

Time: 8:00 p.m.

CONCURRENT COMMITTEES OF SUPPLY

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN, Mr. Morris McGregor (Virden): Call the committee to order. We're on Resolution 16.2(b)(1).

The Member for Wolseley.

MR. WILSON: Mr. Chairman, before the former Leader of the Opposition goes on to another subject, we were --(Interjection)-- Former Attorney-General. I wanted to talk about wiretapping, following up my colleague for Wellington in that I'd like to ask the Minister about the apparent . . . There were several things mentioned. One was the judicial control which wasn't sort of properly explained. By that, I mean, it was told to me that members of any surveillance team carry around what they call "blank" warrants of assistance which are signed by judges and I wondered, do the surveillance teams also carry around blank wiretap orders or do they actually have to deal with a specific case, and is there that type of control?

And dealing with the concern expressed by the former Morton Shulman, where are these --(Interjection)-- Well, Morton Shulman is still Morton Shulman, but concerning the security of the tapes because he was able to demonstrate that they sort of kicked around loosely in different buildings and office shelves, and I wondered in Manitoba if the system could be explained once more. Is, like the province of Ontario, this province entertaining any idea of publishing the names of all the wiretap victims or wiretap people in the province in a given year, and what issue of the Manitoba Gazette does this appear in as to the numbers? I remember under questioning of the former Attorney-General, now the Member for Selkirk, he mentioned was 18, and upon checking the library today, I could not find that particular issue pertaining to the Manitoba Gazette the Minister referred to.

And I wondered if the Minister could comment on the size of their surveillance team, and why it has to be so large and, possibly under civil liberties or under protection for the public, is there any way we could consider in Manitoba the people engaged in this very controversial subject? If we are to go with the suggestion of many people that we accelerate the wiretapping efforts, I would suggest we should be extremely careful and assure that senior members of the staff of both the provincial government and the RCMP should be engaged in this. Because what you have in many cases is young cadets or students and young members of the force who are not quite attuned to what the word secrecy means and, after a couple of drinks, they seem to have a rather vocal exposure of their jobs. Like anybody else in any type of job, I guess they like to relate what they do to certain people. And I think that if this wiretap phenomena is going to continue, as the Member for Wellington suggested, there's some 40,000 people indirectly affected and some 517 special warrants issued by the Solicitor General in Ottawa. I would be concerned about the process, I would wonder if we would follow the Ontario system and I wondered at what point in time. There's some indication to this committee and to maybe this member, as to the explanation as to how you go from point "A" to point "B", i.e. the judicial control. What type of a judge is it that signs these all the way down to what type of individuals are on the surveillance team? And a concern expressed similarly by Mr. Schulman, as to the security of these tapes, so that they are not readily available to the media and subversive groups.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, just before we leave this section, and I hope I won't be long, but I want to go back to the business of fingerprinting, etc.

Now, the officials of the Attorney-General's staff have been kind enough to give me a copy of The Identification of Criminals Act, Mr. Chairman, and once it's headed as The Identification of Criminals Act we can rest assured that it must be The Identification of Innocent Persons Act.

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This is the entire statute, Mr. Chairman, in English and in French. In other words, this page contains both the English and the French versions of the entire statute. And it says:

"Any person in lawful custody, charged with or under conviction of an indictable offence, or who has been apprehended under The Extradition Act or The Fugitive Offenders Act, may be subjected by or under the direction of those in whose custody he is, to the measurements, processes and operations practised under the system for identification of criminals, commonly known as the Bertillon Signaletic System, or to any measurements, processes or operations sanctioned by the Governor-in-Council having the like object in view."

Mr. Chairman, the second part of it, not that I am aware of anything that the Governor-General has sanctioned, but just look at what powers sometimes parliamentarians give to a Cabinet when they're careless.

"To any measurements, processes or operations sanctioned by the Governor-in-Council having the like object in view." This is, of course, with respect to identification, which some of the honourable members if they're as old as I am, will bring to mind the wartime joke, "Schultz is dead", which I am not going to repeat the joke but the fact is that you all remember people running around saying, "Schultz is dead", and it all had to do with the story which preceded the line.

"Such force may be used as is necessary to the effectual carrying out and application of such measurements, processes and operations."

Now, that's virtually the statute. I've left out the part which says that they're not liable if they do it, etc.

Now, Mr. Chairman, it's clear that this is done to innocent people, no doubt whatsoever, any person in lawful custody charged with an indictable offense. It is also clear from this statute that they are not required to give it back to you. Now maybe we have a kindly benevolent government that decides that they are going to tell the police officers to give it back to you, but I don't know that we can rely on it.

Furthermore, it still begs the question, if the person is innocent, why should he be fingerprinted? And if he is found guilty and then they have to prove a prior conviction, fingerprinting may be necessary at that time. But why does a person who is charged with an offense and is never convicted, why is he subjected to mug shots and fingerprinting, which no other person is subjected to?

Now I believe that there is a historic reason for this, Mr. Chairman. I believe that there is a prejudice with regard to people who are charged, that this is the Identification of Criminals Act, and that there is a general notion that if a person is the kind who will commit a crime, if you have his fingerprints you know that he will be available if he commits one in the future, and that criminals tend to be categorized as types, when people who have a historical knowledge of it know that the only difference between the criminals on the inside and people on the outside is that some have been charged and convicted and others have not.

But this is the Identification of Criminals Act and, Mr. Chairman, I think that I did indicate at the last meeting that unless someone could show me that I was way off base and, having already confessed that I've existed in public life and in particularly in the law profession for some almost thirty years and I have never ever saw need to take issue with this, which I only attribute to some fallacy or frailty on my part, I believe something should be done about this. I don't know whether it's been debated in parliament before. I don't know whether there has been a strong issue but I intend, Mr. Chairman, if the resolution's list ever gets down to the point where I know that it is going to be heard, to introduce a resolution saying that this should not happen to a person who is not convicted of any offense. Even a person convicted, I still have some problem, but there may be reason for it in terms of proving a second conviction. But certainly a person who has not been convicted, I do not know why he should be subjected to having to give his fingerprints and have a mug shot taken for the purposes of a Criminal's Identification Act.

MR. MERCIER: Mr. Chairman, the Act doesn't appear to indicate when it was passed; I take it it was quite some time ago.

MR. GREEN: Oh, I'm certain it's not, and by the way. . .

MR. MERCIER: It would be quite. . .

MR. GREEN: Mr. Chairman, if I may interrupt the Minister for one second, because he has being bombarded for the last three days by a whole list of things which are not

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primarily his jurisdiction but which he has to deal with, also which are not primarily . . . As a matter of fact, I think very little of what we have been throwing at you is legislation that is provincial. But I would think that you would be as concerned as many of the members around the table, and therefore I don't apologize for giving it to you. I only say that I understand your predicament, and that's why the members here are urging upon you, because you meet with the other AG's, you meet with the law enforcement people, and you should be the one to express our concerns to them as to the kinds of things that are being brought to your attention.

MR. MERCIER: Mr. Chairman, the Member for Inkster I think raises a valid point, specifically with why wouldn't someone who is perhaps charged but not convicted be entitled to have the fingerprints and photographs returned or destroyed. We will arrange to raise this matter, either at a meeting of Attorney-Generals or through the Criminal Law Subsection of the Uniformity Law Conference initially, to review with officials of federal government in other provincial departments. It's a valid point.

MR. CHAIRMAN: 2.(b)(1)--pass. The Official Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, I just wish to pursue a type of matter, which I believe the Attorney-General has been dealing with to some extent, the approach insofar as sentencing. In particular I am referring to a welfare fraud matter and concerned again as the other day re the attitude of his department, he himself, his approach, and the guidelines or instructions that are given for submissions prior to sentencing on the part of provincial judges court.

Dealing with a matter in which a convicted brother committed suicide in 1971 or 1972 - I believe the Attorney-General has the file from notice that I had given to him - leaving some six or seven children, ages three to twelve, and the convicted undertook to look after those children along with seven or eight of his own children, for a total of fourteen or fifteen children, since 1971, refusing to put those children up for adoption because he felt an obligation to try to raise them and, in fact, over the first two or three years tried to get by without collecting any welfare, and finally during a winter period was able to obtain some employment. And I believe employment continued for a number of winters thereafter, but during that period of time, due to a lack of notice to the welfare people, continued to collect welfare for his late brother's children. The result of this is that the party was convicted of welfare fraud and sentenced to six months.

The convicted party had felt it a sufficient concern to raise these children without thrusting these children into the hands of the state, or Children's Aid for upkeep and, I don't know, miraculously managed to raise the six, seven children as well as some eight of his own; as I say, a total of fourteen, fifteen children. And I was somewhat taken aback, though there was an offence that the party in question was sentenced to six months under these circumstances. I wanted to find out from the Attorney-General whether there was plea bargaining in the particular case, whether or not the Crown Attorney charged with the case had recommended a jail term; whether if the Crown Attorney did recommend a jail term, whether advice had first been sought from the Director of Prosecutions or more senior counsel as to the sort of sentence that should be sought in such a case.

Further, to find out from the Attorney-General whether there are general guidelines that are followed insofar as welfare fraud cases, such as this. I'm not going to repetitive except to say that cases such as this, circumstances of this nature concern one when one hears about the famous case involving fraud and the utilization of DREE, DREE moneys, and the house being built by the DREE recipient, and the sentence be to contribute the money to charity; or the Campbell case down in Toronto with one day, gives rise to the legitimate concern on the part of the public that the law appears to apply in two separate ways - a jail term for some, for the poor, and for those with wealth the easiest of treatment at the hands of the court.

So I would like from the Attorney-General some indication as to how such a sentence was arrived at, and some indication from him as to his own views pertaining to cases such as this. I should hasten to mention that it's my understanding in this case that the convicted had no previous related offence.

MR. MERCIER: Mr. Chairman, with respect to the Leader of the Opposition's last comment, that's my understanding also, is that the accused had no previous offence or previous record. The amount involved was \$28,300 and some, over a period of two-and-a-half

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years, my department just got the file this morning. The file doesn't indicate the position the Crown Attorney took when the matter came up for disposition; it does indicate that Mr. Chartier had counsel and it appears that no appeal against sentence was filed.

What we have done, as I explained a few days ago, Mr. Chairman, at the request of and in consultation with the Department of Community Services, we have assigned one lawyer in the department to deal with them on all of these social welfare fraud cases in order to ensure that all cases are dealt with on a similar basis by our department, and to consult with their department and officials in their department with respect to how these matters are to be raised, etc. Those are the facts that I have before me, Mr. Chairman, from the file. There was no appeal against sentence apparently filed by counsel for the defendant in this case.

MR. PAWLEY: It's my understanding in this case that there was plea bargaining, and that the Crown Attorney did, in fact, recommend a jail term. So that I was interested in knowing, in the rural circuit, the Crown Attorney, usually the first experiences on the rural circuit, whether or not in cases such as this, that are a little different from the normal, whether advice would have been sought from the Director of Prosecutions prior to the seeking of a jail term in this type of case.

MR. MERCIER: The file doesn't indicate that, Mr. Chairman.

MR. PAWLEY: If the Attorney-General is satisfied that the facts I've outlined to him are accurate, does the Attorney-General feel that a jail term in a case such as this - I'm only using this case file by way of example - is a reasonable outcome under these kind of circumstances, where - I tell you, this fellow, all he should have done was made some arrangements maybe that some assistance be obtained from the province. He's kept six or seven children for the last nine years, he's raised them, children that would have otherwise ended up with adoption or Children's Aid, well, as I say a total of some 14 or 15 children that he was raising, whether or not the Attorney-General feels a jail sentence was the proper approach in a case such as this. And are we faced with many such cases as these?

MR. MERCIER: Well, Mr. Chairman, there appeared to have been in recent months a number of social welfare fraud cases involving very large amounts of money over extended periods of time. We would like to, through counsel we assigned to work with the department, to review with them their methods of monitoring these payments. There are at least three or four cases involving \$20,000 to \$40,000 over two to two-and-a-half years, so I'd like to have an opportunity to review with the department their methods of monitoring these payments and investigate that. I appreciate they're very difficult, very difficult cases to deal with when a man raises 14 children as the file would indicate.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Yes, thank you, Mr. Chairman. Well, I want to take this opportunity to deal with something which I think has long been neglected and is becoming quite controversial again in the courts, and I think justifiably so. It has received a lot of publicity, if not notoriety in the southern United States in the past year, and that's the question of radar evidence to establish speeding. At the outset, Mr. Chairman, I'd like to say that I think that the use of radar, although it's not inherently unfair, certainly is an anomaly in our law, in that it reverses the normal law insofar as it puts the burden on the accused, the person who stands as defendant, to literally prove his innocence, his or her innocence.

This is, as I'm sure the Attorney-General, Mr. Chairman, will appreciate a very unusual circumstance and one which I think deserves a good deal of attention, because I can tell you and I am sure that the experience of the people who drive motor vehicles is such as to advise them that it is very very difficult to succeed in defending a prosecution brought pursuant to a radar prosecution violation for speeding.

The State of Florida recently did a good deal of research on the subject of radar, and radar is essentially . . . I think it's one company that produces virtually all the units in North America. I may not be absolutely accurate on that but I think they certainly manufacture the preponderants. Certainly the unit I am familiar with, and I think it's the only unit that's made, is one that relies essentially on the Doppler effect principle, the transmittal of sound waves and the reflection of the wave off an object back to a monitoring device which records it and gives a reading.

In Florida, recent judicial scrutiny found that the radar operating in that state only says some 70 to 80 percent were operating effectively and accurately. They were able to conclude that 20 to 30 percent of the units were giving inaccurate readings. And since the onus, as I said, Mr. Chairman, is on the accused person to disprove the allegation that he or she was speeding, I think that it deserves some real attention at this time. As I am sure we're all aware the police have become quite reliant on radar devices and use them to a wide extent throughout Manitoba. It's very very rare indeed, particularly on the highways, that the police will actually pursue a vehicle and do an actual observation check while maintaining a constant speed behind a vehicle. Most of them are utilizing the radar devices to a very large extent.

Now, I suppose it's also important because, Mr. Chairman, as you are aware, most Manitobans only go to court very very few times in their lives and I would imagine if we asked most Manitobans when that occasion was, they'll say it was with respect to a speeding violation. And a lot of people, a lot of people, fight these charges. It's not uncommon, Mr. Chairman, if you go down to any one of a number of courts that deal with speeding violations, to find quite a large crowd assembled for the purpose of defending. Some come with legal counsel, but the majority don't; they can't afford legal counsel for that type of charge which usually attracts a fine somewhere in the range of \$20 to \$50.00. But they come there, they come there because of the principle involved and because most of them feel that they deserve a day in court. And it's my opinion, and it certainly was the opinion of the people who did the study in Florida, that a lot of them are there justifiably. They have a legitimate beef and they should be given their hearing.

Now, right now, if you go into court, the policeman takes the stand, and about all he has to do is say that he took his tuning fork out and he calibrated the machine before he hit the road some time within two hours before he was able to take the reading on you. And having done that, he simply points out what the reading was and the presumption shifts to you. If you're the defendant, the presumption, the burden of winning the case shifts to you. The policeman said you were speeding and that's the end of it. He stands down. Well, you're in a pretty bad position and I know what I've done in the past, and I think a number of lawyers have tried it with little success in this province but with great success in Florida and some other southern states, some American states, is try and bring expert evidence to bear that will in fact rebut the presumption that radar testimony is accurate.

Now, there are several points and I have enumerated them and I think that this is now becoming . . . These are the findings of the Florida study and I believe these are now commonly accepted defects relative to radar.

