

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Monday, March 17, 1975

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MR. CHAIRMAN: When we broke at 5:30, the Honourable Member for Fort Rouge.

MR. AXWORTHY: Thank you, Mr. Chairman. At the conclusion of this afternoon's examination of the Estimates, the point that I was trying to bring to the attention of the Minister was the fact that there is, well, increasing incidents of street violence and personal assault cases, and particularly in the problems of rape and assault upon women beginning to occur. There seems to be a notable lack of discussion or examination of the problem in the Legislative Chambers across this country. I believe that's now beginning to change somewhat. I take notice of the proposals put forward by the Status of Women group in the middle of December of 1974, where they pulled(?) together a series of recommendations where they suggested that a number of changes should be made in the legislation in the Criminal Code and the administration of justice and the enforcement of police proceedings and in the requirement for better counselling and guidance for rape victims. And it's also with some satisfaction, Mr. Chairman, that we could note of the interest displayed by the Federal Minister of Justice, who also indicated that he was prepared to bring forward into the Federal House of Commons certain changes in the Criminal Code.

But I think it's fair to say, Mr. Chairman, that that really doesn't go far enough and I think that we would be remiss in this House if we didn't begin to take some notice of our own responsibilities in this province and begin to examine how we in this jurisdiction can begin to examine the problem more carefully and to do what we can to alleviate the fears that many people now have, and at the same time try to respond to some of the conditions that I raised.

I'd like to bring to the attention of the Minister certain facts I think are worth noting that could fall under his jurisdiction or on which he could take some initiative. One is in the area of the police procedures that are involved in the problems when rape victims notify the police, that for very good reasons oftentimes they are subject to very rigorous, sometimes overly rigorous cross-examination and treatment at Police Headquarters and, as I understand it, are not allowed to have counsel represent them or to help them with questioning, provide some support to them - by that I don't mean legal counsel, I mean counsellors who can somewhat appease and modify the traumatic effects of such occurrences. I believe in speaking to defense lawyers and Crown Attorneys that this is done for very good reason, and that it was that the peculiar nature of rape trials means that it is basically one person's word against another, and as a result cross-examination can be very rough and ready and therefore it's felt in order to arrive at some clear statement of fact in evidence, the police must subject a rape victim to a very rigorous and thorough questioning about the incidence of being involved. But what that doesn't take account of, Mr. Chairman, is the fact that many people who are subject to that kind of occurrence are in no mental or psychological state to undergo that kind of rigor. I can only imagine the kind of horrible sort of experience it must be and the effect it must have upon a person, particularly - while I don't think it matters the age of a woman to whom it's happened, but the fact of the matter is that they're at that stage not in a position to really respond in a stable way. It's again my understanding that this particular kind of difficulties encountered in the pre-trial stages and during the trial stages often deters many women from reporting rape cases at all, so the statistics which I brought to your attention earlier while in themselves serious, I don't think anywhere begin to represent perhaps the real scope and degree and frequency of the occurrences in our city, or in our province for that matter, that many people will just not report these things because they are intimidated or deterred from doing so.

I think again that is based upon some supposition, but it is a supposition based on the fact that we really don't know much about it. It's like many of the kinds of contemporary criminal acts that we have to face that we know very little bit about it. The problem is that police officers, and officers of the court, and medical people, and social agencies, are responding each in their initial way according to what they think are their best interest, but there has never been any overall examination of the problem, or any attempt to try to come to grips with both to investigate thoroughly what is the exact nature of the street violence crimes that we're now encountering and what the proper methods should be of both trying to prevent them as well as to deal with them once they occur.

If the Minister might recall last year when we examined his Estimates, members of this group suggested to him very strongly that one of the initiatives that could be taken by the

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(MR. AXWORTHY cont'd) . . . . Attorney-General as the chief law officer of this province would be to initiate a series of discussions between law enforcement officers, officers of the court, medical people, social agencies, and other groups, to begin discussing the various kinds of really what I call street violence crimes which are beginning to occur to see if we might arrive at the better methods of coping with the problem. I think certainly that problem is highlighted most dramatically in the case of rape because it is something that we still don't like to talk about very much or even oftentimes pretend it's there; it's still in part a hidden kind of crime, and as a result I think the method of coping and dealing with it suffers through that lack of discussion and that lack of initiative.

So one of the things that we would like to put forward for the consideration of the Minister as part of his responsibilities would be the calling together of people in this province who are directly involved and concerned with problems of personal assault and rape and sex crimes, and that would include law enforcement officers, policemen, members of the courts themselves who must deal with it, members of the bar, both on the Crown attorneys and defense attorneys, members of agencies which deal with the problem, and women's groups, who I think are becoming increasingly concerned about the nature of the difficulty. I think that if such a group could be convened and discuss the respective perspectives that they have, then we might be able to take a more careful and close look at some of the problems involved.

I've heard it said, Mr. Chairman, that some of the difficulties had to do with light sentencing, the fact that the sentencing that apply to those who are convicted of rape are really not a deterrent at all, that now again I don't pretend to judge on that, but I would say that it is something that perhaps if the judiciary of the province were made aware of some of the concerns of women's groups and those who were affected, then they may be again more cognizant. At the same time I think the groups themselves who are asking for reform suggest fairly major changes in procedures in the courts such as closed hearings in rape cases, the prohibition against cross-examination of rape victims. Of course that goes against some of the basic principles of our judicial system and it would be I think worthwhile to have a good dialogue and discussion about what is involved in making changes of that sort. So that if in fact the Federal Minister of Justice is prepared to make changes in the legislation, at least we in this province would be able to provide some careful advice on counsel as to how those changes should proceed.

We'd also like to suggest, Mr. Chairman, to the Attorney-General as part of his responsibilities that we take a look at the requirements for counselling and education in this bill. I'd like to point out I think with some satisfaction, I think they can take some, that one of the agencies which it helps support, the Clinic which operates on Broadway Avenue, does provide a rape crisis centre which utilizes volunteers and provides 24-hour availability of counselling, and I think that we can only applaud the existence of such a service. I think the Minister of Corrections, or Health and Social Development, whose ever responsibility it falls under, I think, should be congratulated for the fact that the departments are supporting this kind of work. But I think it may not be enough; it may not reach enough people; nor do I certainly think there is enough in the way of education going on for groups throughout the community who are concerned about this problem.

So what I'm simply suggesting to the Minister is that this is one example, one major illustration, I think, of a widespread problem, and that is that we are experiencing a change in the nature of crime in the city caused by simply the fact that we are becoming a larger city with more people in it, with more permissiveness, or it may be simply a product of a kind of urban society or community that creates these kinds of conditions. Whatever the reason, I'm not convinced at this stage that we are responding to the problem with the kind of intelligence and the kind of direction that is required, and I think that it would certainly bring some satisfaction at least to constituents in my own riding from whom I've heard in the last while who are becoming increasingly concerned about this question, that this government take some leadership in convening those who are involved to see if we can find some better answers.

I would suggest, Mr. Chairman, that the Attorney-General not stop there, that while rape is perhaps the most heinous of these kinds of street violence crimes, there are many others, purse-snatchings, or of assault and battery attacks in areas, and I think it does require a pretty careful look at the kind of enforcement and the kind of response that we're making. So it may be that we would just simply take the opportunity and take this as a first

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(MR. AXWORTHY cont'd) . . . . step, but one that could perhaps be a continuing series of attorney-generals' seminars or conferences of those officials involved in the province in this area to see if we can come up with more adequate and satisfactory responses to what I think is a growing problem.

So, Mr. Chairman, those are really the points that I'd like to bring at this time to the Minister's attention, and hope that he may have some response that would bring some satisfaction to those groups that are concerned about this particular problem.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Thank you, Mr. Speaker. I'd like to address a few remarks to the Attorney-General in connection with the first item of the Estimates, in his Estimates in general, and to begin I would like to ask the honourable gentleman what he is doing, if anything, about at least two areas in which he promised, or at least offered the assurance of some action during 1974, and whether he is considering some action in a third.

The two to which I refer are specifically, No. 1, the question of a uniform juvenile age limit across the country; and No. 2, a question of the re-evaluation of the entire spectrum of procedures for dealing with juvenile offenders; and No. 3, a question having to do with the enormous proliferation of violence in the sport of hockey at the minor and juvenile level, and some complaints in that area which I believe have been forwarded to him.

