balance sheet. Would this information be of value in a sense that they could keep a second eye on this person? And what about the other people who work in these facilities? What about the Go-Go dancers we hear all about? They don't apparently need police clearance or they don't have to answer any questions about criminal records or anything else. What about the cashiers? Do they answer questions on criminal records on forms like this? These are the sort of things that I wanted to ask the Minister.

This type of thing all too often forces the person or encourages a person to lie, and I must say that in the instance of this particular party that I was mentioning, this person did lie to get this badge because she got scared. This was the old question coming up time and time again of do you have a criminal record? At what point do you finally shrug your shoulders or what point do you give up or do you begin lying? You're almost encouraged not to tell the truth. In other instances, people are taken advantage of when they have a criminal record. This person applied for a visa to the United States; was turned down; went to a lawyer - and this happened to be in eastern Canada at that point - the lawyer picked up the phone and said for \$1,500 you'll get your visa. He phoned his contact, said give me \$750 now and you give me \$750 later, and I'll deliver the visa to you. No problem.

So, Mr. Chairman, I'm raising this point and I would like to hear the Minister make some reply to it.

MR. FROESE: Mr. Chairman, I just have a simple question. I would like to know from the Minister how many Family Courts do we have in Manitoba and where are they located?

MR. LYON: Well, Mr. Chairman, in response to the Honourable Member for Rhineland, every Juvenile Court Judge is empowered to deal with Family Court matters, and these are in most cases outside of Greater Winnipeg. The Police Magistrates serve the triple function as Juvenile Court - - or the double function as Juvenile Court Judge and Police Magistrate. The only separately constituted Family Court, as such, is in the Eastern Judicial District located at Vaughan Street, soon to be located at Fort Osborne, where we have three judges who are Juvenile and Family Court Judges specifically and who deal with these matters. Other cases are dealt with by Police Magistrates in that capacity.

While I'm on my feet, my recollection, I'm told, was reasonably accurate. There is a federal institution for the treatment of drug addicts at Matsqui, B. C., which receives both men and women. In addition to the medical advice that is available in our own institutions, although we have no separate facility in Manitoba, probation officers give counselling in some cases; drugs - the Department of Health has a responsibility which it fulfils in certain cases as well

(MR. LYON cont'd.) with respect to the requirements of particular prisoners who are committed for drug offences.

MR. DOERN: How old is it?

MR. LYON: I think it's quite a recent facility. I'm not sure. It's a federal facility. A year old would sound pretty reasonable to me because I knew of it first when it was in the planning stages.

On the general question of the questions that were asked with respect to the beer waiter's licence, I mentioned I think before there's a general requirement in the Act that before a person receives such a licence that he be a person of generally good character. That's a statutory requirement. It's common, as far as I understand, right across the country. It has particular effect, for instance, if a person had a string of previous convictions under The Liquor Control Act, for example say a man had been convicted on two or three separate occasions of serving minors, I would think that the provincial authority as well as the employer would want to know of this before it licensed and hired this person to serve in a position in which he could perhaps carry on further manifestations of this propensity that is indicated by his criminal record. Now, that's only a hypothetical example. Insofar as it's being a bar to employment, that of course is really a matter for the employer to decide. It is not by itself a bar to licensing if a man has a previous criminal record. I know of instances within the provincial service, and I'm sure my honourable friend knows of some of them as well, where persons with perhaps single criminal records have certainly been hired in the provincial service. I'm not suggesting that any flowers should be thrown on this government or on its predecessor for that reason, but it depends on the current character of the person at the time that he applies for employment, and I'm sure that the same considerations apply to beer licences.

With respect to visas, of course this is a federal matter. I believe there has been from time to time legislation before the Federal Parliament to restrict the length of time for which records are kept in Ottawa, because conviction for an indictable offence, as I recall, is a disability to crossing the boundary into the United States. Until such time as Ottawa takes action in that regard, there is nothing really that the provinces can do. It's not within our jurisdiction.

So I have no other general comments on the practice. If I thought that the practice was working a hardship on people of otherwise good moral character who were merely seeking employment who had a previous criminal record, then certainly we would look at it with a view to changing it so that it would not work such a hardship. I'm not aware of any number of cases where any hardship has been worked however.

MR. DOERN: Well, Mr. Chairman, then maybe I can supply the Minister with some evidence and he can look at that.

MR. CHAIRMAN: (Resolution 25 was passed.) Resolution 26 (a)--

MR. DOERN: Mr. Chairman, is the Minister going to make a statement in this area on the Vaughan Street Detention Home and when it's going to be constructed? He promised such a statement.

MR. LYON: Mr. Chairman, I can make a few brief remarks. Other than what is now publicly known, there is presently under way -- in the short-term consideration of creating more space for pre-trial juvenile detention, the renovations are under way at Fort Osborne Barracks to accommodate in one building there all of the administrative offices of the Juvenile and Family Court, including the courtroom. The latest information we have had from Public Works is that some time towards the end of this month, within a matter of a few weeks, those offices will be ready and that the transfer of personnel will then take place out to Fort Osborne. As soon as that takes place, the necessary renovations will be started, and I hope completed within a matter of weeks after that, to provide the additional space which will more than double our present accommodation for pre-trial detainees at Vaughan Street.