First of all, the argument, and this is always used in court, whenever somebody comes to court, the policeman if there is any sort of cross-examination by the accused at all, the accused presents to the policeman the possibility that there was another car nearby, near him and perhaps travelling at a greater speed but perhaps paralleling him while he was passing him or whatever, the presumption is, and the policeman always states and they refer to the manual that says that the radar can only read the speed of the first vehicle. This is invariable and the judge always sagaciously shakes his head and says, "We all know that because the manual that the policeman has with him says that the radar will only read the speed of the first vehicle and, as long as he's got it aimed in generally in that area, you can be assured if you were the first vehicle, he got you."

Well, that isn't true. They have done studies. They have done technical experiments with radar and it is now established, to some state satisfaction as well, that contrary to the manufacturer's instructions, it doesn't always read the speed of the first vehicle. It's a presumption but there is a technical defect. It is possible, and it is possible, for instance, if a large truck is following, that it will read because of the reflected energy from the larger object, it will read the truck and not the car in front, the smaller object in front.

Now the reason I'm bringing these technical defects to the committee's attention is because I think this province should do what Florida has done and establish and adopt legal guidelines for the use of these units, so the officers, when they come to court, have to prove a few conditions precedent prior to the judge being satisfied that the speeder was violating the law.

Now another defect, and this goes against another one of the shibboleths about radar, that it only reads moving objects. Well, they've done tests on radar now which have proven that radar will accord a speed to things like a house on the side of the highway. You know, they've done tests that prove that a radar will often be able to read a house at going ten to fifteen miles an hour on the outskirts of the right-of-way. That's the word of the truth; that's not inaccurate. Somehow certain types of energy sources, depending on the siding of the object,

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can actually contribute. And the purpose of bringing this to the committee's attention is I'm saying it contributes to the speed of the vehicle, so if you've got a house behind you, you might get your speed bumped ten to fifteen miles an hour, kilometers per hour.

Another thing, the mounting of the target gun is essential, and many policemen, and this has been certainly discovered in the United States, many of the policemen are not properly trained in the use of the apparatus. They don't know how to mount it in the vehicle they are occupying and, as a result, the readout mechanism will not be working properly; there will be a distortion. Apparently the officer has to mount the target gun and the readout mechanism in such a way that they don't interfere with each other. There is some sort of energy interchange between them. But if the officer has - and they have done this with fixed speed vehicles, with different mountings - if the officer has not got it appropriately and properly mounted, he again will get surplus speed reading out. So it's a question of training the officer in this question; it's a technical defect which can easily be remedied if the officer knows how to use the machine. I think in this province it's safe to say there are a lot of police on the highways who haven't had sufficient training.

Now, another thing that has come to the attention of authorities as being a real potential defect, and again one which only proper training is an adequate antidote, is the question of tuning and calibrating the machine. The accuracy of the machine is always predicated on the tuning and the calibration of the unit. If it is improperly tuned, if the person who does the reading, the officer - and they usually use a tuning fork - doesn't take enough time and doesn't do it with sufficient eye to detail, the machine will not represent an accurate reflection the speed of the oncoming vehicle.

Now the policemen, of course, always come to court and they do testify that they do this, but I think again it is a question of training. In the United States, they found that a lot of officers who thought they were tuning their machine when they got into their cars, who thought they were doing everything by the book, weren't. They were doing it to various degrees. Some officers were doing an excellent job and they virtually had their machines perfectly tuned, and others were getting into cars and driving off in a rush, came in a little late and they were out in a hurry to get onto the highway, and their machines weren't properly tuned.

Now a fifth point, I guess, is the question of the beam. There is always in court, everybody presumes that the beam is directed in an exactly linear manner so that there is no dispersion of the radar beam. In other words, the argument is that it is impossible for the radar unit to read anything but that which it is aimed at; that if the officer has put it on auto-lock at a certain spot, or tracking spot, or he has manually aimed it, that it can't possibly read anything. They have done tests on that, and they found that is untrue. There is a dispersal effect, a scatter, a shotgun effect, and the truth is that if there are multiple lanes of traffic, the radar will be affected by other oncoming vehicles. They have done proof of that with constant speed vehicles on the side, and speeding vehicles in the lane where the attention of the scope was directed, and the constant speed is recorded and not the speeding vehicle's speed.

So, Mr. Chairman, I think that we should consider adopting guidelines that are similar to those that have been brought forward in the State of Florida. I think they are sensible.

The first one is the checking of the radar calibration. The officer is required to give testimony, and he has to write in his little book that he tested his radar unit, he calibrated it immediately after apprehending the accused. In other words, it is not enough just to come to court and say, oh, I checked it in the morning, I know it was accurate. He has got to do it right in front of the accused. He has got to get into the car, get out his tuning fork, he has got to show the accused that the machine is accurate. The accused may not be able to understand it, but I suppose through experience, and through publication, a lot of people will become familiar with what is required, and they will be able to be vigilant of their own rights. They will be able to see that the machine is working.

This is important. It is also important because a lot of policemen don't know the machine is not working. If they calibrated and they found their machine wasn't working, they would rip up the ticket. They wouldn't bother to take Joe Smith to court if they knew the machine wasn't working. But right now they won't calibrate, because the law only requires that calibration before they go on the road, not after they apprehend you.

Now, the second point that I think would be a very great improvement, again it is a pre-condition in Florida, is simply the prohibition on the use of the auto-lock. The auto-lock is invariably susceptible to distortion when there are two cars paralleling each other, and there have been numerous tests done on that. The auto-lock is not reliable. Most policemen

use the auto-lock; it is a lot easier to use the auto-lock. It is like an automatic homing pilot, and it is a nice, little, sophisticated bit of gadgetry, and they flip it on to it and it does the work for the man behind the machine. But the point is that it is not always accurate, and it is not fair. The guy sitting in the ditch, if he is on auto-lock, may not be reading the right car.

The third thing they do, and I think this is absolutely fundamental, is they require visual identification of the suspect vehicle before the reading is taken. What often happens - and I have had it happen to me, I'll admit it, it has happened to me - is you'll be driving along, I have been caught once on a radar offence, and I thought it was unfair. The policeman was down in the ditch, he was at least 20 feet down, it was on the Trans-Canada. He was 20 feet down, he could not have possibly identified my vehicle. Now on that given evening, I am sure it was a long weekend, and I'm sure he must have picked up 20 or 30 or 40 violators.

The point is that, because he can't tell you that it was you he was reading, I think that you have a legitimate defence. When he comes up he admits, I didn't see you, that was his first remark, I know that you were the first vehicle into my scope. Did you see me? No, I couldn't see you because I was in the ditch, but the machine said you were there and I came up right away and there you were. But he doesn't know for sure that there wasn't a passing car. He doesn't know that somebody didn't overtake you for a split second and fall back, which often happens on a busy night on the Trans-Canada, coming back on a Sunday night or a Monday on a long weekend, and it is a real problem.

I have heard this from a lot of people. If you go to the traffic court, there are a lot of people who say that it is unfair that they can be tagged with the offence when the policeman couldn't even visually identify them as being the offender. It is just presumed. There is a reliance on the machine, and the machine essentially completely rebuts any presumption in favour of the accused person. So in Florida what they have said is the policeman has to visually identify the speeder, the suspected speeder. He has to see the white Pontiac or the blue Buick first, and then he locks, then he fires and he takes his reading; and that makes sense. I think that makes damn good sense, Mr. Chairman.

So I am suggesting that if we want to enhance the experience of the average Manitoban in the courts, that average guy who will only go to court once or twice in this life, perhaps, on a speeding violation, that we should provide a little basic justice. We shouldn't have these presumptions that rebut the integrity of our citizens. You know, very often these people, I think, are - I believe they are telling the truth. There are just too many of them. They are not the sorts of people that normally make up stories. Sure, some people are going to buck the system, but I think a lot of people are probably telling the truth. And it probably reflects the Florida finding that 20 to 30 percent of the readings on the highways are inaccurate. So we are convicting 20 to 30 percent of Manitobans who shouldn't be convicted of offences on the basis of what a machine read-out said.

So I would encourage and I would ask the Attorney-General, because I know this came up last year - there was a court case here in Manitoba where the whole question of radar accuracy was challenged. I would ask him whether he would consider checking with Florida, and whether he would consider looking into this matter, in order to rectify a currently inequtable situation?

MR. CHAIRMAN: The Member for Rossmere.  
The Honourable Minister.

MR. MERCIER: Unless he wishes to speak on the same subject . . .

MR. VIC SCHROEDER: No, I don't think my comments on that would assist you greatly.

MR. MERCIER: Mr. Chairman, there was a great deal of publicity given to a decision in the County Court of Dade County, Florida, about one year ago, one year less, and I take it that is what the Member for Wellington is referring to.

Well, Mr. Chairman, I can understand the Member for Wellington may have missed the statement that I made after we reviewed that matter. Subsequent to that decision, senior officers in my department obtained and assessed reports from the manufacturer and various police departments who used the Decator Speed Timing Device, and I indicated that I was informed that the Decator Speed Timing Device was used by RCM Police highway patrols in rural areas of Manitoba, Alberta, and British Columbia, and I was further informed that because of their long-range reliability of being found that these devices are more suitable to

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rural highway usage than in crowded high density urban traffic areas. For that reason the City of Winnipeg Police Department do not use the Decator speed timing devices but other devices that have been approved and appear to be more suitable for urban needs.

I indicated that I was advised that the Decator speed-timing device can operate in either the automatic or manual modes. In the automatic mode, once a high speed is registered on the machine it blocks into that reading. However no decision apparently is made as to what caused the high reading. It is my understanding that the device was used in the automatic mode during testing for purposes of the hearing in Dade County, Florida. The RCMP police do not use the machine with the automatic mode, but prefer the manual mode whereby their trained police officers using the machine determine what in fact caused the high reading before an enforcement action is contemplated. The RCMP police are satisfied that the readings attained in the Dade County case would have been rejected by their trained personnel and not used for enforcement action.

I subsequently wrote to the RCMP in Manitoba to confirm that enforcement action is only taken in the use of any approved radar speed-timing device, when a properly trained Peace Officer is fully satisfied that the machine is working properly and that the Peace Officer can determine and positively identify what in fact caused the high reading on the machine.

Apparently the president of the International Association of Chiefs of Police and the United States Department of Commerce both confirmed our assessment of this particular speed timing device.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: A supplementary to that. I suppose what I would have liked to have heard from the Attorney-General, Mr. Chairman, is not that he is satisfied with the test the RCMP have done and the clean bill of health that they have given their machinery. What I would have liked to hear is that he is willing to look into the matter independent of the police and law enforcement agencies.

I think, Mr. Chairman, and we've said this several times in the course of these estimates, that the Attorney-General is not just the agent of the law enforcement agencies of this province, and I say that with respect. If law is to be meaningful, there has to be a balance, a balance between the rights to be accorded to the average citizen and of course the rights to broader society as embodied in the context of law enforcement, preservation of law and order.

So I would ask whether the Attorney-General might not do an independent review of the machinery, as was done by the court through technical evidence in Dade County, Florida, in order to assess the viability of these units for use in Manitoba on an independent basis. It seems to me that it would be incumbent on the Honourable Minister to undertake some independent review of the reliability and efficacy of this particular unit. I don't know why we always presume that the police are the only side of the story to be polled. I'm not suggesting that their representations would be coloured by any inaccuracy, but I am suggesting that there is a good deal of technical independent scientific technical data which shows that this particular machinery is subject to inaccuracy and inefficiency, and I can't see why the courts in Florida could find that the machine was 20 to 30 percent inaccurate and the RCMP say that it's altogether wholesome and completely reliable in the context of Manitoba. Maybe it's the good cold weather, I don't know. But it seems to me that the crowds in our traffic courts are reflective of the mass indignation of many of our people who are apprehended through the use of these radar devices and I think some cognizance should be given to the little guy. They are spending a lot of time and money defending themselves against the allegations that are made wholly on the basis of the technical information derived from the units, and I think for once the Province of Manitoba should spend a few dollars and have a technical investigation of the reliability of the units from the layman's point of view, not from the policeman's point of view, not from the lawyer's point of view, but from the taxpayer's point of view, from the motorist's point of view.

I don't know why that can't be done. It can't be that difficult. There are many experts in residence in this province who could come to a Legislative inquiry and provide testimony, could tell the Attorney-General something about the unit. I'm sure the police would be pleased to attend as well and rebutt any such evidence that they thought was unreliable. I don't see why something like this necessarily would be out of line for this province. It's in accord with the spirit of natural justice, Mr. Chairman.

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MR. MERCIER: Mr. Chairman, the Member for Wellington may have missed part of the statement that I read to him. I indicated the review was done under the supervision of my department. That review was then confirmed by the United States Department of Commerce, National Bureau of Standards in Washington, last spring.

MR. SCHROEDER: Thank you, Mr. Chairman. Dealing with the Highway Traffic Act, I have a question with respect to warrants being issued under that Act. My recollection of the early 1970s was that, for instance, if you were picked up for speeding and if you didn't show up in court on the date provided on your traffic offence notice, you would be sent a letter indicating that if you did not make arrangements with respect to that ticket within four weeks of the date of that letter, then the courts could proceed ex parte and come to a decision, and if you were found guilty you would be fined accordingly. Just recently a young lady in my constituency came to me and said that she had been picked up for speeding. It was an absolutely legitimate speeding charge. It was radar, and my understanding was that she agreed that was one of the 80 percent of the times when. . . there is no question, she had been speeding, she wasn't disputing that. However, for some reason or other she lost her speeding ticket - this is City of Winnipeg - she went down to the Public Safety Building on three specific separate occasions, went to the Clerk of the Courts Office. On two of those occasions she talked to police officers as well, who assisted to attempt to locate the ticket. The ticket was never located. Then a few weeks after her third visit she was telephoned by the police and told that there was a warrant out for her arrest and she had better show up to pay her \$40 to stay out of jail.

Now this particular young lady was fortunate enough to have \$40 and was fortunate enough to have been at home, because had she not been at home or had she not had \$40, she could well have been scooped and put into the detention facilities provided in this City until such time as she could appear in Court.

Now again, my understanding is that during the previous administration, situations like that, for charges like that, would not have arisen in the first place. I'm not faulting the Attorney-General's Department for the mix-up in the City of Winnipeg. That's a problem that they have to resolve. It's their court.

Another area that I would like to ask about is the Lavallee case, the case dealing with the Intoxicated Persons Detention Act. My understanding is that there was a decision in the Provincial Judge's Court last year declaring that particular Act unconstitutional. There was no appeal taken and the Cabinet asked the Court of Appeal to rule on the constitutionality of the IPDA, and I am just wondering whether the Attorney-General could inform us what has occurred with respect to that matter.

MR. MERCIER: Mr. Chairman, on the first point raised by the Member for Rossmere, there has been no change in policy, but if he would perhaps like to give us the name of the individual involved we will have a review and report to him on what happened on that particular case.

With respect to The Intoxicated Persons Detention Act, we form the view that the judge rightly acquitted on the merits of the case, the accused in that case, and therefore didn't want to put him, the accused, through the difficulty of an appeal on a constitutional question, so the matter was, by Order-in-Council, referred to the Court of Appeal and I expect that that matter - the last I heard it was to be heard in the Court of Appeal at the end of March.

MR. SCHROEDER: Thank you, Mr. Chairman, on that Lavallee case, I am just wondering whether the Attorney-General could explain why outside counsel were hired to handle that case. Were there not people available within the department?

MR. MERCIER: Mr. Chairman, the court appointed counsel to argue the other side of the case. The department is taking the view that the Act is constitutional, that the court can ask counsel be appointed to argue the other side of the case raised by the judge in question. Thank you.

MR. CHAIRMAN: The Member for St. Johns.