Sir, during the period between sessions, last session and this session, I understood the honourable gentleman to say that he was going to be working very strenuously and assiduously at attempting to achieve a degree of uniformity with respect to juvenile age limit in Canada insofar as the various provinces across the land are concerned. I think, if I'm quoting him correctly, that at the time that he commented on that subject he said there was a "crazy patchwork pattern" of juvenile ages right across the land and he felt that the only way that an effective attack could be made upon juvenile crime with reason and with logic and with compassion was for the provinces, and his counterparts in the other provinces, to move as rapidly as possible in the direction of achieving uniformity in that area.

So my first question as we begin the examination of the Attorney-General's Estimates, Mr. Chairman, is the request to the Honourable the Attorney-General to bring the House up-to-date, or the committee up-to-date, on the subject of uniformity in that area.

Last session my leader made a request in the House for a commission of inquiry into the whole field of juvenile crime and the entire subject of juvenile offenders, and the procedures that we follow in dealing with those lawbreakers, those unfortunates. At that time, although I'm going largely from memory, at that time it seems to me that we had at least a tacit assurance from the Honourable the Attorney-General that he would be undertaking a study, Mr. Chairman, with a view to evaluating and re-evaluating the whole spectrum, the whole field of procedure with respect to juvenile offenders and juvenile crime. I'm sure that all of us in this committee await with considerable interest and anticipation the report that hopefully he will be able to bring to us in committee during consideration of his Estimates as to the conclusions he's reached, if any, in that area. There's no suggestion, at least in my interpretation of the honourable gentleman's reaction last year, and I hope I'm not imputing motives to him, I don't intend to be doing so; there's no question, Mr. Chairman, in my interpretation that he responded with considerable interest to the proposals of my leader on that subject, and my reading of his reaction was one of reasonably firm assurance that a study, an evaluation and re-evaluation, as he put it, would be undertaken and we would be hearing from him in that area.

The question of juvenile crime and juvenile offenders is not new to anybody in this committee, or anybody in this society; it's certainly not new to me, myself or to my own constituency. Many of us in the committee have been engaged in substantial debate on this subject in past sessions. We're still, I can assure the Attorney-General, as determined as we ever have been that there should be some kind of firm and responsible initiatives taken in this area to ensure that society is protected from the excesses of those juveniles who for various reasons feel that they're entitled to flout the laws and the conventions.

We have expended considerable energy and conscience and thought in past sessions on that whole problem. The kinds of things that my colleagues and that the Honourable Members for Fort Rouge and Assiniboia have said on the subject today reinforces the concern that all of us have had, and very evidently continue to have in this field. Most of us here I think started

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(MR. SHERMAN cont'd) . . . . out from the assumption a few years ago that some of the things that were being practised in our institutions, and being practised in the whole framework of our laws, were perhaps harsh and unfair where juveniles were concerned and that more humane and understanding treatment was called for. No doubt those are well-intentioned motives, and no doubt they continue to deserve considerable respect and considerable support, but we have also found, and I think the words of those who have spoken on this subject today echo the fact that there are offenders, to be sure not all juveniles, juvenile and adult, in our society who take advantage of those loopholes in our laws, of those generousities in our spirit and in our nature, that tend to indulge them and give them opportunity upon opportunity for conforming with society in respect of its laws.

We have found to our dismay that many of our constituents, and I think this is true of probably all of us in this committee, many of our constituents are becoming increasingly disturbed, dismayed and alarmed over the degree to which their safety in their homes, on their property and on the streets, is abridged and affronted from time to time by lawbreakers, adult and juvenile, who seem to consider it fair game and fair sport to take advantage of others in violation of the accepted principles of behaviour.

So, the plea now builds up to an even loftier, or even mightier crescendo, Mr. Chairman, than has been heard in earlier sessions in this House, for some kind of initiative on the part of the Attorney-General and the officials of his department and this government, to restore the balance in favour of those who are victims of law-breakers, who are victims of offenders against society, both adult and juvenile, and for some kind of initiative that at least gives the majority of society the assurance that something is being done to respect their properties, their lives and their safety. The crescendo, I suggest, builds up second by second and we wait this session, as we have in past sessions, for some indication from the Attorney-General and his department that he is sensitive to this problem, to this affliction in our society, and that some kinds of activities and some kinds of innovations are going to be forthcoming that helps, at least in some small measure, to restore the balance so that the practises in institutions we follow are not weighted in favour of the offender rather than in favour of those who are offended against.

The subject has not only been one of great concern to members of this Legislature, but it's one that has been a far-reaching concern to members of the judiciary in this province. And I am sure the honourable gentleman is fully aware of that. It was not long ago, it was last September, September 1974 in fact, that a Manitoba provincial judge, Judge Baryluk, made some very strong, some very candid, and some very significant statements on this very subject in the course of dealing with an eighteen year old offender whom he was sentencing to one year in jail for car theft. That particular offender happened to have a long record of offences as a juvenile and it was at that point that Judge Baryluk spoke out in considerable anguish over the degree to which he felt his hands and the hands of his colleagues in the judiciary were tied when it came to dealing with offenders and offenees of that kind, and when it came to preserving the normal safeguards of society.

The comments that Judge Baryluk made at that time, as many members and the Honourable the Attorney-General no doubt recall, had to do with the system itself not specifically with Juvenile Court, but with the Juvenile Court system, and he said, and here I'm quoting from newspaper reports which I clipped of the incident at the time. He said that the Juvenile Court system is "no damn good" and he went on to back up that position, he went on to back up that attitude of his, and it found considerable editorial support in the media, and certainly, I must suggest, widespread support among the general public.

Judge Baryluk was talking at that time about the whole system of crime, punishment and deterrents, he wasn't talking about the Juvenile Court as an institution itself and he made that point very clear in his remarks. But the question of deterrents was significantly underscored, at least by implication, in what he had to say on that occasion, Mr. Chairman, and I think that it's this specific that requires most of our attention when we deal with the whole area of offenses against society, whether they be by juveniles or by adults.

The problem that seems to me and many of my colleagues to be at the root of the anguish and of the difficulties that society is going through in this whole area at the present time, is tied, sir, I suggest, to the subject of deterrents, and when colleagues of mine stand in their places here in this House and suggest that there is valid reason to consider restoring the death

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(MR. SHERMAN cont'd) . . . . penalty, returning capital punishment to the institutions, the legal and judicial institutions of our land, I suggest, Mr. Chairman, that that kind of suggestion should not be dismissed as one made in the heat of anger or emotion. I suggest that that kind of suggestion should not be dismissed lightly because behind it lies the concern of those particular spokesmen who are arguing for some proper safeguards for society, who are arguing on the side of those who have now become the victims of those who would scoff at and flout our law, and our laws, on a continuing basis. I would hope that the Honourable the Attorney-General does not dismiss that kind of a suggestion as something that's coming from a secluded and bizarre corner of society. I don't believe it is. In any event, it reflects a feeling that is gnawing away at a considerable part of the heart and soul of our society today. It reflects a feeling of anxiety, a feeling of concern, a feeling of desperation, that requires, I submit, Mr. Chairman, a sympathetic reaction, a sympathetic kind of treatment by the Attorney-General and by his colleagues. What those who make that kind of a plea are saying is that the pendulum has swung too far and that society now lacks the very deterrent necessary to take care of the vast majority who believe in the rule of law.

It's in this area of deterrents, as I have said, Mr. Chairman, that I hope the Attorney-General and his department will devote substantial attention during the consideration of these estimates and during the course of this legislative session. It seems that in all too many cases, both in juvenile Court and Adult Courts, there now is no fear on the part of the offender for what he or she may have done against society; there now is no fear of the kind of, the kind of price they may have to pay for the offense, for the law breaking that they have committed. And although it's on one level idealistically, I suppose, nice to think about a society and an environment where that kind of condition can prevail, it is not realistic to try to live that way, Mr. Chairman, and it is not fair. It is not fair to those who are in the vast majority and who obey the laws and the standards and the precepts and the principles of our system, and who pay their taxes and who contribute to society, and who deserve, at least in reasonable measure, an assurance that those who flout that kind of convention, that kind of order, are going to at least be confronted with the price and the lesson of their offense. I think that the time has come when some of the practices that have run to excess in the area of attempts at rehabilitation should be perhaps reconsidered and re-examined, and considerable attention and thought should be given to the possibility of replacing some of them with more old fashioned punishment.