In the long term, we are committed to the building of a new hostel for youngsters, for the province. At the present time, in consultation with other groups who are concerned, such as Metro and the architect, the location of this particular site at the present time -- site location is being looked at, and once that has been determined and the amount of space that we have available is finally settled upon, the architects can then determine whether existing plans are suitable to that site or whether new plans will have to be made, and I am hopeful that the new facility will be under way before too many months or years go by. Certainly it's our desire to get it under way as soon as we can.

MR. DOERN: Mr. Chairman, on this Vaughan Street question, I don't intend to go into the details or the arguments about it other than to ask this. The government has talked for years about building the Vaughan Street Detention Home. Am I to understand then that there has not been a specific site located, or has not the question of the location of the site been determined before? I mean are we just now going to look into this? Haven't there been plans before? It seems to me if we are only now beginning to think about a site and only now beginning to think about plans, then what was the government doing for the last five to 10 years? This is not the first time that this was mentioned.

I also would like to know whether or not there's going to be a second facility built to detain people in the sense of people who simply need overnight accommodation or accommodation because of the family problem, no run-ins with the law but simply juveniles who need some place to stay.

A couple of other minor points. In regard to teachers, I see an advertisement in the paper from September in the Winnipeg Tribune advertising for a teacher for the juvenile detention centre, and it says here, "Qualifications: Teaching experience is desirable but not essential. Must be able to deal with young people." Well, I think you need people who fill those qualifications, but I would also like to know whether you don't have or whether you do have qualified teachers in that facility, because some of those people who are in there are not held for a few days but are held for weeks and months, and any student who is taken out of the regular school system for one or two weeks or longer is in my opinion in very serious trouble, and this may be compounding the whole question if there isn't some kind of educational program for students to carry on. I know there's students brought in, I know there's juveniles brought in for two or three days and you're not going to teach them very much, you might be better off letting them just do something in the way of recreation, but there are people who are being held there for weeks and for months. I would like to know whether we're gearing anything up there. Are you bringing in any new programs? Are you hiring qualified teachers? Is this the only type of person you have there? If this is the qualification to be a teacher at the Vaughan Street Detention Home, then I think this is very serious indeed, because this type of person is not a qualified academic person and I think you need qualified academic people in addition to people who are simply working with young people.

The final point I wanted to touch on is the question of the library facility. I put an Order for Return in and I don't recall seeing an answer to it yet as to what the library facilities are and how much moneys are being spent. I've seen this place, like some of the other members. They really do not have proper reading material there. There apparently are no magazine subscriptions in the boys end for example. There are only a few old books. I'm told that they're rowdy or something and you can't have magazines for them. In fact, I've taken magazines there myself on a number of occasions. Why can't we have regular subscriptions to magazines and so on, a few hundred dollars worth for these boys. And why can't we have a proper library, at least some kind of reading material even if they're torn up. I don't think they have to be. I think this can be controlled, but even if that's the price, then so what? It's better than them sitting around as they do for hours and days on end doing nothing, and I would like the Minister to answer some of those questions.

MR. LYON: Very briefly, Mr. Chairman, I'm attempting to be brief because of the time factor on estimates totally. We attempt to obtain the best qualified people we can for teaching. As my honourable friend will appreciate, it's a very difficult job for a teacher and a very difficult job to recruit a teacher there because his class will change probably a hundred percent in the course of three weeks or a month. But it's not a question of them just sitting around doing nothing. There is a small woodworking shop there which can handle five or six I think it is at a time, where some of them are taken. There are other activities that they're involved in, and when the quarters, even the temporary quarters are renovated, there will be an exercise area provided as well.

At the same time, why are they being held? They are being held so that they can be seen by the psychiatrist, by the probation officer who is assigned to their case. So it's not a question of them sitting there because anybody wants them to be there; it's a question of them sitting there in order that they can be seen and proper case files can be built on them in order that the Court can be properly apprised of what their problem is when the child comes before the court. That is the purpose. It is pre-trial detention. I underline and repeat and reiterate and doubly emphasize that point. It is not a full-time detention institution, and within the limits that are

(MR. LYON cont'd.) available to the trained staff - and there is a lot of trained staff available to these youngsters - within the limits that is reasonable, we try to keep their time occupied, but our main problem there has been space. We're attempting to overcome that problem with the renovations that are currently going to be made to provide more space for activities as well as for teaching, as well as for the actual housing of the youngsters, and I'm sure that my honourable friend, when the new quarters are completed over there, can avail himself of the opportunity any time to take a look at them and I'm sure he'll be pleased by what he sees.

I haven't seen the information yet on the Order for Return for which he asked. As soon as that is available we will bring it down to him.

MR. CHAIRMAN: (a)--passed; (b)--passed; (d)--passed; (e)--passed; (g)--

MR. FROESE: Mr. Chairman, under (g), could we have a list of the agencies that are getting grants here, the refuge homes and so on. It's a fairly large amount and I would like to get some further information.