MR. SAUL M. CHERNIACK: Floating between two Committees, I am not quite sure that I know all that is going on this Committee when I am away. May I ask the Minister, has he acceded and has he given the information which I requested the other day in regard to the statistics on prosecutions?

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MR. MERCIER: Mr. Chairman, in the absence of the Member, I indicated to the Committee that we would attempt to obtain the answers to the questions raised by yourself and provide those to you. Those are not readily available.

MR. CHERNIACK: Mr. Chairman, I am surprised that the Department doesn't have any statistics of that kind. Does it have any at all?

MR. MERCIER: We have some. That is one of the issues I raised earlier on in the Estimates of the department under Administration, where we had included some monies to study electronic or computer systems, because that kind of information is not readily available in the department. And that is very similar to other jurisdictions. We have to attempt to put that together from manually-kept records.

MR. CHERNIACK: That is interesting, Mr. Chairman. It seems to me that one has to have certain guidelines or measuring sticks with which to compare its performance with that of others. Of course, if others don't have it either, then that doesn't help very much, does it? Nevertheless, internally, even year to year, it is a matter I think that should be of interest, and the departments do maintain statistics of a similar nature. For example, I believe that the Department of Labour or the Department of Health might have lists of infractions against laws and that kind of thing, and I will of course, let this stand now, and next year, if the government is still around, we'll use the statistics given, which I assume the Minister will produce as soon as they are ready. It is not a question of just our waiting for any special occasion, and if they are in work, can we assume that they will be available in a month, two months, during this session? I don't want to . . .

MR. MERCIER: As soon as I have an indication from the Department what is available immediately and how long it will take, I will indicate that.

MR. CHERNIACK: Mr. Chairman, then that also means that what is available will be given to us as it becomes available.

MR. MERCIER: Right.

MR. CHERNIACK: Well, that's fine, Mr. Chairman. I'll accept that and move on. Back again - I know you were discussing wiretapping and I did want to discuss it. I am not sure the extent to which the Minister responded, so if he tells me that he did respond in specific to my questions, then of course I will have to wait to read Hansard on it.

I would refer the Minister to an interesting article which appeared in a magazine that serves our profession, *The Canadian Lawyer*, and an article - I don't seem to see a date for it, but there aren't that many issues since I think it has only been around for about a year - an article by an Edward Greenspan dealing with wiretapping, which I can lend him if he is interested. In any event it raises certain questions in my mind which I would like to have answered by the Minister.

I would like to premise my question with the quote that is in the first paragraph of this article, wherein he quotes William Pitt, the Earl of Chatham, as saying, "The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail, its roof may shake, the wind may blow through it, the storm may enter, the rain may enter, but the King of England cannot enter. All his force dare not cross the threshold of the ruined tenement." Well then the article goes on to say that it has become rather easy to enter the premises, through electronic means, of anybody, no matter how strong his home may be.

I would like to ask the Minister - well another point. The article described that the enabling legislation requires that before authorizing a wiretap the issuing judge must hear evidence from a peace officer that; (a) other investigative procedures have been tried and failed; (b) other investigative procedures are unlikely to succeed; or (c) the urgency of the matter if such that it would be impractical to carry out the investigation of the offence using only other investigative procedures.

Now I do believe, Mr. Chairman, that people, well most people, try to take the easiest and quickest way to arrive at a solution to their problems, and that does not exclude people in the law enforcement business. I believe that there are many more confessions that are the basis of successful prosecutions than there are good detective work and the best standards of the detective stories that so many of us read.

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Since the Attorney-General is, I believe, charged with protecting the privacy of a person, as wiretap may derogate from privacy, I would like to know the Attorney-General's procedure when there is a request from the detective agency or the enforcement agency for an order for wiretap before it gets to the judge. What is the procedure within the Department that is designed to protect the privacy of the person?

MR. MERCIER: Mr. Chairman, procedures used in the Department are that only an application can be approved either by myself, Mr. Pilkey, the Director of Prosecutions, the Deputy Director of Prosecutions, and where the senior, very senior, police officer in either the RCMP or the City of Winnipeg Police Force have recommended it.

MR. CHERNIACK: Then what procedure is followed or what details are required to satisfy the granting of the opportunity to go to a court to get the order? What questions are asked, or what answers are expected?

MR. MERCIER: Mr. Chairman, the Member for St. Johns read out the requirements from the Criminal Code.

MR. CHERNIACK: Mr. Chairman, I read them to the Minister, the Minister didn't read them to me. I would like to know whether there is a personal interview, whether there is an examination - I mean a personal interview of the police officer requesting it or is it done by mail? Or is it that the police officer requesting this just sends a memo saying, there are other investigative procedures that have been tried and have failed? Or indeed, do they spell out the nature of the investigative measures that have been tried, which have failed, and the nature of any other kind of investigation that could be carried on that would not be of any use?

MR. MERCIER: Mr. Chairman, the general procedure is that the documentation would have to be prepared and signed by the officials that I have indicated, very senior police officers in the RCMP or in the City of Winnipeg Police Force. The matter would be reviewed and approved. If it is approved by the senior officials I've indicated in the Attorney-General's Department, then the matter is brought before a judge, at which time a counsel from the Crown Attorney's Department and the police officer involved appear and make the application before the judge, who will review the material, ask questions and decide whether or not the order should be granted and in what form.

MR. CHERNIACK: Well, Mr. Chairman, the Minister must, I am sure, knows as well as I do, that ex-parte applications are usually successful - I think that is a fair statement to make - and I am wondering whether these applications can become and do become routine, in that if a senior police officer sends a memo to a senior Crown counsel or senior member of the Attorney-General's Department setting out these bits of information that are required, is that then sufficient on a pro forma basis to say, well the burden of proof has been established, we will go on, or is there an actual cross-examination or investigation?

MR. MERCIER: Well, Mr. Chairman, as members of the Committee have indicated and as members of the Department are well aware, this is an extraordinary measure to be used and treated seriously by the department, seriously by the police forces. The judge himself has to be satisfied as the Section indicates that the criteria read out by the Member for St. Johns from the Code is complied with. Now we are talking in general because you are talking about every case. Does the Member for St. Johns have a specific situation he is concerned about, or just the general procedure?

MR. CHERNIACK: It is a fair question and I would say the specific is the right of every individual who is affected by wiretap. No, there is not an example I have to offer. But you will note that the Minister has said that it is treated seriously. Well, I assume it is treated seriously, nevertheless I don't know the extent to which there may be an enquiry within the department to the senior police officer requesting it. Do you rely on the senior police officer's statement or do you question him about? Do you say, well what have you explored, what could you explore, why is it that you are not exploring the other thing? Is there a two-way conversation conversation, is there a face-to-face confrontation?

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MR. MERCIER: Well, Mr. Chairman, these are matters that counsel in the criminal prosecutions branch have to satisfy the judge that these matters have been explored, that other alternatives have been tried and failed, or other investigative procedures are unlikely to succeed. And since we are speaking generally, any counsel involved in an application like these has to satisfy himself, and has to question that police with respect to these matters. As indicated, every application or suggestion for a wiretap that's proposed by the police is not accepted by our department as a case that should go before a judge for an order.

MR. CHERNIACK: Mr. Chairman, I was going to come to that, and I was going to, and I will now, ask how many applications are made in a given period of time, and how many are rejected. I suppose that information is not readily available; I trust it will become available.

MR. MERCIER: Yes, if it is available. Whether a record is kept of the number of proposed applications to a judge that are turned down, I'm not sure, but we'll see what information is available.

MR. CHERNIACK: May I ask, does the police officer submit all these applications in writing, or can they be verbal?

MR. MERCIER: I would expect that they are not always in writing, that they may be discussed over the telephone in some cases. I can't indicate that every case is made in writing before Crown Attorneys decide on whether they are going to accept it or make a recommendation.

MR. CHERNIACK: Mr. Chairman, I would never expect any Minister to be fully cognizant of all that goes on within his department. If he were, he would be superhuman, and therefore would be a threat to the bureaucracy. But, I would like to think that a case such as involves this tremendous incursion in people's privacy would be something for which the Minister would not only accept formal responsibility, but personal responsibility. And I would like to think that oral conversations should be recorded. I think there has to be a record of every application and every rejection, if there is such, because of the fact that the burden is really placed, by law, on the Attorney-General first, and then the judge.

And the Attorney-General, when he said that the prosecutor or the Crown Attorney appearing before the judge has to prove his case, I think that it goes stronger in that the Attorney-General's senior personnel must first act in a judicial capacity in order to decide, not will the officer succeed, but should the officer succeed, and therefore proceed with conviction. And I mean that with a small "e" in the sense of truly believing that this wiretap is required properly.

Again from this article, there is a quotation from a judge where the court says, and I'll quote, "I do not think that a judge unassisted on an ex parte application, and in my case at any rate, without familiarity with the investigative procedures usually undertaken by the police, can properly protect this important right of private communication from infringement, whether the infringement is intended or not."

In other words, the indication there is that a judge sort of, not quite, but almost, rubber-stamps an application.

So the information I would like to get, other than I would have liked to have had a more righteous, indignant response by the Minister saying, I fight hard and I make sure that I check on the applications that have been granted to make sure that my senior officers are indeed acting in the interests of the private individual and personally does so, because I think this is important enough, but because a judge quoted here feels a little insecure.

I'd like them to know more statistics for the next time around, Mr. Chairman, whether we can get some idea of how many occasions there are when such an application is requested by the police investigative officials, how many are granted as compared to how many are denied by the department's senior officials, and then the success rate in court. I would guess - and this may be a completely unfair assumption, and it's only a guess - that most of the applications are granted.

MR. MERCIER: Mr. Chairman, on that point, those are statistics that are required to be published. Now, that may indicate to some people that the court is rubber-stamping the applications, or may indicate that the department has very jealously guarded the rights of individuals and they were all proper applications.

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MR. CHERNIACK: I accept the truth of that. It has to indicate one or the other, I should think, or just a sloppy attitude on the part of both, which I'm not suggesting for a moment takes place. But I think that kind of information would be helpful because, Mr. Chairman, again, one who is taught in the law - I didn't use the word trained in the law, but one who is taught about the law - is first impressed by the British sense of justice and the law that we have inherited over the years which is designed, I suppose, from the time of the Magna Carta to protect the individual, and yet the incursions on that are growing and growing, really, to the extent where we have to have more and more protections for the individual.

And the Attorney-General being the person primarily responsible, in my mind, to act on behalf of the private person is, I think, required to carry a greater burden of responsibility than even the court which, perforce, must rely on the information presented to it. And the court does not have the investigative opportunities that the senior Crown people have, and that's why I'm looking forward to hearing, to getting the information from the Honourable Minister. And I'm really looking for an assurance from him that he holds himself personally responsible for these decisions that are made, because they are made at a level so high up that they are so close to him that he ought not to be in a position of not knowing the details and the justification. There are so few people that are involved in that decision. And I'd like the Minister to accept personal responsibility and accountability in that connection, along with the need to report on that.

I suppose, finally, I'd like to know whether there are any statistics that would indicate the success rate in court when evidence is presented on the basis of wire-tap. I suppose one cannot really recognize or distinguish that too clearly, but it would be interesting to know the number of convictions and the number of acquittals that place when a wire-tap has been used.

MR. MERCIER: Mr. Chairman, just a brief comment on that, because we did discuss that at an Attorney-General's meeting, the proportion of wiretaps that have resulted in or contributed towards successful prosecutions, and I'm certain that information is available.

MR. CHERNIACK: And I assume that it will be made available to us. I thank the Attorney-General for his offer of continued information on this basis.

MR. CHAIRMAN: The Member for Wolseley.

MR. WILSON: Well, this may possibly be under Law Enforcement, but I think under Criminal Prosecutions it might . . . The Member for Wellington spoke about speeding in an auto and radar because he had some personal experience, and I wanted to share something in . . . the credit industry seems to be writing off a large amount of conversion by theft of autos. Now, about 25 years ago, a young fellow in St. Vital, with no previous criminal record or anything, was sent to jail for two years for selling a car that he had purchased, because he wanted to go on a holiday. And yet today, I see in the credit industry that at least, from my own experience, about a dozen a month, and the victims are always told, well, they should have checked with the 15th floor of the Woodsworth Building to make sure there was no lien on the car.

And I'm wondering if the Attorney-General would like to comment on the fact that the conversion of auto by theft seems to be almost disappearing from our courts, and yet it's still in the Criminal Code. I read of very few cases in the paper, and yet in practical terms, it seems to be getting to be more and more morally acceptable for people to purchase an automobile, and nowadays so many of them are worth more than \$8,000.00. And I've seen it even conversion. I saw a lawyer not too long ago buy a converted airplane and get stuck for \$12,000.00.

So, it is not just the poor that are getting stuck, it's also other people. And it would seem to me that the consumer out there needs some assurance that there is a safety valve somewhere, that possibly there might be a new awareness of conversion of auto by theft, because I think it is almost like that ring of recreational vehicle thefts that's taking place in Brownsville, Texas, where they take every van they see and whip it into Mexico, and there's been something like 10,000 half ton trucks that have been converted. I express alarm at the amount of automobiles that are being sold in the newspaper, and sometimes even off car lots, to the unsuspecting person who can't believe he's getting such a good deal on a car. And I wondered if the Minister might - am I in the right section of his estimates, or has there been any discussion on this matter?

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MR. MERCIER: No, there hasn't, Mr. Chairman, while I've been here. Well, theft is theft, and if there's evidence, there would be prosecutions, unless the member has some specific area or incident.

MR. WILSON: It almost reminds me of the fact that a grocery store in an area could get robbed 10 times, and each time there are 35 citizens around, and nobody is willing to come forward as a witness. And I'm suggesting to the Minister there's an alarming amount of conversion of autos by theft in the province, but the banks, chartered banks, and the finance companies and the credit unions are in a position where they recover their converted vehicle and it's the less-fortunate citizen, the ordinary working Joe, who has put a considerable amount of his savings into buying an automobile.

And because he's a shopper, he's getting stuck, and it doesn't seem to me that the victim can lay the charges. It always seems to have to be the bank, from my information, it has to be the bank or the credit union or the finance company that lays the charges and I just wondered if there's cases brought to the Department's attention, do they go out and solicit the banks and finance companies to give some consideration for the benefit of all to possibly helping the government to educate the people that engage in this practice, that it's not going to be tolerated by the government and law enforcement agencies?

MR. MERCIER: Well, Mr. Chairman, I think the Department has enough prosecutions to worry about without having to solicit business. This matter is simply, has not come up as an item for discussion since I've been Minister. No particular problem of any kind is being raised with me.

MR. WILSON: Well, this is what I talked about, I think I spoke earlier about priorities, and I certainly don't put money crimes ahead of crimes of violence. But it seems to me that, as other members of the committee have expressed concern, that if the Minister is looking into welfare fraud, which also involves money, it does not involve a crime of violence, that I would hope that someone on his staff would read Hansard and ask some questions regarding - they could get in touch with the finance community and just in their general discussions maybe the Commercial Fraud Squad of the RCMP could ask some questions and find out if what I say is true, that there is an alarming increase in conversion of autos by theft. I will leave it at that.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Thank you, Mr. Chairman. Dealing with the question of wiretaps again, I meant to ask this afternoon and I forgot, but now the Member for St. Johns jogs my memory. I would ask whether the Attorney-General agrees with the position of the Chief of Police and the Federal Justice Prosecutions Division with respect to the consequences and the resultant state of the law brought into effect as a result of the Court of Appeal decision in Ashok Dass versus The Queen?