Mr. Chairman, in the next two or three minutes, and I don't intend to take very long at it, I want to underline question No. 3, which I directed at the Attorney-General a few minutes ago, and I was pleased to see that his colleague, the Honourable the Minister of Tourism, Recreation and Cultural Affairs, was in the Chamber. I'm not sure if he's here at the moment but he certainly has been here, and I'm pleased to see that because this is a subject in which he is involved as integrally as is the Attorney-General. The subject I refer to is that of violence, particularly in the game of hockey, particularly at the minor and amateur level, and I would ask the Attorney-General whether complaints have been directed to his office by the President of the Manitoba Amateur Hockey Association, Mr. Frank MacKinnon, and others, having to do with violence approaching, if not in fact constituting, criminal violence on the ice. The degree to which the total disrespect for the rules and regulations of the national game of hockey has been allowed to grow and extend itself across our province and across our country in the past ten years, can be a subject only of enormous concern, an enormous anxiety, to Canadians generally.

As I suggested during the Throne Speech, there have been efforts made in the Greater Winnipeg Minor Hockey Association and the Manitoba Amateur Hockey Association this past winter to clamp down on what has been a very disturbing proliferation of violence. I think those two bodies and their officers should be credited with having made substantial efforts in that field.

But what has been done is still not sufficient, Mr. Speaker. Only this past Friday night there was an outburst and an outbreak of butchering in a Manitoba Junior Hockey League play-off game between the Selkirk Steelers and the Portage Terriers that, had it occurred on a street, had it occurred on a playground, had it occurred in an hotel lobby, would have found the participants and the principals charged and brought before the bar of justice. Now I know that Mr. Addison the President of that Hockey League has acted forthrightly today in levying

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(MR. SHERMAN cont'd) . . . suspensions and in imposing penalties on the guilty parties; but all too often other presidents, other officials, in the game, and in the sport generally, have not reacted with the degree of integrity and the degree of forthrightness that was displayed by the president of this particular league in this instance. All too often this kind of savagery, this kind of violation of the accepted standards of behaviour in sport, and in life in general, is allowed to go unpunished, is allowed to go, in fact, rewarded in a subtle and rather contrived way through the kinds of attention in the form of publicity and otherwise that is generally afforded participants in these hockey brawls. I have a file of reports, assessments, studies into the subject of violence in hockey that is as thick as any legislative file I've compiled, Mr. Chairman, in my time in this House.

I am particularly interested in the fact that the Province of Ontario under the aegis of the provincial government there last season undertook a very comprehensive examination of this subject of violence in that game, and came up with some strong recommendations which have had some effect, I think, in curbing that kind of activity. But I think that the Attorney-General and his colleague the Minister of Recreation are going to have to look at this incidence of violence in hockey here before anything concrete, anything productive and constructive is going to be done in terms of limiting it and hopefully eliminating it. I don't think what the Province of Ontario has done is good enough. I might say that not only Ontario has acted in this respect, that hockey officials in Alberta have acted to curb this kind of violence.

I don't want to dwell on that particular subject any longer than I have already dwelt, Mr. Chairman, but I do think it's important to inject into the debates on the kind of subject that we're dealing with at the present time because it is here in the competitive activities of our young people, that a lot of the seeds of disrespect for law and order and principle can be, and unfortunately are being sown. It is here in that field of competitive activity among our young people that the seeds of respect for law and order should be sown, and I think that there are a great many officials in hockey and in sport generally who are to be commended for the efforts they make in that respect.

But there are other people in the game, and I think all too many of them are parents and coaches, who believe that the important thing today, in the kinds of competitions they're engaged in, is to win at any cost, to be tough at any cost, and to fight at any cost. I don't believe that that is good basic training for our young people, and I don't believe that that is conducive to a respect for law and order in society generally, and I do believe that that kind of thing contributes, contributes to a degree to the general breakdown of law and order. When we talk about juvenile offenders and adult offenders, perhaps none of them ever played the game of hockey or football, or any other game, perhaps none of them were ever in a hockey brawl, but the environment is created when we publicize and promote and, in fact, glamorize that kind of violence in our sport and it makes it very difficult then to turn around and penalize a, perhaps a disadvantaged youth who never had the chance to play hockey or be in a hockey fight, who has done something on the street, done something in the crime field when he has seen all around him the example of this kind of thing being glamorized in one of the big professional entertainment industries of the day, the sports field. So I would hope that the Attorney-General and his colleague, the Minister of Recreation, would look at that subject too, Mr. Speaker, when they're looking at the whole area of breakdown of law and order, the whole area of deterrents to crime, the whole area of procedures of dealing with juvenile offenders, the whole area of dealing with the right of the individual to the safety of his person and property.

MR. CHAIRMAN: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Thank you, Mr. Chairman. I would like to make a few brief comments about the Attorney-General's estimates. I would like to commend him first off for the fact that he has seen fit to do something about the backup of work that has been occurring in the Land Titles' offices, one of them being in my constituency. I've had many complaints. A lot of deals have been hanging fire for quite awhile and I certainly would commend the fact he has seen fit, possibly, to speed this process up. It will be appreciated by the general public and I certainly will appreciate it also. And to get along with some of the general comments that have been made, I think that the time is here to start possibly dishing out a little stiffer penalties in a lot of the infractions to the law that we have.

One that I would like to specifically put the finger on would be rustling. At the present time we are in a position that the cattle market is in a very depressed state so consequently

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(MR. FERGUSON cont'd) . . . . the offense has died off considerably, but once again in the next year or so when the prices rise, if it so happens, we will again be faced with the fact that there will be quite an upsurge in rustling, and I would hope that there will be stiffer penalties brought in by the department.

Again, going to the general public, we seem to be swamped with a, I guess you'd say a bunch of complaints to the fact the police in many cases today seem to be out looking after the money end of the police work, such as the infractions on stop signs, speeding, impaired, etc., possibly to the detriment of some of the charges that should be investigated a little harder along the line of theft, etc. I think there's a tendency amongst the general public to start to lose a little bit of respect for the police force because of this fact.

I'd also like to bring up at this time, Mr. Chairman, the fact that one of my constituents-- I think the Attorney-General is quite aware of what I'm going to talk about. But I think it was grossly unfair that the vendor was removed from an individual in the town of Carberry. He basically had no recourse; he was not able to meet with the Chairman of the Board. He was informed one week before the removal of the vendor that it was going to happen. He attempted to contact Mr. Syms on the phone and he was not able to, and I feel it was a very unfair move on the part of the department to, without giving the man a chance to at least plead his case, and this again, Mr. Chairman, was not done to a novice. This fellow had 11 years service; he has been basically a pillar in the community, and I think he definitely deserves an opportunity to at least stick up for himself and present a case for himself.

I also, Mr. Chairman, have a letter from a constituent of mine, just as of the last very short time, whose husband was involved on June 24th in an altercation at Gimli--(Interjection)-- Gillam, I'm sorry. He was jailed, and consequently he was left unattended and he apparently hung himself. His belt had not been removed and as I understand under the law enforcement clauses, that this is one of the first things that does happen when someone is put in a cell, their belt is removed, or else there is an attendant there to see what's going on.

I am not too familiar with this case, Mr. Chairman. I phoned this lady tonight during the supper hour and she said that her husband had been in a very settled condition, that they had bought a farm at Eden, they were moving there and they were going to set themselves up. He wanted to get out of Gillam--apparently he was running into a few problems there. But she couldn't understand the fact that he had committed suicide and she basically feels there definitely was some negligence on the part of the law enforcement officers that did put him in the cell. I would like the Attorney-General to understand there have been some hearings. That a Court of Inquiry was held on it, but here again she is very dissatisfied with what the end result was, and I think possibly that she does deserve a little better explanation than what she has received up to this point.

I think possibly, Mr. Chairman, that's all I have to say at this time. I know there are other fellows that would like to speak, consequently, I will yield the floor to them. Thank you.

MR. CHAIRMAN: The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): Thank you, Mr. Chairman. Also a few words of concern that are affecting the constituents of La Verendrye. We've had several speakers before mention the problems that we are encountering with the juvenile offender, and taking some advice from the Member from St. Johns I offer possibly some constructive criticism here at this time.