MR. LYON: That's item . . . ?

MR. FROESE: Item (g), \$520,000.

MR. LYON: Perhaps if you could just carry on calling the items, Mr. Chairman. I have that - I had it in front of me a minute ago. I'll find the page and gladly give the information to my honourable friend.

MR. CHAIRMAN: (The balance of Resolution No. 26 and Resolution No. 27 were passed.) Resolution No. 28.

MR. FROESE: Mr. Chairman, under this item too I would like to have some further information as to whether we have any building projects going on or what is the money being used for?

MR. LYON: On that latter question, Mr. Chairman, that is the capital items on Item 28, there will be renovations to the Winnipeg Land Titles Office, the Boissevain Land Titles Office, the Brandon Courthouse, the Law Courts Building in Winnipeg, the Dauphin Courthouse, the Portage Courthouse, the Headingley Correction Institution, Brandon, Dauphin, the Women's Jail at Portage, The Pas, Women's Correctional Institution at The Pas, the Home for Girls, the Home for Boys, Family Court, and the juvenile detention facility that we've just been speaking about, for a total of \$305,900. Approximately \$100,000 of that will be spent-- or I should say approximately \$45,000 of that is spent on the juvenile detention renovations.

MR. DOERN: Mr. Chairman, just on one item regarding buildings and so on. Can the Minister tell us whether there are any plans to construct new liquor stores in the downtown area? I might point out a particular problem regarding the main store, which I'm sure he's aware of, on Ellice and Donald. This is probably the busiest store in the city and it is probably one of the worst traffic blocking areas that I've ever seen. On week-ends when you're driving through that area going downtown there are all sorts of cars double parked, there are people walking in and out of the traffic and so on. Is there some way around that problem? Could other stores be kept open the same hours or are there new stores being built in that area, because it's a very bad bottleneck and because of those hours you get a very bad traffic problem.

MR. LYON: Mr. Chairman, that's not under the direct control of the department. Those are decisions that are made by the Liquor Control Commission. They advise us from time to time as they feel the requirement for new stores. I know from recent advice from them that they have in contemplation a new store in West Winnipeg. Last year I believe they opened a store on Portage Avenue a few blocks west of Sherbrook Street. They're certainly aware of the parking problem around the Donald and Ellice main store, but until there are more proper parking facilities provided around there it's difficult to suggest any answer to it, and I don't think my honourable friend would suggest necessarily the expenditure of public funds for a large parking lot in that extremely expensive area. But it is a problem and I'm not trying to deny the problem. I say it exists, and until they can find alternative sites I think we'll have to put up with it.

With response to my honourable friend from Rhineland, the main institutions are Sir Hugh John Macdonald Hostel, the Home of the Good Shepherd and Roslyn House are the three main institutions in which maintenance payments are made in support of delinquent children who are sent there. Their per diem costs vary according to each institution, but it averages somewhere in around \$8.00 to \$10.00 a day. It's reasonably expensive.

MR. FROESE: Could a list be provided probably later on of the various amounts for each

(MR. FROESE cont'd.) of these?

MR. LYON: . . . I could give the exact amount . . .

MR. FROESE: One further question. The Liquor Control Commission's financial statement. When do we discuss that? Is that coming under this department? I know it's under the Attorney-General's Department but there is no separate heading for . . .

MR. LYON: No. No there isn't. It's under the Minister's salary. I'll give that to my honourable friend; I can't put my finger on it right now.

MR. CHAIRMAN: Resolution 28--passed?

MR. FROESE: Mr. Chairman, I had a number of comments I wanted to make under the Liquor Control Commission but I haven't got the items with me at the moment. I don't know whether the Minister would be prepared to keep this item open, and as he says, it should be discussed under the Minister's salary. I probably was not up-to-date on it so that I missed it at that particular time.

MR. LYON: Just a final point for my honourable friend. The Home of the Good Shepherd - \$159,432; Roslyn House Association - \$53,837.50; Sir Hugh John Macdonald Memorial Hostel - there's the two branches there - Macdonald House and Dawson House respectively receiving \$96,400 and \$92,600. Those are the budgetted items. Of course these are guesstimates depending on the number of youngsters who are committed to the homes during the year.

MR. CHAIRMAN: Resolution 28--passed. This completes the Department of the Attorney-General. Committee rise and report.

MR. LYON: Mr. Chairman, in the light of the hour it might not be productive to start the Department of Industry and Commerce right at this moment. I would just make the observation on the general question of time expended that we have now completed three departments and I think we've utilized something like 18 hours and 50 minutes on three departments. We still have some 14 departments to complete and I'm sure that honourable members on all sides will do their best to co-operate to ensure that we do reach all of these departments. I move the Committee rise. -- (Interjection) -- Well I tried not to be long-winded.

MR. CHAIRMAN: Committee rise. Call in the Speaker. The Committee of Supply has adopted certain resolutions, directed me to report progress and asks leave to sit again.

IN SESSION

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: I am now calling it 5:30. I'm leaving the Chair to return again at 8:00.