MR. MERCIER: Yes, Mr. Chairman, we have concerns about the implications of that particular judgment, as do a number of other provinces. I might point out to the member that this matter was considered at the Criminal Law Subsection of the Uniformity Law Conference this past August, at which that body recommended to the Federal Minister an amendment to clarify the situation.

MR. CORRIN: A supplementary, Mr. Chairman. I am curious what it is that the Minister is concerned and objects to.

MR. MERCIER: Well, the concern, Mr. Chairman, is if an order to place a wiretap is obtained, it seems reasonable to expect that included with that order is permission to enter an address to install the wiretap.

MR. CORRIN: It occurs to me that some of the people here obviously are not familiar with the Dass decision. I would indicate that in that case the Court of Appeal of Manitoba refused to recognize the authority of the police to plant a bugging device by illegal

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means. It was found that the RCM Police had illegally entered a premises in order to implant an bugging device, and the controversy relates to whether or not the Court was correct in saying that they would not condone that and that they would not allow the police to break the law. There is a distinction here between a wiretap where the police simply monitor through electronic means the communications on a given line, and the case, as was the fact in Dass, where they break into a premises in order to implant the device in somebody's residence. See, they committed the criminal act of Break and Enter in order to do what the court allowed.

I would ask the Minister, in view of his supportiveness of the police position, why he would place a greater value on the right of the police to pursue and use illegal methods in their pursuit of suspected criminals, than on the right of potentially innocent citizens to be protected from acts of crime perpetrated by the police forces they pay to protect them.

MR. MERCIER: Well, Mr. Chairman, the Dass decision is being followed in Manitoba. I can tell him it is not being followed in a number of other provinces. The comment in the Dass decision was considered obiter, although we are following it, because it is in our Court of Appeal, but it has been questioned in other provinces. For example, Section 25 of the Code says, "Everyone who is required or authorized by law to do anything in the administration or enforcement of the law as a private person, peace officer, in aid of a peace officer, is, if he acts on reasonable and probable grounds justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose." Other provinces have interpreted that Section and the Sections with respect to wiretapping to implicitly approve the entering into premises to place the wiretap.

MR. CORRIN: In view of the fact that we are currently holding to the law established by our Court of Appeal, but other provinces aren't, I suppose it would be to the point to ask the Minister, through you, Mr. Chairman, whether he anticipates any move on the part of himself or his government to effect revision of the law in order to facilitate the activity that was deemed illegal in the Dass case.

MR. MERCIER: Mr. Chairman, because of our concerns, we raised the matter at the Uniformity Law Conference, which approved a recommendation to the Federal Minister of Justice to amend the Code.

MR. CORRIN: Mr. Chairman, is the Minister then telling us that he personally would condone the - and I will go through this now in some detail. Let's use these circumstances. A person suspected of committing a crime and who is the subject of a judicial order allowing the police to use electronic surveillance, comes to visit the Minister in his home. He is visiting with the Minister and his family, and the police, having legal authorization under the power granted to them by the courts, decide that in order to effectively monitor the suspect's activities, it is necessary that they implant a bugging device in the Honourable Minister's recreation room. They are not satisfied with an electronic survey of his telephone, but rather choose to put a bugging device into his living room or into his recreation room. I would ask then, would the Minister suggest that he could be approving of that, that he would approve of the police breaking into his home in order to implant a bugging device in the midst of his family in his recreation room or living room? Would he approve of that activity, and is that what he is saying then, that he has asked the Federal Government to authorize by way of legislative revision?

MR. MERCIER: Mr. Chairman, we have just spent a great deal of time outlining what must be proven to a federal court judge before an order allowing a wiretap is authorized, the requirements of showing that other investigative measures have been tried and failed, other investigative procedures are unlikely to succeed, or the urgency of the matter. The order from a judge, if the application had been proven all of that, is required to set out the specific addresses where the private communications may be intercepted. Having shown all of that, having been approved, as we have said, by senior officers of my department and the Police Department and then by a federal judge, all of those preliminaries having been approved by the people involved . . . The Member picks out - for example, my house - a fairly unlikely situation. So let me just say that what is required to be done again is all of the matters that we have referred to earlier and the proof that's required in 178.13.

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MR. CORRIN: Perhaps the example I gave was not apropos. Perhaps I was being unfair to the Minister to even suggest that any person who the police might suspect had committed a crime could ever be present in his home, but the remarks that I am about to make are said with respect to the member affected. We have discussed them before in these Estimates and I think, in fairness, he suggested that he doesn't mind, he thinks it is for the general betterment of society.

The police obviously suspected a member of this House of committing a crime. They obtained a warrant, we know that because he has told us that; they obtained a warrant, and he received notice of that subsequently, to electronically eavesdrop on his telephone conversations. In so doing, as I understand the law, they would also be allowed to implant bugging devices. It is an omnibus permission. It extends beyond just the wiretap interception. It would also go to the implant of bugging devices.

Now, Mr. Chairman, although the police may not have wanted to implant such a bugging device in the Honourable Minister's recreation room, they may well have decided it was to their benefit to implant such a device in the Honourable Minister's caucus room, knowing that the member who was under suspicion had use of that room and was in the room and talking to a variety of people during the day. They might have thought that something germane could have come to the fore as a result of that sort of thing. So during the early hours of the morning when the building was locked and caucus doors were bolted, an RCM Police officer might have, by illegal means, stealthily entered the building and forced the door, or used some sort of sophisticated method to open the door, and implanted several very sensitive bugging devices under the desks of honourable members who share those caucus offices.

Now, Mr. Chairman, I would ask whether or not, if the police had done that, whether the Honourable Minister would think that that should be sustained and upheld, and that the law should be revised in order that the policeman doing that should not be guilty of a criminal act; that even though he or she entered the premises by force, clearly not an invitee, that that person should do so with impunity, and the evidence should be available in court. Is that what the Honourable Minister is asking the Minister of Justice, his federal counterpart, to provide in the law?

MR. MERCIER: Mr. Chairman, a few days ago the Member for Wellington chastized the Member for Wolseley for raising matters that were personal to him.

MR. CORRIN: That is up the Chairman, don't ask me.

MR. MERCIER: And he, I found in the last few days, continually makes reference to those circumstances. But I am not going to in any way become involved in that matter. It is not necessary, I point out to him, Mr. Chairman, to enter an address to put a wiretap on the telephone.

MR. CORRIN: Mr. Chairman, the Minister is circumventing and evading the issue. The issue is not a wiretap on a telephone, it's the implantation of a bugging device. I don't know how I can say it more clearly. Now, I am suggesting that in the Dass case they entered the building to implant the device. They had to break a lock to get in; whether they broke it or not is irrelevant. They entered it illegally without a search warrant, without permission; they entered by stealth onto the premises, and therefore, if they were normal citizens, ordinary citizens, they had broken the criminal law of this country.

And what I'm asking the Minister, I'm not asking him to comment on the case before the courts involving the Member for Wolseley. I'm asking him whether he would approve, since he wouldn't discuss whether - he said it was too hypothetical to discuss his recreation room and his personal dwelling. I'm asking him whether he would approve the same sort of activity on the part of the police with respect to his caucus office, or if he doesn't want to discuss the case before the courts, let's hypothetically presume that the Member for Wellington is under suspicion, and it's my caucus office that's broken into for the purpose of implanting the device. Would he approve of that? Would he approve of the police entering? And that's what he said he would, Mr. Chairman. And with respect, I suggest he said he's asking his federal counterpart to revise the law in order to allow exactly that sort of police activity, activity which otherwise has been deemed illegal by the Manitoba Court of Appeal.

So that's the question, and I would appreciate a response from the Minister.

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MR. MERCIER: Mr. Chairman, every case is different, and the facts of every case are different, and people involved in the use of rooms or premises or addresses are different. And as I have indicated on a number of occasions, this power is not used in any normal or haphazard fashion. It's an extraordinary remedy and is dealt with seriously by the Department. A judge must be satisfied. There are situations in which I would approve the entering of an address for the purpose of implanting a bugging device. The Dass case was not one that was prosecuted by our department, it was a federal prosecution, but it was an international drug case in which, I understand, it would have been very difficult to obtain a conviction without the methods that were used in that particular case. And I have no compunction, in those cases, of approving the entry of an address to implant a bugging device.

MR. CORRIN: In that case, I would wonder whether the Minister took the opportunity to appear before the McDonald Commission into the activities of the RCM Police. As I am sure the Minister is aware, that was a substantive point at issue in the course of the McDonald Inquiry. It had been discovered that those sorts of activities were taking place. I believe there were break-ins in order to obtain material, material that the police thought might provide them with information leading to a future arrest. As we, of course, found out, some of the material that they were obtaining in this manner was not material that was germane to criminal prosecution, but rather had to do with people's legitimate rights of free expression, breaking into newspaper offices and so on and so forth, the offices of registered political parties, things of that nature.

I would ask, since the Minister feels so strongly about the need for the police to have this extraordinary power, whether he wouldn't feel that the representation should be made to McDonald. Perhaps he did make the representation to the McDonald Commission that the RCM Police should have this extensive power and put our province on the record, as it were, in support of that.

MR. MERCIER: I did, Mr. Chairman.

MR. CHAIRMAN: 2.(b)(1) - The Member for Wellington.

MR. CORRIN: I would just like to express, certainly, my personal regret that the Province of Manitoba took that position. I was personally unaware of the fact that Manitoba had done that. I would suppose, having heard that, I would like to know whether the Minister made a personal submission that was not carried, or whether it was a written submission by himself, or presented on his behalf by someone else. I'd like to know when this was done, and how it was done, and how it seemingly seemed to manage to avoid public scrutiny.

MR. MERCIER: Mr. Chairman, the submission was written to the commission.

MR. CORRIN: I'd like to ask why it wasn't tabled in the Legislative Assembly. I'd like to ask whether copies of this submission were made available to members of the Legislature, whether they were made available to the press? If the Minister could reply to that question, Mr. Chairman.

MR. MERCIER: The answer, Mr. Chairman, is no, they were not tabled, no they were not distributed. In this correspondence, we are attempting to bring to the attention of the commission the decisions that were being rendered in the Manitoba courts. When the Queen's Bench decision in the Dass case was made, we informed the commission of that decision and similarly, when the Court of Appeal make their decision, we informed the commission of that decision and the dilemma in which law enforcement authorities found themselves.

MR. CORRIN: In this respect, Mr. Chairman, I think that it's of some relevance and merit to discuss the whole question of clandestine reports at various levels of this department. As was stated in the first day's proceedings, Mr. Chairman . . .

MR. CHAIRMAN: The Honourable Minister.

MR. CORRIN: A point of order? Mr. Chairman, the first day we asked again whether we could see the Knox Report on Court Administration. We were told we could not. We asked whether we could see the Hall-Pilkey Report into the Minister's Department and court

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administration. We were advised that it, too, was not available. We asked whether we could see the report prepared by Messrs. Philco and Norton with respect to the Minister's Department. We were told, no. We asked whether we could see the Manitoba Police Commission report into the Frampton case. We were told that there is still some matter before the court. We asked whether or not we could see the recent Manitoba Provincial Judges report on the Chief Judge's powers, which was on the front page of the Winnipeg Tribune, but is not available to members of this committee.

Mr. Chairman, we seem to have an endemic problem. Virtually nothing of a constructive nature in this province that is relative to this member's department is available for public consumption. Everything is done on a clandestine, secretive basis. Every single document that's prepared is privileged. It's stamped "For Minister's Eyes Only", and that's the end of it. We don't experience that with respect to the vast majority of the other departments. The Labour Department issues a lovely prospectus that tells you everything it did, as the Member for St. Johns said, gives you detailed statistics on departmental activity, gives you some idea of what is ongoing, what is proposed, what policy is. This department - it's a closed door. The atmosphere is absolutely repressive.

Mr. Chairman, on the week-end, just to see if I was the only one that was out-of-step, and if my thinking was wrong, I went and checked the Ontario records. In 1976, they did a study into their courts. They, too, had problems, and they did a study. Mr. Chairman, if I might just leave my seat for five seconds, I want to show you the study. Excuse me, Mr. Chairman.

Mr. Chairman, in Ontario, when they do a study on court administration, it's called the White Paper on Court Administration, and the Ministry of the Attorney-General publishes it. None of this nonsense about every report being privileged and private. They're not afraid to talk about their problems. They have a section entitled "The Crisis Facing the Courts", another section, "Origins of the Caseload Crisis", all the things that we studied here, studied ad nauseam for the last 2 1/2 and three years. They had a central project, they did an experimental project, perfectly rational - by the way, it was an all members committee, they didn't seem to feel that it was necessary to keep referring the matter back to special counsel and advisers. They assessed and monitored their special project - it was called the Central West Project - then they tabled the report, with an evaluation of the experience in Central West. Perfectly consistent with rational policy formulation.

Nobody was embarrassed; Mr. McMurtry is still as popular as ever. As a matter of fact, it went so far as to recommend a whole series of judicial revisions. They have something called an Act to provide for the reorganization of the administration of the courts that came out of it. It's a lovely document for someone who's interested in the subject to peruse and get a final review of what's transpiring in Ontario. Mr. McMurtry signed his name to it, he wasn't ashamed of it, he put his name to it, and said we had a problem, but this is the way we're going to lick it. Why, in Manitoba, do we have to do four studies - and I don't think I counted the special judicial report that we didn't see either until the Honourable Opposition Leader managed to get a clandestine, furtive copy provided to him. Why do we have to do all those sorts of studies when other jurisdictions seem to get by in the light of public scrutiny? Why do we have to have such special status and treatment for our problems in the courts?

I don't understand it, and it's just consistent and it's endemic. Everything in this department is not for public eyes, it's beyond the pale. And it's really questionable whether or not the administration of justice can be served by a department that seems absolutely adamant with respect to its protection of its functions, the retention of secretive procedures relative to public matters. There's no excuse for that. We're going to spend some \$36 or \$38 million on this department in the next year. I can't see, since that's taxpayers' money, why taxpayers aren't entitled to know. Why can't they know what the problem was?

Mr. Knox spent the better part of a year studying the crisis in the court caseload. Surely he made substantive recommendations. We may have criticized his recommendations, but I can assure you that I know that he is a qualified, capable man. Surely he made good recommendations. Why can't we know which recommendations were implemented, which were accepted by the department and the Minister, and which were thrown out? Why can't we know something as simple as that? I'm sure Mr. Knox would like to know that. Why can't we know why certain recommendations were not implemented? That was in a press report, the Minister was at least candid enough to admit that he would not adopt everything in the Knox Report. There were some things that he felt deserved further review, or that weren't currently palatable.

But why is that the case? Why can't the opposition be assisted in doing its job, why can't the public see, why can't members - I wonder if members of the government have seen the Knox Report? I would be inclined to think that members of the Minister's own side, if they were to candidly express their own perspective of the situation, would have to admit and confess that they were indignant in not being able to gain access to the report. Why shouldn't

a rural member, if he's concerned about administration of justice in his area, be able to see what one of these rapporteurs says about it in his area? Why shouldn't he? Would it hurt the system? Would anybody's rights be impaired or impuned because a member of the Legislative Assembly read a report prepared by somebody that - I don't know whether we paid them, I think most of these people work gratuitously - but why should that be the case?

Why can't we go to the system that seems to be accepted in Ontario, why can't we talk about all-party committees? Why can't we do that sort of public investigative work? The Minister may not want to answer that, but I think that's really the cloud that's hanging over his department, and won't go away until we confront it. And it's legitimate. Why should the report have been made to the McDonald Commission of Inquiry without members of this House knowing it? Why shouldn't we have known what you were recommending to Mr. Justice McDonald? Why is it necessary that everything be done behind closed doors?

I think that members on this side, Mr. Chairman, are disgusted with that and I think all right-thinking Manitobans, to use a phrase that the Premier of this province holds so dear, all right-thinking Manitobans should be disgusted as well.