I think very few people realize that when a juvenile is caught driving while impaired his punishment is less than an adult caught driving while impaired. Under our present juvenile system, the maximum fine levied on the juvenile is \$25.00. So take for example the juvenile who in the first place should not be drinking, he's not of age, he's 16 or 17, he gets caught while driving over .08, he pays a fine of \$25.00, plus gets a six month suspended sentence-- the suspension on the driver's licence, excuse me. The adult on the other hand pays \$250 and is also suspended for six months.

I realize there's no easy solution to the problem with regard to juveniles but I think possibly what we could do is maybe modify our present situation and have it so that any offense under any Manitoba statute, like Highway Traffic Act, the Forestry or Wildlife Act, the Liquor Control Act, etc., that the juvenile would receive the same treatment under that Act as the adult offender does. I understand too that under the Summary Convictions under the Criminal Code, and again I refer to Section 234 Impaired, and there were several sections

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(MR. BANMAN cont'd) . . . . after that which refer to things like driving while suspended-- these are different problems that do crop up from time to time--if we could also make the juvenile responsible under sections of the Criminal Code,, under those particular sections, so that he would go ahead and take the responsibility that an adult does. We entrust him with the responsibility of a driver's licence and therefore I think that anything to do with motor vehicles, or any problems with hunting for instance with regards to Forestry, if they are found or convicted under those particular sections, then I think that they should be treated as adults and pay their proper due to society.

Mr. Speaker, I would just like to ask the Minister whether - and I probably could have posed it in the question period - whether some of the reports--the Minister of Tourism is reported as saying that the department is considering allowing wine to be served in restaurants throughout Manitoba, and I was wondering if the Minister is considering any change like that or if they intend to bring in a bill within the next session to allow restaurants throughout Manitoba to serve wine. Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. BROWN: Thank you, Mr. Chairman. I would also like to relate to a problem that we have within my constituency. It's not only the Attorney-General's department that's involved, it's one of these overlapping problems involving the Department of Mines and Natural Resources, and the Department of Public Works. It has to do with land acquisition.

Seven years ago, along the Hespeler drain, land was acquired by the Land Acquisition who purchased this land that was required to build the drain, and to date these people have not yet received settlement. It's something that has been long overdue and I don't know how these things can be sloughed off in the manner that they are, but there seems to be a lot of buck-passing which is very easy when there's so many departments involved in one certain thing. Up to a minute ago I saw all three ministers in the House and I thought that this would be an ideal time to bring up the topic but I see that the Minister of Public Works is not in at the present time. But I hope that the departments and the various ministers concerned are going to look into this problem because some of this land has been sold and resold since then and it's created a lot of confusion all the way along the line, and there's a lot of people that are rather irate about the whole thing.

Another item that I would like to touch on at the present time is that I noticed in today's paper that Ontario is going to pay five cents for empty bottles, beer bottles. I think that this legislation is long overdue in Manitoba. Many farmers especially are facing very serious problems when they mow the ditches, and so on, they cut up their tires. If they don't cut up their tires then the balers are going to come and pick up these bottles, smash them, and eventually they'll end up in the bale where the cattle are going to eat them. A number of cases have been found where cattle have had glass in their stomachs. I certainly hope that the Minister is going to look into this matter. I'm pleased to see that the Member from La Verendrye has a resolution in regard to the beer bottle situation, and I'm sure that we're going to have more discussion on that particular item at that time. Thank you.

MR. CHAIRMAN: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Chairman. Mr. Chairman, what you have witnessed so far in the debate on the Minister's salary has been an attempt by the majority of the speakers on this side of the House to isolate one particular aspect of law enforcement in the Province of Manitoba, namely the juvenile offender and the treatment he receives when he appears in court. I would hope that we have a very full debate on this subject, including members from the other side of the Chamber and, sir, it's quite often that most on the government side leave it all to the Minister to do the answering and to do all the talking for the government side. In this particular case I would hope that we could have a very full scale debate on the subject of juvenile crime and the treatment that juveniles receive, the effects that it has on the law enforcement bodies and society in general.

So with those few words I eagerly await what the Attorney-General has to say and others on that side of the House as well.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. PAWLEY: Mr. Chairman, I believe we have only five minutes before Private Members' House so that I will just have the opportunity to deal with some of the specific items that have been raised and then tomorrow we'll deal with some of the larger issues raised,

## SUPPLY - ATTORNEY-GENERAL

(MR. PAWLEY cont'd) . . . . particularly that with respect to the Bail Reform Act and juvenile delinquency.

I would like to first just comment in regard to the complaint which was levelled by the Honourable Member for Rhineland in respect to payment of moneys due to farmers in respect to lands expropriated, that this is an area that is of concern certainly to myself. I can tell the honourable member that I just had a similar complaint from a number of farmers in my own area and I've requested an inquiry to ascertain what the problem is. I think it does relate to survey difficulties.

The Honourable Member for Gladstone spoke in respect to a liquor vendor licence and the operator at Carberry. I would like to make it very clear that I do think that any person who loses his licence should have the opportunity to receive a hearing, and in fact, I had requested this individual when it was brought to my attention by the Honourable Member for Gladstone, that this individual do receive a hearing. I have not received a report as to what has transpired from that. I would just mention to honourable members that this does arise because the Liquor Control Act is very strict insofar as its licensing of liquor vendors, and breaches of the Liquor Act or of the Criminal Code of Canada are dealt with very severely. It is an area of service provided by the Liquor Control Commission, that of liquor vendor, which is non-inspected, the vendors are expected to establish themselves as examples in every respect. The Chairman of the Liquor Control Commission does have discretion, complete discretion insofar as the Act is concerned. This particular instance, because it did involve an offense under the Criminal Code, namely the refusal to take a breathalyzer test, he exercised his discretion in that way.

I want to say to the Honourable Member for Gladstone that I do say here and now though, that I think that any individual so affected should receive a hearing and I regret that that did not take part as a matter of course in this particular instant--Didn't take place, I'm sorry. I thought the Speaker was here already.

Dealing with the general question of juvenile delinquency, and this is an area which I would like to deal with at some length. I think to deal with it in a general way, much of the problem does relate to the home. Difficulties which have developed due to change in society in that the family unit is not as close in the present age as it was 10, 20, 30 or 40 years ago, and certainly we have witnessed the increase in infractions and difficulties in respect to juvenile delinquency.

In addition, of course, we are faced with the very real problem that we are working under an Act, the Juvenile Delinquency Act, which is 40 to 50 years outmoded and outdated, with concepts and with enforcement procedures that relate to an age long, long since past.

Now, I'd like to deal with a number of specific areas in which we have been involved as a department and in which the Solicitor-General in Ottawa has been involved, insofar as the entire area of juvenile delinquency is concerned during this past year. First, I would like to advise honourable members that I have received an assurance that the Solicitor-General will be proceeding with a new Young Offenders Act in all likelihood this parliament. I know we had received such assurance that this would be dealt with, I believe it was about a year ago, also by the Solicitor-General. But he is proceeding through the course of consultation with the various levels of government in Canada. Draft copies of a proposed Young Offenders Act have been forwarded to all ministers, to all departments, that are responsible for probation and for dealing with juvenile delinquency across Canada, for their comments and advice. Meetings are taking place between federal officials and provincial officials in respect to the proposed new Offenders Act.

I believe it is 9:00 o'clock so I'll . . .

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, the Committee of Supply has considered a certain resolution, has directed me to report progress, and asks leave to sit again.

IN SESSION

MR. SPEAKER: Order please. The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Thompson, that the report of the Committee be received.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR - RESOLUTIONS

MR. SPEAKER: Private members' resolutions. The first one is the Honourable Member for Fort Garry.

RESOLUTION NO. 1

MR. SHERMAN: Mr. Speaker, I wish to move that

WHEREAS the Government of Canada has issued a Green Paper on the subject of future immigration policy for Canada, and invited a national debate on the subject; and

WHEREAS the Federal Government's favoured position, as promoted in the Green Paper, appears to be one of rigid restriction in future years of immigration inflow into Canada; and

WHEREAS the bedrock of Western Canadian development for the past seven decades has been the inflow of energetic peoples of many races and from many parts of the world; and

WHEREAS the future of Western Canada's economic and social progress remains dependent upon a continuing infusion of such human energy;

THEREFORE BE IT RESOLVED that his House supports the freest possible inflow of human skills into Manitoba consistent with social and economic conditions, and that this position be urged upon the Government of Canada with all possible determination.

MR. SPEAKER: Would the honourable member state who his seconder is?

MR. SHERMAN: Seconded by the Honourable Member for Birtle-Russell.

MR. SPEAKER: Thank you.

MR. SHERMAN: Seconded by the Honourable Member for Morris.

MOTION presented.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, at the outset, I want to record some disclaimers and apologies, perhaps, for some of the earlier remarks that I have uttered in support of the resolution I've just proposed, although I do not backtrack in any way from the intent of the resolution itself. But I want to say that my remarks in the House the other day during the Throne Speech Debate, having to do with the subject of immigration and the Green Paper on Immigration, may, sir, have been the product of battle heat at the time, and if I was indiscreet, if I was indiscreet and unreasonable with respect to the members of the Liberal Party to my left, then I apologize to them, sir. The fact is that we were in a very intensive and a very emotional debate at that time, I had not been entirely encouraged by some of the remarks coming from my left, and I perhaps responded a little more acidly than I should have - and I would note for the record, Mr. Speaker, that I spell acidly a-c-i-d-l-y in this case. The remarks perhaps were a little more acerbic than should have been and so I want to note, for the benefit of my friends to my left, that they were the product of the moment, and I would like to suggest that the subject of this resolution is a subject that should be approached with as little emotion and with as great a degree of safeguard against inflammatory statements as is possible.

The other disclaimer I must make, sir, is that technically I suppose I have been incorrect in saying that the Green Paper itself has undertones that I've suggested are racist in their import, because the Green Paper itself really does not do much overtly other than lay out four possible options. I have said in the preamble to my resolution that the Federal Government's favoured position, as promoted in the Green Paper, appears to be one of rigid restriction in future years of immigration inflow into Canada, and I'm sure that there will be those who will challenge that suggestion. The Green Paper itself, as I have said, probably is a masterpiece of phraseology and of political footwork in avoiding commitment to a specific position. What it does is lay out four possible options and then invite a national debate.

However, sir, the reason why I suggest that the Paper has racist and racial undertones that I don't like, and has other qualities about it that I don't like, is that I believe it in itself is little more than window dressing for a government position that has probably already been staked out in Ottawa, and the exercise of the debate is really an exercise in futility. I hope I'm wrong on that subject because I would hope that all of us can contribute to a real national debate in arriving at a real national consensus on this crucial question.

But the paper, as I suggest, while posing those four possible options, very studiously avoids overt commitment to any one. There's little doubt in the minds of many observers and commentators, in fact I'd go so far as to say most observers and commentators close to the question and close to the direction of the present Federal Government in Ottawa on this subject, however, Mr. Speaker, that there is a desire implicit in the paper and shared generally by

## RESOLUTION NO. 1

(MR. SHERMAN cont'd) . . . . those who have promoted the paper and invited the national debate, there is a desire for a very restrictive posture with respect to immigration into this country. There is a desire for a pretty sharp turnabout from the kinds of immigration policies and practices that we've been following in recent years. However, I reiterate that it's a subject on which hopefully we can avoid inflammatory argument. I reiterate that it's a subject on which hopefully we can avoid argument rooted purely in emotion. I believe that it's a subject that commands the most earnest and conscientious attention of Canadians and, by implication, a subject that commands the most studious and truthful examination.

For what's involved, sir, in the immigration debate now being "encouraged" by the Federal Government, is what is good for Canada. What's involved is what is good for Canada and what is good for the various parts of Canada. And I think that those of us who live in this particular part, Manitoba and Western Canada, have a substantially and a legitimately different view on the answer to that question, a view different from that held in Eastern Canada. It's easy to recount what was good for Manitoba - at least in my opinion. What was good for this province and this part of the country was the enormous infusion of skills and energies from all parts of the world, from all racial and ethnic backgrounds, which came in here over many decades and which created the Manitoba which we know today.

Certainly, there are localized problems as a consequence of immigration flow in other parts of the country. Certainly there is the problem, scarcely spoken, of the ghettos in the largest cities of this country: Montreal, Toronto and Vancouver. Certainly there is the problem, and it's as valid here as anywhere I suppose, of employment tensions, employment opportunities. Certainly there is at least the potential problem of housing tensions and housing advantage. But I can't help but go back to the essential and fundamental point that I make when addressing myself to this subject, Mr. Speaker, and that is that all the problems that exist, exist in substantially larger measure in other and specific parts of the country than the part that we live in, and I believe that we still have a horizon, a target, and objectives that we're working towards and aiming towards in this society of ours, and I don't want to see that objective and that goal and that community and that society abridged simply to meet the immediate problems of other regions of the country which have perhaps not dealt as wisely, as discreetly, and as rationally with the inflow of new skills and energies as we have here in Manitoba and as they should have done.

It well may be, Mr. Speaker, that what is needed in this national debate is a whole new approach to immigration and absorption, a whole new imaginative, visionary, inspired approach to the science of marrying incoming skills and energies to existing needs and requirements in one's country, an approach that ties the immigrant to regional development targets. And that is not an easy kind of a system to refine; it's not an easy kind of a system to define. It's an easy kind of a system to visualize, but I recognize the problems in terms of making it work and making it real are enormous.

That's no reason, however, for running away from the problem and for taking a precipitous kind of a step that I think would be injurious to this part of Canada were it to be adopted as national policy, that injurious step to which I refer being a turnabout in immigration policy that would see the gates, the doors to Canada substantially closed in comparison to the position they've maintained in the past decade. Any other position than one of commitment to developing a program that enables us to accept and absorb people from around the world would, I suggest, Mr. Speaker, be a breach of trust and a breach of faith with Manitoba history, a breach of trust and a breach of faith with the Manitoba tradition, and a breach of trust and a breach of faith with the Manitoba objectives which we have not reached yet.

If we look at the composite that we have here in Manitoba today, racially, aesthetically, ethnically and culturally, we can only be inspired, I think, Mr. Speaker, by the kinds of things that we have done as multi-cultural Manitobans, the kinds of things that we have done in the spirit of building Manitoba with the people who have come here, with all of us who originally, at some stage of our ancestry, came here and helped to forge this society. And I have to ask myself, and I have to ask my colleagues, and I have to ask the Federal Government in Ottawa, and I have to ask the Honourable Robert Andras, whether this society that we have here, whether this promise that we have, would exist, would be here in Manitoba if we had practised protectionist and restrictive immigration policies such as I fear, such as I fear are implicit in the Federal Government's posture at the present time.

## RESOLUTION NO. 1

(MR. SHERMAN cont'd)

I know that immigration flow has to be balanced, Mr. Speaker. I know that it has to be shaped so that it accommodates economic and social requirements, economic and social pressures, economic and social conditions. But I don't think that we have reached the point in Manitoba and I don't think we have reached the point in Western Canada, or prairie Canada anyway, where we have to concern ourselves with racial tensions, with cultural and social tensions. I think we have to concern ourselves still here in Manitoba with building the things that we want to build, with achieving the Western Canadian dream that our ancestors started out to pursue a hundred and more years ago. And I think we still need the kinds of energies and skills and talents to which I've referred in the resolution, to achieve that end. It may not be in our best interest to blindly follow an immigration policy that I suggest, sir, is shaped largely with the interests of Eastern Canada and the interests of the major urban cities in Canada in mind. It may not be in our interest ten years from now to have committed ourselves to that kind of a policy.

What about the North of this province? And I would be the first to suggest that whatever is done with respect to the North must be done as a consequence of the Northern Manitobans' own desires and own initiative, but what about the question, for example, of medical services and doctors in the North. We need doctors to go into the North and medical services in the North that perhaps can only be supplied as a result of free and unfettered immigration into this province. What about various trades and industries and crafts, various manufacturing concerns, various fields of activity in the province up to this point in time are undermanned and understaffed in terms of skilled and semi-skilled work. I would cite only one, the hotel and restaurant industry in Winnipeg. For example, with the kinds of impetus being given to the professional hospitality industry as a consequence of the growth of hotels, the appearance of the new Convention Centre, there is a desperate need for workers in that industry and that is only one. We may find ourselves severely limited in meeting the kinds of objectives we have for our own economic well-being here, Mr. Speaker, if we allow ourselves to be boxed in to a policy that is designed to help manufacturing sectors of Eastern Canada out of difficulties that really are the result of a disorganized approach to immigration, adopted and followed in those parts of Canada for far too long.