MR. MERCIER: Just briefly, Mr. Chairman, for example, the Uniformity Law Conference report is tabled in the Legislature each session, containing the recommendations and positions taken at that conference. On that conference, we had in addition to some members from the department, a lawyer appointed from the civil side, Mr. Smethurst, who had been for some time the private lawyer involved on the civil side and has also been on the Law Reform Commission. On the criminal side we appointed from the private bar the chairman of the criminal law subsection, Mr. Hymie Weinstein, and that report again will be tabled in the Legislature.

The Member for Wellington refers to not all of the Frampton Inquiry Report and sort of tosses off the suggestion that something is still before the courts. What is before the courts is a criminal prosecution. We spent a couple of days hearing from him about his concerns for people accused with crimes and that we shouldn't publish their names, and here we have a situation where not all of the report is being released because release of the report could prejudice a fair trial of the accused, and I thought he would have agreed with that kind of proposition.

He refers to comments from the Provincial Judges' Association to me which appeared in a daily newspaper. I indicated to him that I, and in the past have indicated, I've met with the executive of the Provincial Judges' Association on the Act and other matters. They undertook to review the Act and send their recommendations to me on a private and confidential basis. That's the way they prefer to operate and it is commendable, because I would have thought that he would have agreed that he doesn't want judges to become involved in the public arguments over policy matters. That's not their role. I thought it was important that they be given an opportunity to make their comments on an Act which affects their operation, and my understanding of that was that it was completely confidential. Somehow that report appeared in the newspaper as do a number of reports from their association.

He refers to the Knox Report. We issued a lengthy news release on that particular report and the Provincial Judges report on backlog. I'm prepared to review with him the recommendations that were made and the progress that has been made on each recommendation. I've indicated to him and to others that there were comments that were related to personalities, and I don't think those are properly a matter of public air.

He refers to some other things, the Norton Philco Report; I know of no such report. You know, under that criteria any letter written to me by any outside lawyer would be a report, when any number of lawyers and people in the province on a daily basis write and comment on various matters that the department might be involved in. He refers to the Hall Pilkey Report. There is no report. There is ongoing consultation, as I've indicated previously, with the federal court judges and the provincial court judges on the administration of court services and how we can more closely consult with them. We're making efforts in that area to involve them and make sure they're involved in the decisions that affect the operations of their courts.

Mr. Chairman, I reject the implication that everything in the report is done in a clandestine manner. One, he refers to the report, or maybe he didn't, but I know that for example that most other departments in government do file an annual report. There is no requirement for the Attorney-General's Department to file an annual report. Maybe there should be. But that apparently is the history of this department going back for many many years. While other departments have been under a legal requirement to file an annual report,

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this department never has had that obligation. Perhaps we should consider whether or not that would be an appropriate function for the department to undertake.

MR. CORRIN: Just very briefly dealing with some of the, to use a legalistic phrase, some of the alibis that are levelled on behalf of the department and the Minister. Mr. Chairman, through you I would note that in the case of the Knox Report, the fact that Mr. Knox made mention of a few personalities does not preclude the Minister from providing members of the Legislature with the recommendations made by Mr. Knox - all the recommendations made by Mr. Knox, not a news release.

We would like to see them. We would like to see the actual document. We'd like to have the same rights as an accused in court, the right to cross examine; we'd like to be able to read the document which says that the action taken by the Minister and his government is justified. We haven't been able to do that, so of course we're malcontent. If he were in the opposition and he were reviewing our government's estimates of his department, he would say exactly the same thing, and he would be right.

With respect to the Frampton Inquiry, Mr. Chairman, the Minister indicates that I want it both ways. On the contrary, I don't want it both ways. I would note that everything that transpired before the Manitoba Police Commission happened in full view of the Manitoba public. The press was present. They carried daily accounts of the Frampton Inquiry. I'm sure that we were all aware of that because daily various questions were presented during the Question Period to the Minister. So let's not kid ourselves, everybody knows what happened at the Frampton Inquiry, and by not releasing the recommendations made by Mr. Schulman as the Chairman of the Manitoba Police Commission, the Minister does nothing to enhance the respect for law and justice in this province. Presumably Mr. Schulman doesn't serve just the Minister. Mr. Schulman serves all the taxpayers when he makes such an extensive and intensive review of the state of police/citizen relations.

So, Mr. Chairman, respectfully through you, I would submit that it is specious for the Minister now to suggest that he will not release Mr. Schulman's recommendations because he's afraid of prejudicing the rights of people who are now before the courts. We got a blow-by-blow account in both daily newspapers in Winnipeg, and certainly on every radio station hotline show and every evening newscast on television. We all know exactly what Mr. Frampton alleges to have happened. And I might add that at this point therefore there is no possibility of jeopardizing either of the police officers' rights. It would of course enhance the ability of people in this assembly to make better laws for the protection of our people. If we are continually waiting, what is happening in the interim? I would ask the Minister, is he undertaking to reform the law in that respect? Is he acting on Mr. Schulman's recommendations? Is there going to be any initiative taken? It's been many months since Mr. Schulman tabled his report.

MR. CHAIRMAN: The Member for Elmwood.

MR. RUSSELL DOERN (Elmwood): Mr. Chairman, I think we can probably pass this item and then move committee rise.

MR. CHAIRMAN: The Member for St. Vital.

MR. JAMES D. WALDING (St. Vital): Mr. Chairman, before this matter passes I just have one small item to bring up with the Minister. I understand that the Manitoba Liquor Control Commission comes up under the Minister's Salary as the last item. I have in my file the annual report of the Liquor Control Commission for the year ending 1979 but I can't find a copy of the Chief Inspector's Report for the same year. Would the Minister make it available for me before we get to that point? If it hasn't been published yet, perhaps the Minister can explain the delay.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, I've just received that report. I guess it's just been printed, and in fact I intended to file it tomorrow.

MR. CHAIRMAN: 2.(b)(1)--pass; 2.(b)(2)--pass. Resolved that there be granted to Her Majesty a sum not exceeding \$3,087,700 - Attorney-General. Committee Rise.

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SUPPLY - LABOUR AND MANPOWER

MR. CHAIRMAN, Mr. Abe Kovnats (Radisson): This committee will come to order. I would direct the honourable members to Page 68 of the Main Estimates, Department of Labour and Manpower. Resolution No. 90, Item 2. Labour Division (a) Workplace Safety and Health. Item (1) Salaries--pass; (2).

The Honourable Member for Logan.

MR. WILLIAM JENKINS: I wonder if the Minister could give us a breakdown on (1) here on the personnel that are involved within the department and whatnot that we've had. —(Interjection)— We've already had that this afternoon? I see, okay.

MR. CHAIRMAN: (2)--pass: (a)--pass. Item (b) Mechanical and Engineering, Item (1) Salaries--pass.

The Honourable Minister.

HON. KEN MacMASTER (Thompson): Mr. Chairman, Mechanical and Electrical Branch - the branch is responsible for the administration of seven Acts and nine separate regulations, all pertaining to the safety of equipment or buildings and the licensing of tradesmen. There are nine separate boards or committees directly affiliated with the legislation, and 12 committees responsible for various parts of Manitoba Building Code, each responsible to the Building Standards Board. The criteria for safety inspection of equipment and buildings is contained in national codes made up by committees that include representatives from each province, industry, manufacturers, users, etc.

These codes are printed and distributed by the Canadian Standards Association, the Canadian Gas Association, Underwriters Laboratory of Canada, American Society of Mechanical Engineers, American National Standards Institute, National Board of Boiler and Pressure Vessel Inspectors and the National Research Council, and others.

The branch participates as a member, chairman, secretarial or advisory on 54 boards or committees. These include local, national, international boards and committees. The total allocated staff of the branch is 52 persons. Inspectional staff directly involved in inspections as required by legislation total 35. An office staff of 12 support the inspectional staff and others such as trades examiner, mechanical plans examiner, and registrar.

The numbers in the department, Mr. Chairman, last year there was 52.31 SMYs, this year there are 54.31 SMYs. Two additions, which of course aren't filled, presently there is one vacancy for a boiler inspector which is in the process of being filled, and one regular engineer to be converted to a building standards officer and advanced for filling.

MR. CHAIRMAN: (1)--pass.

The Honourable Member for Kildonan.

MR. PETER FOX: Yes, Mr. Chairman, I wonder if the Minister could give us some detailed information in respect to the fact that we had this accident here with an explosion at this home, and out of that came the fact that there was some wrong kind of connectors involved. I wonder if he could inform us whether there is a record of how many homes had these kind of connectors installed and how many have been changed to date, and if there are still possibly some of these being used by the industry without approval of the Department, or are all of these installations now inspected each time they are made?

MR. MacMASTER: Mr. Chairman, I wonder could the Member for Kildonan carry on with his questioning and I will try and get those facts. You know, I have most of them here, just not put together the way that he asked the question, so . . .

MR. FOX: Thank you, Mr. Chairman. The other thing I wanted to ask was in respect to the fact that we also had an elevator accident. There was an investigation into that, and whether it is being considered that any charges be laid in respect to the people who owned the building, or the people who were involved in servicing the elevator, or whether we are just going to ignore the fact that a fatality occurred, and whether there has been a step-up in inspections in respect to elevators that are automatically operated in various buildings in the province?

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Later on I would like to get into the area of the inspection in respect to ammonia plants and of course the power engineering aspect. I did ask a question of the Minister in respect to the fatality at Dominion Tanners and he hasn't given us any answers to that yet. I just would like to know, besides Dominion Tanners, how many other companies are operating with unqualified power engineers or below qualification power engineers, if he has that.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, I wanted to make a point or two and ask some questions about the Winnipeg Arena, because I find the manner in which that issue has been handled by the City and by the Province as to be rather peculiar.

I would refer, as an example, to a recent editorial in the Winnipeg Tribune on January 19th, which is under the heading of "Safety First At The Arena", and the sub-heading is "Not Revenue". This editorial goes on to talk about the fact that the Winnipeg Enterprises Corporation is taking a good deal upon itself when it places revenue before public safety and then refers to the fact that there is concern about the new upper decks and the concern of City Inspector Supervisor Fred Nicholson about the effect of sway in the upper decks. We all recall how months ago there was a great rush on the part of the City of Winnipeg to build the new expansion and, in my own judgment, I think that they probably went the correct route; namely, that they were probably smarter to make an expansion than to build a new arena. I mean I think in principle, from an economy point of view, they took the right first step.

However, somehow or other there was a great haste in the construction of the facility and then I recall a number of shocking photographs months ago in the paper where they showed some rather obvious cracks in the facility. It seems that there is no doubt that the upper deck is safe, providing everybody sits still, but that if something exciting happens and everybody jumps up, then this is putting a great strain on the particular facility.

Well, I see my friend from River Heights, the freshman MLA. He says, "No". Well, he can be an engineer and he can be from the city and he may have been the Chairman, but there is a lot of people who expressed a concern and this has been going on for a long time. We all know that the decks were closed and that there are still people today who feel a great deal of apprehension about going into the facility.

I would like to know from the Minister what the role of the provincial government is in this particular project, whether there were provincial inspectors who had a role to play in terms of the safety of that facility. I know that there was some concern at one particular point in time about fire considerations and there was a concern about fire exits and meeting certain requirements. There was the Environment Committee using its discretionary powers to overrule their own Building Inspector in regard to exits and they gave a green light in regard to the proposed exits.

So I wonder if the Minister could review the role of his department and his own role in that particular multimillion-dollar expansion so we could hear what he has to say.

MR. MacMASTER: Mr. Chairman, there has been two or three questions asked and I will attempt to answer them as we go through.

To the Member for Kildonan. We have taken a survey in the last short period of time to attempt to determine how many connectors have been changed in the City of Winnipeg. The Greater Winnipeg Gas Company tells us, and this is just approximately two to three weeks ago, that they have changed 8,364 connectors, and I will go slow with the numbers so that . . . And private companies that we have polled, we polled 110 of them, they have changed 9,043 for a total in Winnipeg of 17,407.

Now we have also done some polling in the outlying areas in the rural part of Manitoba and the best number we can come up with today, that there's been 1,358 changed in the outlying areas outside the City of Winnipeg. So the total in the City of Winnipeg that we have determined that have been changed, is 7,407, and outside Winnipeg, 1,358 for a total of 18,756.

The Member for Kildonan made reference to the elevator situation. It's our opinion that it wouldn't have mattered whether that elevator had been inspected five minutes before or five minutes after, that that wouldn't have helped in that particular incident. I think if the member will recall the circumstances surrounding that tragedy, it had nothing to do with the operation of the elevator.

I outlined before that (a) we were going to put signs in the elevators, and I'd like to believe the majority - I'm certainly not going to say them all because I'm sure you can find some - advising people what to do if there was a problem within the elevators. We're also working

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with the companies that do maintain them. We're establishing the logbook system of notating when they were inspected and our inspectors are following up on that very very thoroughly.

On the Tanneries explosion, Tanners that the member mentioned, I forget just exactly what the question was, but if he'll allow me just to ramble for a minute I think I can probably answer it. The person that was operating, the person involved at that particular time, was not certified. That's a question you asked and I'm sure you knew the answer to it, but nevertheless that question was asked.

The company was prosecuted and fined \$250 for its first offence; the plant is now open and operating, and it is in fact today operated by certified operators. And the plant is in a guarded status, which I'm sure the Member for Kildonan understands, that there is an automatic shutoff where operators have to be called and they'll leave that in place for a period of time until we're satisfied that the operation is back in shape and that there's no more possibilities of problems, to the best of our ability.

On the Winnipeg Arena situation, I concur in part with part of what the Member for Kildonan has said, and I don't remember all the comments that he made, --(Interjection)-- Elmwood, I'm sorry, the Member for Elmwood. But the tone of his conversation, Mr. Chairman, certainly was that he seemed to express some concern with the hasty erection and the fact that things were proceeding rather rapidly and he expressed some concern for the people that were in the particular facility, and he expressed concern of the value of people's lives over dollars, and those type of concerns I share with him.

I wasn't satisfied at one particular point, Mr. Chairman, that the fire exiting and the method of exiting and the type of security that was on in relationship to fire exiting, I wasn't satisfied that that was in place and I was given pretty good advice. I think that's precisely one of the member's questions, why did I get involved?

I was given what I consider very good advice, that those type of fire exiting precautions were not being followed, certainly to the intent of the Act. So I asked the Building Standards Board to involve themselves and to deal with, I'm not sure if I say the name right, Mr. Dennehy, I think, and with some of the city councillors. Consequently the press, and rightly so, I guess, picked it up that there were some problems and that the Minister of Labour was involved, and I felt rightly so.

But I am satisfied that the fire exiting has been corrected and that things are in place in that respect. The Building Standards Board, because of my involvement, is certainly working very closely with the City Inspections Branch and the Winnipeg Building Commission, which I should explain to the Member for Elmwood, he might or might not be familiar with it, the Winnipeg Building Commission is something similar to our Building Standards Board. They have representatives from architects and engineers and city inspectors and that calibre of person involving - not specifically inspections - but looking at codes and looking at blueprints and that type of thing. So to the best of my knowledge, the Winnipeg Building Commission is satisfied with the situation at the arena today.

If an apology is expected by anybody, and I don't know whether the Member for Elmwood felt that was or should be forthcoming, but I certainly do not have one to make. I will continue listening to what I consider to be good advice and trying to weigh it, taking everything into consideration, and if I feel I should involve myself, I have no fear of doing so at the appropriate time, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for St. Johns.

MR. SAUL CHERNIACK: Thank you, Mr. Chairman. There are two items I want to refer to.