Mr. Speaker, if the Federal Government should move in the direction of closing the gates, or nearly closing the gates, I suggest it would be a panic reaction and an over-reaction to the situation in the nation at the present time. It would be a panic reaction and an over-reaction because in fact there is no crisis at the present time, there is no national crisis. It's been pointed out that the Canadian mosaic is still overwhelmingly white - I'm not citing that as a particularly admirable fact but if people in the Federal Government and elsewhere are concerned about coloured immigration, it's been pointed out and it's a statistical fact, sir, that the Canadian mosaic is still 96 percent white; 96 percent of all Canadians come from Anglo Saxon, French or other European stock. And I ask members of this House and of this province, Mr. Speaker, to think of the cultural weave that is around us, that exists here at the present time, and of the things that we still want to achieve and accomplish in this province.

I would be keenly, deeply interested in participating in an objective examination, in an objective national debate on this subject, but I want to make sure that we know what the ground rules are, and I want to make sure that the Federal Government knows where I stand, and where many of us in this province stand, before we get into a debate, the determination of which is already settled, before we get into a debate that would be nothing but an exercise in window dressing. I want the Federal Government to know that I am interested, and many of us are interested, in a valid open-ended debate, but not one that is being held simply to cover the fact that the Federal Government has decided to close the gates substantially because Toronto and Hamilton and Montreal, and to a certain extent Vancouver, may have some problems, social and otherwise, resulting from their own disorganized federal approach to immigration. There are programs that could be developed that would help open up other areas of Manitoba and Western Canada to social and economic development if a proper national consensus could be assembled to examine the topic and to look for new initiatives.

Mr. Speaker, let me close on a rhetorical note if I may. I call to mind the great words of Sibelius and the great epic tone poem *Finlandia*, the national anthem of the Finns, and when the Finns sing *Finlandia*, they sing "We would be building castles yet undone". Those are

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(MR. SHERMAN cont'd) . . . . great words, Mr. Speaker, for Finland and for any land; they're great words for Manitoba and Western Canada, because I believe that we would be building castles yet undone and we have many castles still to build here in Western Canada. The ones that we have built so far have been built on an ethnic and cultural mix that is the envy of much of the world and I hope that I do not see the day come when those castles that we would be building are abridged and the effort is foreshortened and thwarted by narrow-minded interests designed to protect just one particular segment of the country.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I too want to indicate to members of the Assembly that I am deeply concerned with the trend of immigration into Canada, and I join, as I am sure all members of the House would, in paying a tribute to those people who came from offshore and helped us build that mosaic that we have and what we now call Manitoba. I'm proud of the fact that my parents were among those people, just at the turn of the century came in here from Great Britain, or England, and made their contribution to the well-being and this community called Manitoba. I'm sure my colleagues, too, in the government of various ethnical groups, and the lands from whence they come, join with me in saying and paying a tribute to those who came from other lands. Manitoba--(Interjection)--Yes, and my colleague from Thompson indicates that those that were here to meet them. And I'm concerned with those people. --(Interjection)--Is that where they came from? I'm sure that we also have a concern for those people who met the immigrants from other lands, and it is a concern that I have for those greeters of the people from outside that inclines me to have due consideration for immigration policies that are being suggested at the present time - and I'll elaborate on that, Mr. Speaker, shortly. But I do want to say that we do owe a tribute to the peoples from all countries in the world that have come in to Canada and made it what it is.

I want to approach the resolution of my honourable friend the Member for Fort Garry in a realistic approach and not a political approach. I sensed as I listened to my honourable friend from Fort Garry that he was endeavouring to impute political motives to the proposition of the present Minister of Manpower and Immigration. I have no desire to do that at all.

I have had the opportunity, Mr. Speaker, of meeting with my colleagues across Canada at the provincial level on two or three various conferences dealing with the matters of manpower and of immigration. In our conference we have pointed out to the federal authority that we at the provincial level want a greater involvement in the immigration policies which are, of course, under the control of the federal authority. Having raised this with the federal authorities, I was glad when we received an acknowledgement from the federal Minister, the Honourable Robert Andras that he is going to take into consideration the representations that were made by the provincial ministers of manpower and immigration, and I may say, Mr. Speaker, all political faiths and parties with the exception, yes, with the exception of the Social Credit Party, were represented at our conferences. There were Liberals, there were Conservatives, there were New Democrats and we were all concerned with the fact that the matter of immigration is not solely as it has been in the past, the prerogative of the federal authority. And we exhibited our concern.

As I read the working paper that has been produced, I see that this is an opportunity for people of all groups and all political inclinations to join hand in hand in trying to arrive at a basic policy of immigration. I don't view this as a document by the federal authority to try and impose a quota system on immigration, which I would not agree with; I don't think that it is an endeavour to impose conditions of immigration precisely, but an opportunity for all Canadians who are inclined to consider immigration policies to have an involvement in a discussion. Yes, Mr. Speaker, the Englishman, or the descendants of Englishmen, that came from Dorset at the turn of the century; the Jewish fraternity, the Icelanders and the Finns, referred to by my honourable friend, and their descendants surely can make a contribution in trying to arrive at a realistic approach to the problems that we have here in Canada.

Mention was made by my colleague from Thompson a moment or two ago about the people who greeted the immigrants into Canada, and he is correct. I suggest we have a concern, Mr. Speaker, in order to provide an opportunity for training facilities and the advancement of their cultural and economic basis, and we can do it, in my opinion, providing we concentrate on a proper program of manpower training and education and the application, making available to them an area whereby they can achieve skills.

## RESOLUTION NO. 1

(MR. PAULLEY cont'd)

We hear in this House from time to time, Mr. Speaker, the large numbers percentage-wise of unemployed that we have in Northern Manitoba. We have yet not adopted a firm policy in Canada whereby there are training facilities in order to utilize the availability of manpower that we have in Canada at the present time, and I think that's most important. What we have been finding in our associations with construction, particularly in Northern Manitoba, that there hasn't been any real serious endeavours made to train our native people in skills and trades but too wont we are to just simply say, we'll bring in people from offshore in order to fill the jobs, jobs that can be taken by people of our own providing they have the training facilities.

Now I'm not suggesting, Mr. Chairman, for one moment that we should not when we need bring in people of expertise in order to aid in the economy and for the production of required resources in the Province of Manitoba or of Canada. But I do think that we can have a realistic and a positive approach to the problems that we have at home, and I have no objection, and we've stated this time after time, to selective immigration, not on the basis of ethnical groups or nationalistic input but on the needs of Canada.

Of course we have one of the largest geographic countries left in the world under one single type of government; we have that. But at the same time, Mr. Speaker, I suggest that that can be enhanced and improved upon by an intelligent discussion between the various segments of Canada. As I look at the paper, Mr. Speaker, I don't see any suggestions of a domination at the federal level as to what should be done but rather that there should be a seminar, that there should be a wide open debate from one end of the country to the other to see what is best for Canada. This to me, Mr. Speaker, is a different approach of previous autocratic governments, be they Liberal or Conservatives, to the program in respect of immigration.

Yes, sir, I want people from offshore to come in here to make a contribution to the well-being and the further enhancement of this country of ours but I have no objections at all to a reasonable input from people concerned. I do not oppose most of the sentiments contained in the proposed resolution and I'm not even going to suggest an amendment. I think that I can agree, particularly with the resolved portion of the resolution, "Be It Resolved that this House supports the freest possible inflow of human skills into Manitoba consistent with social and economic conditions, and that this position be urged upon the Government of Canada with all possible determination." This is the stance, Mr. Speaker, that I, as a representative from Manitoba have taken in our deliberations with my counterparts from all across Canada, that any immigration policy should be in joint consultation with provincial authorities who are far more knowledgeable, in my opinion, of the situations prevailing in the respective jurisdictions, provincial jurisdictions.

I stated some time ago when the first intimation was that this paper being produced by Mr. Andras - I stated on February 5th that I favour the role, and I just want to quote from the press release of that day, "The Green Paper on immigration tabled Monday in the House of Commons indicates that the Federal Government will give the provinces a greater role in immigration policies, Russ Paulley, Minister of Labour states. He said that he considers the recognition that the provinces should be more involved in immigration policy, the most important consideration to come out of the study." I know that the demographic considerations were contained, and I don't need to say to members of this House of how difficult it is for us here in Manitoba, for we here in Manitoba, when over half of the population of Manitoba lives in this Greater Winnipeg area. And the same is true while they point out other cities like Montreal, Toronto and Vancouver, but we have that situation right here in the Province of Manitoba today. And while we have that situation in Manitoba at the present time, we have a huge untapped resource area of Northern Manitoba where we could have immigration, or at least where we have people who properly trained in Manitoba could make an invaluable contribution to our well-being. So I suggest, Mr. Speaker, that we should give some consideration to that aspect. We are always going to have an inflow into our larger metropolitan areas from those outside.

My colleague the Minister of Agriculture has made proposals to this Assembly to keep the boys back on the land, and this holds true of our doctors, our nurses, our dentists. We cannot, in my opinion, impose a condition that a person who migrates into this country must for ever and a day live in some area that is designated by some bureaucrat or even politicians.

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(MR. PAULLEY cont'd) . . . . It's not practical. I say, it is true that we do need an inflow from time to time of people of professional skills.

In closing, Mr. Speaker, I want to reiterate what I said at the commencement of my few remarks, how proud we can be in this mosaic that we call Manitoba because of the input of the talents and the abilities of peoples of all colors and of all creeds. I should say to my honourable friend the Member for Fort Garry we appreciate the fact that he has introduced this resolution but I ask him to join with me in making representation, in joining in in this national debate on immigration so that as a result it will be done not on the basis of political considerations but rather on what is best for those of us who are here in Canada today and those who may become Canadians as a result of a fruitful immigration policy in the future.

. . . . . continued on next page

## RESOLUTION 1

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I think it should be of some satisfaction to this House that the inaugural resolution in the Private Members' debate should be one of such importance and significance, and I think that it is to be complimented to the Member of Fort Garry that he has taken upon himself to introduce this issue. We'd also like to say, Mr. Speaker, that I'm pleased the Member from Fort Garry, in introducing his resolution saw fit to retract in effect some of the statements that he made a week ago. And I fully understand and sympathize that the remarks he made concerning the position taken by the Federal Government were made in moments when he was in heat, or in the heat of the debate. I think those are his words that he expressed, Mr. Speaker, and as a result that he may have been more active and outspoken and eager than he otherwise would be. Therefore, Mr. Speaker, I was very pleased that he was able to take upon himself - I think it is a tribute to his gentlemanliness and sense of perspective in this House that he was prepared to withdraw in some part some of those statements, because Mr. Speaker, I think whatever our political persuasion I think every Canadian can take a great deal of pride in the tradition and history that we have undertaken in Canada in terms of our immigration policy.

I suppose as a member of the Liberal party I would take special pride in the fact that most of that immigration policy has been developed under Liberal governments and I would point out that since the Second World War close to four million people have come from across . . . or from different shores, and especially during periods of major crises or upheaval in places like Hungary or Chile or Uganda. The Government of Canada which most of that time has been Liberal in tone has responded I think with a sense of clarity and humanitarianism which has set a standard in the world. And I would like to point out to this House, Mr. Speaker, that at the present moment Canada, along with Israel, probably has the best record and the most open record of immigration at the present moment, at a time when most countries in fact almost all countries, have developed fairly restrictive and closed regulations concerning the inflow of people from outside their boundary, that our country, along with Israel, and I suppose to a lesser degree Australia, have tried to maintain a very open standard. I think, Mr. Speaker, we have to be very careful in this debate that we don't become prone to the use of words that were expressed two or three days ago, such as racism, because I think, as the Member for Fort Garry properly acknowledged, it is the use of such violent words which can very quickly obscure and color a rational debate over a major policy to the point where it becomes a matter of inflammatory prejudice and bias and appeal to the worst instincts of human beings. I'd only say, Mr. Speaker, that I suppose one of the saddest moments I've experienced in a long time was incurred just two months ago when I was over in England doing some work, and as we well know that country which we all take pride in as having been one of the most open and tolerant of countries, to turn on the television set in that country, and to read the newspapers, and find out that that country which has prided itself upon its traditions of tolerance was increasingly becoming racked with debate with highly acrimonious racial tones. I think that anyone who has come from the tradition of British parliamentary justice and tradition can only feel sad at that moment and it would only double my intent and my concern that at this moment when we get into a debate on immigration, that we don't fall into that same kind of trap, that we try to retain and maintain our sense of balance, but at the same time I think not avoid the problem.

You know, I think this is the major import, Mr. Speaker, of what the Federal Government is trying to do in its Green Paper, is facing up to a very serious change, qualitative and quantitative change in the nature of our country, and asking Canadians of all kinds, and Canadian governments and legislators at the different jurisdictions, to try and engage in a open-ended debate about the nature of our immigration policy. Because I think as that Green Paper clearly states, Mr. Speaker, immigration policy cannot be looked up in isolation, it's not simply a matter of, do we allow more people to come to our boundaries, or to our shores, it is a question tied in closely with problems of growth and population. What size and how much can we absorb in the way of what can our economic and industrial and environmental system take into itself? How many more sort of burdens can we put on it, and how do we modulate or try to administer the growth of that system in a more rational way? Because I think as many commentators have pointed out, we are living in a finite world; we no longer can afford the indulgence and luxury of assuming that all systems are go and we can do

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(MR. AXWORTHY cont'd) . . . anything we like, and we must be much more careful with the resources that we have. We must be much more careful stewards of our - like what Barbara Ward calls the spaceship earth, and that means that every government, of whatever level, must approach this question with a great deal more caution and concern, and I think that the Federal Government has - to my mind at least, I see no undertones at all in terms of its intention to say, here are the population figures, here's what we're looking at. And what we're looking at is this: at the present moment we have an immigration flow of about 200 - 225 thousand people a year. I think the figures for 1974 were about 218,000. Close to 50 percent of those immigrants migrate to the three largest cities of this country. Now what that means is the City of Toronto absorbs close to 40 to 50 thousand new immigrants a year.

I take some dispute with the Member from Fort Garry when he said, well we shouldn't be worried about that problem. Mr. Speaker, we in Manitoba are not an island unto ourselves. We do not have the luxury of somehow assuming that what happens in Toronto and Vancouver does not affect us in Winnipeg, because it does in the clearest and most direct manner. That when we are looking at the growth of the major urban centres we are facing the prospect, Mr. Speaker, that by 1990, close to 90 percent of Canadians will be living in something close to 10 or 12 large cities. A large part of that growth will be generated by outside migration, and that migration will be constantly furrowing to the point that if it is left unrestricted, the urban megalopolis, that area that stretches between Winkler and Oshawa, will have close to six and a half to seven million people in it. Just think of the implication of that for us on the Prairies, Mr. Speaker. Even if we were to devise a system, and I'm not sure we can devise one, but let's say for the sake of argument that we could devise a system that said, all the immigrants have got to come to the Prairies and nothing goes to Toronto, it still means that we would be faced with the prospect of a tremendous disparity in the population and economic balances between that large population cluster in Central Canada and a large population cluster on the West Coast. And what that means, Mr. Speaker, is this: that on sheer matters of determination that if there is still population by representation in the Federal House of Commons, it means that the total number of seats in the Prairies would be absorbed in one suburban area of Toronto. And that has some real political implications.

I recall, Mr. Speaker, presenting a brief about three years ago to a Commons Senate Committee on the constitutional change that was crossing the country at that time, and asking them, what happens when cities like Toronto, Montreal and Vancouver sort of absolutely are in such immense proportions that they dwarf provinces like Prince Edward Island and Nova Scotia, and even Manitoba. That is a serious question because it simply means that the great imbalance of economic waste and power and influence will be concentrated in a couple of cores, and immigration policy is certainly very much part of that policy. But does it mean that we are then going to be forced to undertake much more severe kinds of constitutional changes. Do we set Toronto up as an independent province? Do we try to say that we no longer believe in representation by population? Those are the implications that we must face by the sheer fact of population growth, that it would create very major disparities in the balance of strength and influence in this country and therefore we do not, or cannot, treat this problem and somehow assume that we are isolated from it. It bears upon us in every single way.