Firstly, the Honourable Minister referred, at the beginning of his most recent comments, to the gas connectors and gave us statistics as to the number that have been replaced. It has recently come to my attention that apparently the instructions that have been given out on the new connectors was not complete in that apparently, as I was informed, an inspector from the Winnipeg Gas Company attended at a certain home to inspect a meter, and whilst there looked at the new gas connector and found that there was a bend in the flexible portion of the gas connector which was too close to some part of the furnace that was warm or hot, and that it was badly installed. That was the new gas connector had been wrongly installed.

The owner of the home contacted the plumber who had made the installation and was informed that although there had been apparently classes or instructions sent out by the Department of Labour, there was no reference to that concern, and that he was not made aware of the need to ensure that the flexible portion had to be properly placed in a secure

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way. Now this was a licensed plumber, and I don't know whom else the consumer can consult, but the plumber was licensed to carry on business.

The fault was laid by this person on whoever it was, and according to him it was the Department of Labour, which gave inadequate instructions or inadequate precautionary instructions.

So I am looking forward to a comment on that, not the comment but if the statement is correct and if there is a danger for improper installation which is not apparent on the surface, then it may not be too late; it should not be too late. If indeed there is a danger with the installations that have occurred recently with the new gas connectors, then it is not too late for the department to notify the persons who install these connectors to ensure that they did not make an error in doing that. Because if indeed there is a danger of an explosion because of improper installation or maintenance of the old connectors, there would be a false sense of security for those who have the new connectors but wrongly installed. So that is a matter for information to the Minister and I am looking forward to his reaction to the information I gave him as to whether it is correct or not and, if it is correct, how he proposes to deal with it.

I must be a little more critical in regard to the question of the use of lower grades of power engineers. I am not satisfied that we have heard enough answers from the Minister in regard to his justification for not lifting the present exemption as it applies to Hooker Chemical and to Simplot Chemical, and therefore I am going only by a newspaper report, that of the Winnipeg Tribune of February 22nd, 1980, and may I say, Mr. Chairman, it is not uncommon for governments to blame the newspapers and the media for wrongly interpreting and wrongly putting governments in good light.

I have witnessed government Ministers making statements justifying their positions and accusing the media of distortion, wrongful reporting, inadequate reporting. And I say that with a sense of recollection of some eight years on each side of the House, and I am not discriminating in saying that somehow government people, no matter what their political orientation is, sometimes find that the media do not do the job that the government Minister would like them to do in reflecting a positive attitude to government and react to it.

So with that almost an invitation to the Minister to accuse the press media of wrongful reporting, I am going by this newspaper story and if it is incorrect then I am sure the Minister will point out the extent to which it is incorrect and give us his side of the story. --(Interjection)-- After I am through reading it. The Minister may have thought I was through, but I haven't even started to read it. I did refer to the reference, and as I say, I will let him see it when I am through referring to it.

All right, I don't intend to read the entire article, but I will read excerpts and I will try to give the full picture. The headline reads "Government to Continue Firm's Exemption". The story commences, "Labour Minister Ken MacMaster has no plans to lift a two-year-old exemption allowing two Brandon chemical firms to operate with lower grades of power engineers than required by law", and then I skip to where it states that the issue was raised by the Institute of Power Engineers, which is concerned about safety aspects of operating without qualified engineers on duty. Then, "Mr. MacMaster cited a shortage of power engineers in Manitoba as one reason Simplot has been without a First Class Engineer as required under its exemptions status. He said the Company advertised for staff in Manitoba with no luck and then received three applications from outside the province, two of those were withdrawn and the third applicant, who was to start work later, decided not to take the job. Mr. MacMaster said Simplot has an in-house training program through which six workers will be writing tests soon for their Second Class Engineers." The balance of the story deals with an interview with a Mr. Penner of the Institute and comments about his concern.

Mr. Chairman, relying on this information as stated in this release, which I am now sending across to the Honourable Minister, I want to make these comments, Mr. Chairman. When the predecessor Minister granted exemptions to these two firms she was attacked from this side of the House for giving that kind of consideration to these two firms, one of which at least, I believe, has received government subsidy and support in the past, and both of which, I understand, are substantial successes in their business. The excuse was they could not get engineers and therefore there had to be an exemption.

Two years have gone by, and I am sure, as had been indicated, the present Minister is equally aware of the fact that exemptions have been granted. Now I have to say, Mr. Chairman, that an exemption to me should be something of a temporary nature or the law is wrong. Either the requirements are too rigid or they have to be complied with. Two years to me is a long long time to give to these firms to let them get the necessary employees to comply with the law. I can understand a temporary exemption for an adjustment period, but I

don't think that the predecessor Minister ever indicated that more than two years would be allowed to go by for this exemption to continue, for these people to continue to be in a position to have been breaking the law had not the government minister smiled on these companies and permitted them not to break the law by granting a special exemption.

I may be exaggerating this, Mr. Chairman. We will find out, but I am only going by the news story which indicates that the engineering institute referred to is concerned. Now, Mr. Chairman, if they are concerned I am concerned, and I trust that the Minister is concerned, and I do not accept any explanation such as is given in that article, which may not be complete, may even be wrong. But the explanation there is they couldn't get engineers.

Mr. Chairman, this government, wanted to have a Hydro General Manager, I don't know how far they looked within the province but they went out of the province. They got a General Manager of whom they were terribly proud. I don't know what they are paying but, Mr. Chairman, they are obviously paying what the market requires them to pay. And need I refer to Bobby Hull who was brought to Winnipeg, he may never have heard of Winnipeg for all I know but he came here at a price which was considered to be wild, but somebody thought it worth paying to bring a person, and I refer to Bobby Hull as probably the highest paid athlete ever to come to Manitoba, because they found the financial return worthwhile to offer him the million or more dollars that they paid him.

Now as far as I am concerned, Mr. Chairman, if the safety requirements of this province set out a certain standard, a qualification, for an engineer to be in a plant on the basis of safety, to me it is not an excuse to say they couldn't find a person to fit the bill, because, Mr. Chairman, there must be engineers in Manitoba doing that job in other plants, and the free market being what it is, the free enterprise system being what it is, and the economic system being what this government protests is the best way, then why is it that they couldn't get engineers from other plants to come and work for them? I don't understand that and I hope I will hear elucidation on it. The Minister for Economic Development is present and maybe he can answer the question as to why it is that a firm like Simplot or a firm like Hooker isn't able to pay a price which would mean that an engineer from some other Manitoba firm wouldn't come to work for them. Is there some maximum price which any firm will pay and pay no more even though it would break the law except for the good grace of a Minister of Labour? Or can it be said that nowhere else on this continent could an engineer be found, for a price, to come to live in Brandon or wherever to do the job to fulfill the safety requirements of this province. I think it is ludicrous to say that after two years they couldn't find an engineer, and again I am going on the basis of that story. They could find an engineer if they were willing to pay the price; and if they are not willing to pay the price and if the law is right, and it must be because in two years this government hasn't changed the law, then this government is countenancing a continuance of a breach of the law by two firms who apparently are not able to pay the price to get the proper people to come to work for them.

It has been pointed out to me, of course, I said not able to pay the price, that must be in their own minds because they are certainly able to pay the price if the balance would be that they would have to close up shop, which of course they would have to do if not by the good graces of the Minister of Labour. So that obviously they are not willing to pay a price which is sufficient to bring it in.

Mr. Chairman, I look at you, a person to whom the story I have just recounted about Bobby Hull is nothing new, you have seen football players come and go, football players to whom the climate of Manitoba was completely unattractive but the price was right. We have seen in many many occupations in this province the opportunity to have people come and work and contribute to the province at a price which they determine is fair and right from their standpoint.

Now I hope the Minister will not just confirm that news story where he says they were unable to get engineers in two years time. I hope he will be able to give a proper explanation which will elaborate on the story without in any way say they can't get the people, because that statement I will not believe. If the statement attributed to him is truly the statement he gave and believes then I cannot accept it, that they cannot get engineers.

So I challenge the Minister to clarify the news story and to justify, if the news story is correct to try to justify it, if it is incorrect to clarify it quickly and tell us why it is that for two years the two firms have not had the quality or the qualification of engineers that the law requires them to have.

MR. MacMASTER: Well, Mr. Chairman, if the Member had chosen to ask the question first and let me answer it then there might not have been any need for the long . . .

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MR. CHERNIACK: If the Minister would permit me to interrupt him just for a moment, just an explanation. Mr. Chairman, I appreciate the fact that the Minister has more courtesy than some of his colleagues. I have a matter I must take up at the Attorney-General's Estimates. I want the Minister to know that I really must leave and it is no way a slight to him. I will certainly read the Hansard and see what he said. I hope he understands the reason for my leaving.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Well, as the member is walking out the door I'll tell him that he may be pleased to know that within the next four to six weeks we expect to be lifting the restrictions or the exemption for Hooker Chemical and that's what I was hoping to get into before he got into it. We hope that the Simplot will be in the same shape in not too long a future but certainly Hooker itself, the exemption will be lifted shortly.

That's the only thing that I really see wrong with the article and it's not totally wrong. It said that I didn't foresee us lifting either one. I guess during the course of the conversation the news reporter - and it doesn't say it who it was, it's not important - asked if either one was going to be immediately lifted. I assume that was his question. I must expect that from the reply and the answer at that particular point was no but I remember talking to some reporters who said, is either one ever going to be in shape and I said I thought that Hooker Chemical Plant was coming on line pretty rapidly and we felt that that exemption would be lifted shortly. And that in fact will be the case.

Mr. Chairman, the member makes reference to the fact that these companies are breaking the law. Well the truth is they are not breaking the law. If the law allows you by legislation to make an exemption and they live within the exemption, then they are not breaking the law. They have endeavoured to live within the exemption and as I say one no longer or very shortly will not be needing the exemption at all.

I should say too, to the Member for Kildonan I guess, that in fact power engineers are a pretty scarce commodity. In fact we have them registered on our manpower slate of critical shortage list as being quite eligible to be on that particular list. I suppose the company might have tried to, with dollars, steal one off another company and then the other company would have been short one and that's possibly the way that game goes.

We've gone through this in Manitoba not only with engineers but over the course of history there has been specific trades-type people, specific professional-type people that we have been short of, and towns and cities for their services. This sometimes happens in cycles and I think members opposite would appreciate if they really thought about it, that power engineers are not in great supply at this particular moment.

On the gas connectors I should say that the gas company in Winnipeg is responsible. They're the responsible authority for the gas connectors in the city and they are to assure themselves that the connectors are in place before the gas is turned on. The same as Hydro is the inspecting agency for electrical systems and the same as the City of Winnipeg for city hydro for their electrical customers. So there are agencies that are in fact by legislation responsible for inspection services.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, I wanted to raise a couple more points on the arena.

Has the Minister now been fully satisfied in terms of his responsibility that the Winnipeg Arena is in fact safe and meets all provincial requirements? I would be interested to hear his observation in that regard because there was a great rush to build the arena and then when some flaws occurred there was a great rush to repair the arena and now the question is of course, have all safety and fire requirements of the provincial government and the city branch been met?

I'm not quite clear in my own mind as to what the responsibilities are and if there is any overlapping, any discretionary powers, because the City Inspection Branch in July - I assume it's the city's branch although it might have been the provincial branch - said that the fire exits at that time were no where near what provincial legislation deems safe. And Mr. Dennehy at that time was saying that they had to rush if they wanted to be ready by October 15.

Then it was reported later in late August, according to an unidentified government source, in the Winnipeg Tribune, that the Minister handed down his decision only after repeated

requests from Mr. Dennehy who feared further delays. So there was pressure from the people on the city side who were anxious to open the facility.

On the other side I hope that the Minister wasn't overly receptive because he made the following quote. He said that, "I don't foresee any difficulties and I plan to be in the Winnipeg Arena, October 14, when the Jets skate out on the ice because I'm a hell of a hockey fan," and of course they have a hell of a hockey team this year as well. And what I wanted to ask the Minister is, given the fact that he was anxious as an individual to see this team in action and given that the people in the Winnipeg Enterprises were anxious to get the facility open - which was I believe the original problem, I believe that was the original problem - then it seemed to be a continuing problem. The Minister is quoted as talking about wanting peace of mind and assurances and so on. He said that he left the decision up to his Building Standards Board, and so on.

I want to just ask him in short whether he feels at this point in time and perhaps maybe he could indicate at what point in time he felt that all the requirements and all the assurances and all the inspections were met and that there are no ifs, ands, buts or maybes about the safety of that facility, that it can now be utilized 100 percent and that there are no fears or concerns of any citizens at this time? Can he give us that assurance? And can he indicate when, at what point he felt that everything was in order?

MR. MacMASTER: Well, Mr. Chairman, a couple of points I should clear up first. There were those because I suppose, "interfered" a little bit in the construction of the arena and got myself somewhat involved. There were those who were having a bit of a hey day around the city saying I was some kind of anti-sort or a hockey-sort of an individual and many people knew that wasn't the case and I guess that's where that particular comment came from.

I should say the member saying that the team is a hell of a team, I guess you can take things out of context and just for the record I think it's a hell of a good bunch of guys trying very hard, Mr. Chairman, to do a reasonably good job. And I think as my friend beside me from Morris said, if there were two period hockey games we might have a much better standing in the NHL today, but consequently we don't have those systems in place.

Am I totally, 100 percent absolutely satisfied that everything is great? I can't say that I am, Mr. Chairman. That building, renovations are still taking place. It's going to be an ongoing situation where the Building Standards Board I think will be carrying on consultation with the city. Once the building is complete and the renovations are complete and the city is satisfied, I am sure they will be dealing with our people and we'll be talking to the city council and the building will be blessed to the best of human ability.

We find tragedies happening around the world where engineers, with all their built-in and obtained abilities, have erred. I would hope it would never be the case as far as the Winnipeg arena goes, but at this particular moment there are still plans for further renovation to it. I would like to assure the member that I hope to have peace of mind on it and I'm sure that's really what he's after. As the building is developing and further renovations take place I'd like to believe that they'll all be following the intent of the Act and that's really all I can say, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. I am happy to hear that Hooker, the exemption will be lifted. I must say to the Minister, it's disappointing though because I asked him that same question which he said he told the reporters that it was going to happen soon in this House, and at that time he didn't give any indication as to when the exemption would be lifted.

Further to that, I should just like to say that I think that is part of the reason why possibly we're not getting more power engineers is because if there is going to be a lackadaisical, laissez-faire approach to enforcement, then there'll be no incentive for companies to pay in the demand and supply market as they should for qualified power engineers. I'm sure the Minister has probably sat down with his staff and figured out how many people have qualified under the Power Engineers Act and the various grades of certificates, and of course how many certificates are necessary to operate adequately the equipment in this province, and he'll have found out that a lot of power engineers have taken their certificates and gone into other related fields simply because the work is maybe more attractive, may pay the same, but is more attractive because they don't have to work on shift.

And so if the companies were forced to adhere to the letter of the law a little more closely there would be less options for power engineers to get out of the power engineering field.

Let me also say in that regard, Mr. Chairman, that in respect to safety, the Minister indicated that Dominion Tanners is now under a safety watch program and that it has

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qualified personnel operating. He didn't answer whether it had qualified personnel operating on all shifts or just one or two on the main shifts, because as I understand, at the time of the explosion, there was only one qualified engineer operating from the three o'clock to the eleven o'clock shift; and in order to qualify for 24-hour operations he must tell me whether there are now four engineers, because it would take at least four engineers to cover a 7-day operation, 24 hours around the clock.