I think, Mr. Speaker, it also bears upon us in another way that if you allow the kind of growth that takes place in these large urban clusters to continue unapaced without any attempts to modify or modulate them, that it means that the kind of combustible problems, the kind of social disengagement and disunity that arises when you have large conglomerations of people living in very small spaces sort of, in very close proximity, that kind of disunity and dispute that we see arising in places like New York and Los Angeles will be visited upon Canada. And are we prepared to say that we again in Winnipeg can put our heads in the sand and ignore the problem and say it doesn't bother us, because again it will bother us because it will put immense pressure back upon our resources. It will put immense pressure back on - people will begin saying, what are you in the Prairies going to do? That it may be, Mr. Speaker, that we're simply saying that we have to start taking overflows from large urban clusters.

Therefore, I do take dispute with one of the premises or assumptions put forward by the Member of Fort Garry, and that is, that somehow we can afford the luxury of unfettered

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(MR. AXWORTHY cont'd) . . . immigration. And by saying that, Mr. Speaker, I'm not sure that I have an alternative to him because I am very much torn, I think as he is and as other members of the House are, as the Minister of Labour expressed his own division of sentiments on this, that we are faced with the problem of wanting to maintain a tradition and heritage which has been very much a part of this country for 100 years, but at the same time having to recognize, and with stark reality, that the world has changed. It is no longer the open frontier of free lands and all kinds of space for people to move into, we now are living in an urban world. That's a very different kind of frontier, a much more difficult one to live with, requiring a much different response by government and a much more careful stewardship.

I think the thrust of our remarks, Mr. Speaker, in this House, beginning last year to the Minister of Labour, is a series of questions asking, when is it and how is it that this province can begin to develop its own population growth, manpower policies? When do we begin to come to grips with, how do we rationalize our own growth between rural Manitoba and the City of Winnipeg? How, if we are to absorb more people from outside the frontiers of Canada, how do we, when we're doing that, at the same time say to the 20 or 30 thousand native people who are congregating in our city core, without jobs or proper income or proper services, that somehow we are going to take more people in but ignore your concerns at the same time. And so I think, Mr. Speaker, the problem becomes very intertwined with problems of growth inside our own regions. It is not simply a matter of saying again we can absorb everybody and everything in all ways, we have to ask again how? And I think this was the spirit within which the Member of Fort Garry presented, and certainly in the last parts of his remarks, that immigration policy must be somehow merged with a more general assessment of what's going on in the province of Manitoba.

I must say with some regret, Mr. Speaker, that I don't think to this point that the answers that have been coming back from the government have been entirely satisfactory on this account. The Minister of Labour assured us at the question period this afternoon that there is some work going on in his department, and that they are beginning to move towards a growth policy and a manpower policy. I would hope that that development would only hurry up and that we would begin seeing guidelines for debate within our own province so that we know where we stand in Manitoba, so we can much more intelligently tell the Government of Canada where we stand in relation to immigration, because the two cannot be divorced. Yet while we suffer from a vacuum of policy in our own jurisdiction of not knowing exactly what the growth requirements are here, and how do we use people and provide proper jobs and housing and space, and services, and recreation and all the rest of the services that they demand, that it means that we are going to have to do something. Until we come to a realization of that kind of guideline for our own position, we can't very much start saying what we believe the Federal Government should be doing. It becomes very important that we see this, and I would only say, Mr. Speaker, that I looked up the response of opposition spokesmen in the House of Commons, and I would say that the position taken by Conservative spokesman, a Mr. Epp from Provencher - I believe he's from Provencher - I think sets that kind of tone in the Federal House which we should set here . . . hopefully the Green Paper will provide a focus for Federal, Provincial and public discussions, a combination of which process will be the presentation of immigration, legislation and regulations in early 1976.

We commend the Minister for the initiative which he has taken, and we also want to stress that the initiative cannot stop here. We cannot simply throw this information out for public debate that we . . . a clear direction from the government of the day. Well, Mr. Speaker, I would use those words of the Conservative member from Provencher saying that we need exactly the same in this House that we need clear direction, we need to focus our debate.

I'm afraid that in part while we in this group agree with many of the sentiments of the resolution, feel that in some way it may be too early. It may be that we haven't really fully engaged the Province of Manitoba, and the segments of the province which are particularly concerned, the business community, and the labour community, and the agriculture community, to begin saying, where do you stand? What are your feelings? How many people do you see yourself absorbing? We haven't gone into that kind of invitation for an open dialogue within our own province. And we feel that we may be almost too precipitous, Mr. Speaker, in this resolution, while we agree with the general sentiment and can certainly agree with the

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(MR. AXWORTHY cont'd) . . . philosophy, that it may be that we should take this opportunity with this resolution to ask ourselves how do we now proceed inside the confines of our own province to open up a debate and to invite representations from the different segments of our community, to begin telling us where they would like to go. And, Mr. Speaker, I would simply like to harken back, I suppose, to some of the questions that were raised by the Member for Fort Garry, by myself, by the Member of Assiniboia last year, when the issue of labour for the garment industry was at some dispute in this House, and again we try to say, well, what stand is the Provincial Government taking on the importation or the immigration of labour for the garment industry from places like the Philippines? And again I think there was a certain degree of vagueness about where we stand, or on the one hand I think the Minister of Industry and Commerce was saying we must train native people and absorb them, and at the same time the Minister of Labour - and I think I'm paraphrasing him properly - said that we're not against stopping immigration, which kind of left us as we're often left --(Interjection)--

Now, Mr. Speaker, let me point out for a minute that the Minister of Labour is not quite right in his saying that; that if you read the Green Paper closely you will see that under the constitution of this country, immigration constitutionally is a shared responsibility; that it has sort of lines of shared jurisdiction; and while I agree that over a period of time the Federal Government has absorbed much of that responsibility, legally and constitutionally the province still has very clearly in the BNA Act a direct obligation to take a stand on it, and it may be, Mr. Speaker, as we look at our confreres in the Province of Quebec, they have certainly undertaken their own initiatives in the field of immigration and set up immigration officers in Europe and they're undertaking their own immigration policy. --(Interjection)-- Well it may be. I'm not going to fall into the trap, Mr. Speaker, or the precedent set by our First Minister the night before, and that is to sort of murk around in murk documents of ten years ago to try to find out what the Conservatives did. I'm convinced that they weren't very competent at that period. I don't have to go back into history to try and affirm the case, but I don't think that we have to get into that particular exchange. What I am saying at the present moment, and I guess this is where we in this group felt our greatest disappointment at the whole tenor and tone of the Throne Speech Debate, is that there was no prescription for the future. There was no anticipation of needs. It was kind of reverting to a fetal position to kind of defend themselves against the angry attacks from the outside world from whichever source they were coming. And rather than addressing, I think, a very critical question of how many people, where, what are they going to do, how are they going to be paid, and how are they going to be trained, instead of offering to this Legislature and to the province as a wholesome opportunity for debate in that area, I'm afraid the general feeling I got as I listened to the members of the government benches was simply to provide us with the kind of a goal line stand against some anticipated onrush of opposition members, and I think that we regret that that happened.

Well, Mr. Speaker, I see my time is . . . and I think that the position of this group has been made clear. Let me simply reiterate that we feel that . . . the spirit of the resolution we agree with. We certainly do not agree with the second clause of the preamble and we would also feel that this House should go on record as taking even further steps and recommendations, and in that spirit, Mr. Speaker - and I hope the mover of this resolution will take it - we would propose submitting to this House some amendments designed solely, we hope, first to eliminate the unfortunate wording of the second clause, and at the same time to offer what we would hope to be an extension and addition to the theory and principle that the Member for Fort Garry proposed.

So, Mr. Speaker, I get to move that the resolution be amended by

(a) deleting the second paragraph of the preamble of the resolution;

(b) deleting everything after the word "condition" in the Resolved part of the resolution and adding the following: "BE IT FURTHER RESOLVED that this House consider the advisability of establishing a special committee with a view to receiving representations from the Manitoba Federation of Labour, the business community, agriculture, and the general public, to establish a provincial immigration and population policy consistent with the above."

That is moved by myself, Mr. Speaker, seconded by the Member from Assiniboia, and there are copies for each party.

MOTION presented.

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MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I wonder if the debate can stand in the honourable member's name, unless he wants to use one minute.

MR. F. JOHNSTON: No, it can stand in my name.

MR. GREEN: Call it 10:00 o'clock.

MR. SPEAKER: Agreed? (Agreed) Very well, I'll call the hour 10:00 o'clock, and the House will adjourn and stand adjourned until 2:30 tomorrow afternoon. (Tuesday)

One other word. Before I do adjourn would the honourable members who are submitting resolutions or amendments in the future, kindly sign them.