The other factor in respect to that, Mr. Chairman, is the fact - and I hope the Minister's taking some of this in, or his staff, because I would like to have some answers - is that if we are going to continually keep downgrading the operators in the kind of responsibilities they have and keep turning over more of the equipment to automatic operations and less human resources involved in keeping the places operating safely, then we must make an effort to have at least a maintenance program, some form of preventive maintenance program in all of these plants. I didn't hear the Minister say anything under the Workplace Safety & Health Act or anyplace else that there would be some form of suasion involved in getting the companies to operate preventive maintenance programs if they're going to operate more automatic and automated equipment and I think that that is essential.

I've been an operator now for almost 40 years, and I can assure you that what happens is people become accustomed to the area that they work in. When they first notice something that is unsafe they notify people in charge and they may notify them two or three times and then after a while they become inured to it, it becomes habit, because of their surroundings and they operate that way and it becomes a normal procedure. And it's simply because there isn't sufficient stress on preventive maintenance created so that the plants will operate more safely.

I also know that there isn't enough inspection going on. There is equipment being installed, and I know that some of it operates for six months or longer before it finally gets approval from the department. In the meantime, it's neither fish nor fowl. I have a personal experience where some safety devices have been installed and they've been in operation for about six months and I should like to say, you know if it wasn't for the fact that we are in this august Chamber, well, it just makes me angry to think about it, simply because no one seems to care or no one seems to take the responsibility of what is going on. Management hires people to install this kind of equipment, it doesn't operate properly and they keep coming back time and time again until they get it finally in operating condition, it seems that nobody is responsible. Should something occur during that period of time everyone washes their hands of it, it belongs to the contractor, it belongs to the one who designed it, it belongs to the one who bought it, it belongs to the middle man, the agent who carried through on the particular piece of equipment. And I think this is simply because the provincial inspection department isn't being firm enough.

I know that in this particular instance the particular equipment I'm speaking of has been there for almost six months, the fire inspection department has been there at least four times. Now, I think they're wasting the taxpayers' money coming there four times. After the first two times they should have said, well, the third time is the last time, either get off the pot or do something. But they don't do that, Mr. Chairman.

This is the reason why I say it's unfair when the Minister takes the approach of giving a firm a two year or more exemption, not only for that reason, because there's safety involved, there's safety hazards, but also because, as the Member for St. Johns indicated, if it's just a matter of money then they should be able to pay the going rate. The only reason they won't pay the going rate is because they know they won't be prosecuted; they'll be given an exemption. And if every power engineering industry that required power engineers took that attitude the Minister would be swamped with exemptions. So that's an unfair advantage one firm has over others.

I think that the enforcement has to be a little more severe, it has to be fair, that's true, but there should be a cut-off time, and there should be a little more consideration to the fact that there is no fail-safe automatic equipment. You can have two or three backups but if you don't have the maintenance on it or any preventive maintenance, it is not worth a damn, it is going to go haywire anyway and your best safety feature are your power engineers.

MR. CHAIRMAN: (1)--pass. The Honourable Minister.

MR. MacMASTER: Just a comment or two. I can appreciate the member's position from a power engineer's point in particular. He should know I believe, if he doesn't I should advise him that the Power Engineers Advisory Committee has been studying for a long time

the regulations and his association has some pretty strong representation on that Advisory Committee, and I wouldn't be at all surprised that perspective recommendations for changes in regulations may be forthcoming and I have no way of knowing. I haven't asked them to rush it in any way. I believe that their deliberations are too serious to force quick decisions on their part, but I believe that recommendations may be coming down reasonably quickly for perspective changes and I am sure that the Member and myself will have some discussions on them at that particular time.

One other point in relationship to Hooker. I would like the Member to just think for a moment that this particular Minister, and I know of none others with our government, but I know I have never never deliberately withheld information in this House and gave it to anybody any place ever. So if the situation was such that he was asking the question and the answer is coming today and in between all this I have talked with somebody else then I apologize to him because that is something that certainly I have never been famous for regardless of what the information is requested, be it a pleasant sort of an easy answer, so be it. If I feel good about the answer, so be it, and if it is a difficult situation so be that also. That is the way I have dealt with him and the other members opposite regardless of what the topic was.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, I wanted to ask the Minister for some clarification on this gas connector business, because there is a number of questions which I find rather bothersome in this whole regard. The problem in terms of flexible gas connectors was not a new one in the sense that they apparently were first installed in the province in 1957 up until 1962, and I am not exactly sure. The Minister got up one day and made a brief statement about whether the connectors were outlawed or illegal or something, he gave a refinement, and I didn't quite understand what he said on that particular occasion. But the flexible connectors were in use in the province some 20 years ago and therefore if they were found to be unsatisfactory or unsafe it was first known during the days of the Roblin administration. It then followed through the Weir administration, it then followed through the Schreyer administration, and then it followed through two years of the Lyon administration, and there apparently was some particular notice taken in 1971 by Steel Gas Utilities in Northern Manitoba when they found defective fittings when they replaced fittings and this, of course, had to do with the use of propane gas, which some people think is not a straight parallel. And then we had a tragic explosion in Winnipeg in June, where a baby girl died, and a number of months later you had an announcement by the Minister saying there was a need for immediate action on this particular issue.

So my first question to the Minister is this: What was the Department of Labour doing for 22 or 23 years, and what was the Fire Commissioner's Office doing for 22 or 23 years in Manitoba? Were they not aware of this particular problem? It seems to me they should have been aware of it in the late 50s or in the early 60s, and it seems as if people knew about it and didn't do anything or else they weren't aware of it and took no action. So I ask the Minister if he could answer that particular question, why wasn't there action taken 20 years ago? And the other question I ask him is: When did he first realize, can he give me a date as to the first time it was drawn to his attention that there was a need in terms of a concerted action on this particular issue, can he give a day and a month in that regard?

MR. MacMASTER: Well, Mr. Chairman, we will have to go through the same part of the recital that the Member for Elmwood went through. In my answer to him when he asked if the fittings were outlawed or found deficient in the '60, '61, '62 era, in that particular period of time, no they were not found to be deficient. The word that the member used the other day, I think in ignorance, I don't mean that sarcastically but just not understanding, was that they had been condemned in '61 and '62, and that is not the case to the best of my knowledge. There was at that particular time a better type fitting found, they did not condemn the previous one. And we find this happening all the time and I am sure if the Member for Elmwood wanted to think over the last four or five or ten years he could come up with a dozen different things that society has found or engineers or manufacturers have found there is a better type, a better way to do something. Not necessarily saying that the old transmission or the old muffler or the old radiator, the old type of piping, that it should be condemned, but new legislation comes in, new statutes come in saying this is a better way to do it, and in future constructions thou shalt do it this way or you shall use this type of

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material. At no time can I find where it has been ever said that that previous connector should be condemned until we decided ourselves, and yes, I decided with some pretty good advice.

The Member is right that during the Roblin years there was no indication of any particular problem. During Mr. Weir's time in office there was no indication of any particular problem, and he is also right during the early 70s, and I don't have those dates in front of me, I suspect that the year he said was '71, '72 under Mr. Schreyer's administration there certainly was reason to believe that there was something deficient about these particular connectors. And the Member is correct when he said it was in the northern region and if he did mention Thompson certainly he was more than correct because it was in my home town. In fact there was explosions and walls were blown out of houses, and in fact the then present Minister of Labour asked for a report on the incidents. Now, the only thing I have not been able to determine is whether in fact he got that report. I have determined fairly authentically that the report was requested, naturally, because you have a series, and I'm guessing now, I think there were three, maybe four explosions in Thompson, and certainly the fire commissioner's office at that time got themselves involved. And the Minister of Labour, I suspect, knowing him as well as I do, that he was concerned about it. So there was a report requested and the findings of the reason for that particular situation were requested by the then Minister of Labour. I don't know what happened after that.

At that particular point, certainly, it should have raised the flag that there were some problems. It did, to a degree, but certainly nothing was followed up. And the member is correct that there was an explosion last June, a very serious explosion and a very sad tragedy. At that particular time the fire commissioner's office asked the University to look at the metal structure of these connectors and to hand down their findings, and they found later on in the summer, early in the fall, that there was that possibility of a defect. And I had other engineers look at it and I had the Building Standards Board look at it, and it was determined, with a lot of hard thought, Mr. Chairman.

The Member for Elmwood has accused me of playing politics with this issue. That's one of the really two-bit comments, one of the worst that I've heard from the opposition, under the seriousness of the considerations. We debate back and forth and we accuse ourselves of a lot of things, but this was pretty damn serious, so serious that a child's life was lost. And if the Member for Elmwood thinks that that's politics then he's got a different version of what politics is as far as I'm concerned.

I don't think any particular responsible person, regardless of what party, after the findings were put in front of him, and after he assessed it with some pretty knowledgeable people within his own department and worried about it for a period of time, eventually took what I consider the right - right by conscience and right by office - decision, to go on TV and say the things I had to say. It was very difficult because I knew the ripples it would cause throughout the citizenry of Winnipeg and throughout this province. I knew the problems it would cause for the companies, but damn it all, Mr. Chairman, I also knew the incident had happened in June, and it was made pretty clear to me by some pretty knowledgeable people that that possibility, as slight as it might be, that possibility was there and now was the time to make a decision, to notify the people of this province that there was a possibility for another similar type situation.

I don't really care who opposite calls that politics, I really don't care a bit. My conscience felt better when I did it, and I got a lot of flak from a lot of people and I was prepared to take that, but the little shot that the Member for Elmwood took, I don't think was worthwhile. It's just that we have to talk about it here tonight. Those are the sequences of events. I don't know if anybody was at complete fault all the way through. I suggest to you, Mr. Chairman, that I certainly wasn't at fault. When the facts were made before me, as sad as some of them were, as factual as they were, and as difficult as it was to do what I had to do, it was done and I have no regrets whatsoever.

MR. DOERN: Mr. Chairman, we'll see as to whether he's right or I am right. I asked him a question which he didn't answer. When did he first find out that there was a pressing need for action on this item? Was it in September; if so, what date? Was it in August; if so, what date? Was it in July? When did he find out? When was the recommendation made? And how long did it take him to make up his mind?

MR. MacMASTER: I understand it was during the course of August that the University handed down their findings. I subsequently met with my department after that; I

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subsequently met with the Building Standards Board, and subsequently talked to my Deputy Minister - that's no secret - and we weighed that around for a few days to just see which way to really go at this thing. I talked to some of my Cabinet colleagues and made the Premier aware of what I had to do, which takes a period of time to get through all that, and weigh the small word. And I would like to have kept it to a small word called panic that might have been created within the citizens. I talked to a lot of people about how to get the message out and how to really go about it. That's the sequence of events, Mr. Chairman.

MR. DOERN: So it was a month or longer before that the Minister first was informed of this particular issue. Can the Minister give us a precise date as to the first time it was drawn to his attention, and then whether it took three or four or five or six weeks for him to make the announcement? I would like to know some precise dates because that's what we're talking about here.

MR. MacMASTER: It was just a little short of two weeks. On the 29th of August, the Gas Advisory Committee discussed this particular point, on August 31st a letter was sent out to all gas connectors, and on September 11th, a news release was issued by myself.

MR. DOERN: So it took the Minister a couple of weeks, in other words, to make that particular decision. I asked his gas council for copies of Minutes. I wrote somebody in that department, Lou Plantje, I believe, or somebody. I was given a name and I sent a letter, asking for copies of the Minutes of that council for my examination. Those same Minutes, Mr. Chairman, were given to the media. I discovered the Minutes, I think by watching 24 Hours, and I was told that the Minutes came from the Department of Labour and were released to the CBC. But when I asked for those Minutes, they were not available. I'm not even certain whether I ever got a final reply. I think there was one letter went each way but there was certainly a great deal of reluctance, in the sense of complete reluctance, to provide any information.

I would like to ask the Minister right now whether he would provide me with the correspondence he had alerting him to this danger and the letters that he sent to the people in the business in this regard, and whether he would also provide me with copies - or the House - in terms of the Minutes of this council and their particular deliberations. Would he do that? If not, I will simply have to put an address for papers, but perhaps he'd be willing to volunteer them.

MR. CHAIRMAN: (1)--pass. The Honourable Member for Kildonan.

MR. FOX: The Minister is conferring, Mr. Chairman. I hope you will give him a chance to reply before I ask some more questions.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, the only information that I can give to the members that relates to myself is the press release that I issued. I didn't write specific letters myself. I think the member was under the understanding that I wrote letters. I didn't write letters.

The gas advisory committee is made up of volunteer people who have a pretty wide and open debate when they are discussing things and they have never been passed or copies of their minutes. They did not, to the best of my knowledge, give out copies of minutes to the press.

I understand that somebody someplace got some comments or got something out of the minutes. This particular committee has never been asked, it's on a voluntary basis giving voluntary advice. They have pretty free-wheeling conversations and I'm not sure at the moment if the member will just allow me some time to think about whether that type of body should be confined to the point where their minutes and their deliberations are made public. Now if the member would just bear with me for a second. I repeat, it is not a Legislative body as you have such which certainly their minutes are open to the scrutiny of the public.

This particular body meets, they're volunteer people who give their advice and they've always felt free, which I'm advised, to wander in their deliberations. Now whether that loose sort of wandering would be restricted to the point where they might not be of an advantage to any particular ministry as they are today, whether they would feel that way, I don't know.

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Maybe the committee would not prefer to even sit if they knew that every topic that they were talking about and every word that was uttered was going to be recorded.

I'd have to ask the member to give me some time to think about whether minutes under that particular structure should be a public document.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. MacMASTER: Just to assure him, I'm assured.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: I'm assured. Again, to the best of my ability to know that they didn't specifically go to the meeting with those minutes. Now that's what I'm assured of. Quite obviously I think I remember the particular point that he is talking about, that the media did get a hold of someone or a portion of the minutes, I don't know. Maybe they were referring to something. I really don't know how that took place.

But I'd like to assure the member that the minutes have never been made public to the best of my knowledge. It's never been a rule to make them public. I'd like time to think about whether they should be made public. Maybe there's good reason why automatically they should be, I don't know. But I'd just like to have some time to think about that.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, on that point, the Minister made his decision based upon a recommendation from that council and I think that it is reasonable to ask him to provide the information from wherever he received it, to table that in this House, to see when he received that information, to see what recommendations were made and to compare it with the action that he took.

I mean obviously he doesn't make up his mind presumably by snapping his fingers. Certain things were drawn to his attention and because of what he felt was important information, he then took a decision which was a significant decision and I think that he should share that with the members of this Assembly to see whether his action was warranted and whether the timing was correct as well. So I ask him for that.

You know, Mr. Chairman, I have to say that I am suspicious of the handling of this whole matter because I find the timing most peculiar and most advantageous to the government; that on one day by-elections were called; on the next day the Minister of Labour held forth to the whole province; on the following day the Minister of Fitness announced a major grant; a week or so later the Minister of Economic Development came up with a by-election goody, a new program and he pushed that program all through the by-elections. He had ads all through the by-elections. They were so good that he revived those ads and pumped in a lot more money during the federal election.

So there's obviously some benefit that accrued to his government and perhaps at the taxpayers' expense. But nevertheless he certainly wasn't reluctant to press the lever when it came to pouring out the money to publicize the good works of himself and his administration in their opinion.

Mr. Chairman, the other thing I'd like to ask about was if the Minister could table some of his correspondence in terms of the directives he gave and the amount of warning time, lead time, that he gave to the industry; because one day the Minister came to a news conference and it just wiped everything out of the papers. It was an incredible story, pictures of houses exploding, there was panic created. I do believe that the Minister in his handling of the issue created panic. He may have been trying to create a consciousness of safety in the minds of the public but the way he presented the information and the way the media handled it, there was panic.

I remember picking up the papers, front page stuff of exploded homes and gas connectors and there were ads released and there was an aura of crisis created by the Minister. I don't know if that was the best handling of the matter. And as a result people rushed out and the phones rang off the walls of the Winnipeg Gas Company and of all these people who were in the business of hooking up gas tanks and hot water tanks and furnaces, and so on.

Everybody was reacting and supplies were inadequate and all of a sudden when it was a matter of life and death for everybody, there was suddenly weeks and months of delay in

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terms of being able to get the parts and equipment that people required to ensure their own peace of mind. And there were people in Manitoba and in Winnipeg and I talked to many of them, who for 15 years had this kind of connector, I have to tell the Minister that several people that I spoke to, friends, relatives, acquaintances, constituents, all of a sudden were afraid to go to sleep in their own house because they discovered that they had this kind of a connector and there were women phoning their husbands at work and people sweatily going to bed that night wondering whether they were going to make it through the night because of the Minister's announcement. --(Interjection)-- That's right, it is called: Help Me Make It Through The Night Ken.

Mr. Chairman, the result is that there was a panic created; and here's a peculiar thing, if the Minister had given warning to the industry they could have probably brought in additional supplies, because whatever supplies were stocked, I knew the figures better at the time, but I believe there were 4,000 connectors or something that went out in a matter of days or weeks, and then there were supplies ordered from Minneapolis or trucks coming from the States or something, but they just simply wiped us out, and there was a great boon, a new industry created in Manitoba to replace these particular connectors. There was some price gouging; there was some ripoffs going on here; there was, in the opinion of some people, a panic button pushed. Someone from the Manitoba Safety Council said that the announcement was premature, there was not sufficient evidence, which I think the Minister still has to demonstrate. He can point to a tragedy and that has to be weighed heavily. But it has been said by a number of people at the U of M and people at the Safety Council, they felt his decision was premature and that he had caused some panic in the public and he has caused some panic in the industry and that as a result there was gouging.

Here is the interesting thing, Mr. Chairman. If you phoned, as I did at that time, the Gas Company and said, "I have one of these connectors and I am worried that it might explode and my house might explode, can you come out immediately and fix it?" Do you know what they said? They said, "There is no panic, there is no cause for concern, there isn't anything to worry about," and they said, "We have a big waiting list and we will put you on the waiting list." And at one time that waiting list was six to eight weeks. "Don't worry about it." If you phoned one of the smaller contractors or sub-contractors, whatever they were called, from the yellow pages and asked them they said, "Yes, yeah, it is a good idea to get it changed right away." And they would come down in 24 or 48 or 72 hours and fix your gas connector right away. In other words, if you were paying for it you could have it done today. If the Gas Company was paying for it you had to wait up to a couple of months.

I ask the Minister if he would care to comment on that; if he felt he gave sufficient lead time to the industry; if he felt that he properly presented this so as not to create panic in the public mind; if he felt this was such a matter of such urgency why, perhaps, he didn't have the government pick up the shot; whether perhaps he should have ordered all of these little people in the industry to go out and do the replacement, maybe bill the Gas Company, fill the breach, reallocate the resources because on one hand you had little or no waiting time, and on the other hand you had big waiting lists; whether he perhaps shouldn't have tried to rationalize that? So I ask him if he would care to comment on that point?

MR. MacMASTER: Well, Mr. Chairman, it doesn't really matter what decision the Minister makes in that regard, there are those within society who will say it is not the right decision. I don't really care about the Member for Elmwood's professor friends at the University and I don't really care about the odd person who did some talking in the newspaper, be they from industry or be they from - the member has mentioned the Safety Council, I don't particularly know which particular person he is talking about, but I don't really care. The fact of the matter is that I was given a set of circumstances; I was told what the evidence was; we knew what the findings of the engineering group at the University were; the Advisory Council suggested that it be done, and when you take into consideration, Mr. Chairman, the position I was in about the concern of panic, yes, but the concern for the possibility that another one or two might be in the same condition as the one that cost that child its life, I don't really give a damn what the odd person said about the decision. But what I do know, Mr. Chairman, is that we have in our possession now 42 of those connectors, every one of them deficient, every one of them with a possibility to an identical type of explosion. Seven of those particular connectors were leaking.

I am accused by the member once for taking too long and then not doing it soon enough. You know, his arguments are wandering all over the place. I don't think I have much more to say about it. My conscience is clear that I did the best of my ability at the particular time.

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As far as a waiting period and if I should have given somebody more notice, if I should have given them a month to get stocks in and supplies. What would the member be saying tonight if another tragedy had taken place? He would have been demanding to know why I took four weeks or five weeks or six weeks or eight weeks. How good would my position be if I said, well, I wanted the industry to get some on hand and I wanted to be nice to everybody, I didn't want to scare anybody? The question would have been raised: Was there reason for people to be afraid? Well, there was reason for me to be afraid and after again talking to some very knowledgeable people, much more knowledgeable than I will ever be, I made the decision, a difficult one but I made it, full well knowing the possibility of the panic and the troublesome sleeps that people may have and the problems that the industry may have, I knew some of those things. But I say to the member I didn't know a better way to do it and I have no shame about that decision and under the same set of circumstances I would make the same decision tomorrow or six months from now or ten years from now.

MR. DOERN: Mr. Chairman, as a result of the Minister's announcement, within a couple of days the wholesalers in Winnipeg were completely out of stock, and that is my point about whether he gave some notice to the industry. You know, it is very peculiar to me that according to somebody here in the Winnipeg Tribune, someone from the industry, who said they got a letter from the Department of Labour one day before the radio stations were told.

So I guess the Minister went on the air the day before they notified the media about this and two days before they notified the industry, and that strikes me as being inadequate notice to the industry, because they were very concerned about notifying the media, but they were less concerned about notifying the industry. The result was soon as that hit came, out went the gas connectors, everybody was wiped out in terms of supplies and then there was a tremendous backlog of ordering. Now I don't know, I guess the inspections are still being made and people are still replacing this and people are still concerned about it, but I just find the handling somewhat peculiar.

I want to say that I agree with the Minister to this extent, that in terms of the connectors it may be true that all of those connectors should be replaced, but I also want to say that if he sent out his inspectors and they inspected the gas furnaces of everybody in the province, I'll bet you that they will come up with as many flaws or more flaws of a general nature or any particular individual part, that would also save lives. If there is safety checks made there are always flaws detected. It is the same with cars, when you have compulsory motor vehicle inspections people are always uncovering things. I remember when we had compulsory vehicle inspections for the first time under Premier Weir, Premier Weir went to have his car inspected and he found that his own car was in pretty sad shape and he was given so many hours notice to repair his lights or something like that. So if the Minister wants to take an attitude of safety he could force, I suppose, compulsory furnace checks throughout the province, and he could produce, I believe, figures as impressive in terms of finding flaws in particular furnaces that if corrected would save lives or if not corrected were potentially dangerous and harmful.

So I am looking forward, Mr. Chairman, to seeing - the Minister says he wants some time to think it over, I don't know what he wants to think over. He made a decision, he made that decision on the basis of recommendations or on the basis of evidence, and I would like him to table his evidence, his facts and figures, the detailed, the raw data upon which he made a decision, and also have some of the correspondence that went back and forth, so that we would have an opportunity to see whether his decision was correct in light of the evidence and whether it was prompt enough and whether it was handled in a suitable manner. Because in the opinion of a number of people, maybe a lot of people, the manner in which he announced this item lead to panic in the public and now the panic seems to have been completely dissipated. And maybe the Minister could tell us as well at this particular point in time whether he feels that these inspections have now been completed throughout the province, or whether he thinks this is an ongoing process, whether his people are still out on the job, whether he is still advising people to complete this particular item.

MR. MacMASTER: Well, it is still an ongoing process, Mr. Chairman. And I still say that sometimes circumstances dictate that you do what you think is responsible. I suppose it could have been phased in a lot easier if something had been done in 1971 or 1972 when those explosions took place in northern Manitoba, you know, but that is hindsight and that is history. The fact of the matter is that that is the first time that it became glaringly obvious to government that there was the possibility of a very distinct problem, that wasn't followed

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up. Unfortunately, tragedy took place here in the city and I chose to follow it up and I don't know if it bears repeating, but I have absolutely no regrets for the manner in which it was handled. It will always be subject to criticism. The Member for Elmwood is welcome to his criticism, you know, he can criticize if he so wishes. In hindsight I guess we could all sit down over a period of time and try and determine some better way you might have handled something, but I think it was the best way with the information I was armed with at the time.

MR. CHAIRMAN: (1)—pass. The Honourable Member for Kildonan.

MR. FOX: Thank you, Mr. Chairman. I would like to again ask the Minister, I had asked him previously and he hadn't indicated, how many plants are operating without the proper qualification of certificates, power engineer certificates, can he give me a list of that? Are there any other exemptions besides Hooker and Simplot?

MR. MacMASTER: Simplot is the only official one, it and Hooker at the moment, Mr. Chairman. I don't know of any others, I personally don't know of any others.

MR. FOX: Well, would the Minister check with his staff and ask them to inform him? The second question which I asked a moment ago and previously, how many plants are operating without the properly qualified certificate, power engineers, whether they have exemptions or do not have exemptions? I think his staff should know that too.

MR. MacMASTER: Well, the only two official exemptions that we have with the government are Hooker and Simplot. I hope that nobody else in the province is breaking the law; there is always the possibility that somebody is. But officially, those are the only two that have exemptions from this government that I am aware of.

MR. FOX: I was under the impression that those plants who do not have qualified engineers have to report in order to let the Department of Labour know that they are without qualified personnel, number one.

Number two, I'd like to have from the Minister or from the Minister's staff through him, as information, how many plants now are under the guarded status condition; specifically refrigeration plants, Mr. Chairman.

MR. MacMASTER: We'll have to dig through our files and get that number. I assure the Member for Kildonan I'll give it to him tomorrow.

MR. FOX: Thank you. The reason I ask is because, especially in the refrigeration area, we are now - I don't know whether the Minister is conversant, but I'm sure his staff is - going more and more for the flooded system and, under the guarded status, it just means that there's nobody there to do a damn thing about it until it happens. You can generally, as an engineer, if you're watching, indications will inform you that something may go wrong. And if you're on the spot, you can usually avoid a large spill and ammonia is a very, very toxic chemical; it can create a tremendous problem in any particular community where a rupture could take place.

I am of the opinion that there is a tendency to go in for a certain amount of guarded status in respect to refrigeration plants, and I think that's a wrong attitude to take especially, as I said, in the light of the fact that the technology is now going towards more and more flooded systems. Flooded systems are a little more efficient but they are also, in my opinion, a little more dangerous and they operate basically a little cheaper. But on the whole, as I said, because you're not dealing with gas, you're dealing with liquid ammonia, when you have a break you have 100 times the amount of vapour in the vicinity of the break and it also becomes much more difficult to repair and to do anything at that particular moment when it happens.

I do recall where Swifts, which is now closed except for its engineering staff maintaining the plant to keep it warm and keep it from freezing up, where they had a liquid break and it took them over three hours, and the thing was, in spite of the fact that they had qualified engineers on the premises, they didn't have sufficient equipment to get at the break immediately. They had to wait till the fire department came along and the fire department itself was unable to do the job because they were not conversant with the plant valves, and so on.

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Again, it reminds me, and I'd like to suggest to the Minister that there should be a greater emphasis on safety inspection in this particular field; there should be a greater stress on more preventive maintenance, and also on training of personnel with this specialized equipment where you are operating flooded systems, because the danger is tremendously greater than it has been when we were utilizing ammonia vapour instead of the flooded system.

So I urge the Minister to at least consider this and send out his directives to that extent.

MR. CHAIRMAN: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Chairman. I just have a few questions for the Minister, one dealing with the inspection of elevators. Is it the new policy of the department to remove the inspection certificates that used to be in the elevators?

Well then I would like to draw to the Honourable Minister's attention that an elevator I was in just today at Parkside Plaza on Henderson Highway, where the plaque used to be for - I imagine the Honourable Minister's name is on there because it appears on the inspection certificates - I now see an advert for a dining feature here in the city of Winnipeg. I don't know when these elevators were inspected last but I just happened to notice. I happened to glance up when I went up in the elevator, instead of the certificate that is from the Department of Labour, I see a plaque; I don't even recall what the dining place was, but I think it is something that I should draw to the Minister's attention. There may be other buildings within the city of Winnipeg where this is happening.

We have had quite a discussion on the connectors. But that's not the problem that I want to raise with the Minister. The one I want to raise with the Minister deals with aluminum wiring, which is now a prohibited product to use in the wiring of Houses. I want to know if the Advisory Committee on electrical wiring, which I imagine you have a committee the same as you have for gas connections, whether they have made a study of the now prohibited wires, especially in view of some of the cases where fires have taken place in the province of Ontario where I understand they had quite extensive use of aluminum wires. Many of the causes of the fires seemed to take place in the outlet boxes, and I believe that there is on the market now a type of an outlet feature that will give you a reading whether there is a potential fire hazard within the box, if it changes colour or something like that. And whether the department has, itself, any idea how many homes, apartment buildings, and I would say in this matter, are there any buildings that have been built in the last few years that are under the public purview - public housing, and buildings like that - that may have been wired with aluminum wiring.

I don't want to start a panic such as what has been discussed here, but I think that I just want to draw to the Minister's attention that if the department has not been looking into it, this is something that I think he should be raising with the Advisory Committee because this definitely has been proven in Ontario that it is a definite fire hazard. And I think it should be pointed out to people that, when they are changing outlets, that it is not just simply the case of hooking copper connections to copper connections like we had with the now in vogue, but the features are there that people will change an outlet themselves rather than call a licensed electrician in and perhaps put in a copper to aluminum connection which is potentially hazardous.

I would just like to know that the department is on top of this and perhaps it should be drawn to the public's attention. I believe it has been, but not in any such manner as was with the gas connectors. But an ounce of prevention, I think is worth a pound of cure, and if we can make the public aware that there is a potential hazard there. I'm not saying that it is a hazardous condition but I think people should be aware, and be made aware. Many people have bought houses, I imagine, that don't even know that these houses were perhaps wired with aluminum wire.

If the Minister has any answers to those questions, I would appreciate them very much.

MR. MacMASTER: I don't know if I have specific answers, but I certainly have some information on it. We have a provincial Electrical Committee in Manitoba, which is made up of groups from hydro and installers, manufacturers, etc., etc., which do, in fact, study wiring and possible defects. They have looked at the aluminum situation and I know that some discussion has taken place in Ontario, and of course our people are in touch with them, but this particular provincial committee has never established yet if proper connecting procedures are followed that there is a hazard.

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Also, there is a committee made up of hydro, the city and the province and they have been aware of this situation, and I appreciate the member bringing it forward this evening. They have been reviewing it, and they haven't determined that if proper connections take place that there is a hazard. There has never been a fire in Manitoba that the fire commissioner's office tell me was directly attributed to that, but there certainly is with a variety of old connectors, and that's something that the advisory committees are always pretty well up on and giving advice to our departments.

MR. CHAIRMAN: 2.—pass; (b)—pass - the Honourable Member for Kildonan.

MR. FOX: I was speaking to the Honourable Minister in respect to guarded status of plants, and I did mention the flooded system. In that regard I didn't get any reply from the Minister as to what program he had, either through the Workplace Safety and Health Act or through any other directive of the Mechanical and Engineering Department to alert people and to also, as I indicated, start some training programs in respect to the better operation of those systems and be prepared in case of emergencies. And also, to make certain that they have the proper equipment in those places.

Now, there are a number of plants that have got flooded systems, and I doubt that there is, at the most, one or two that have wet suits and have had any kind of training program at all in respect to a case of an emergency. And I believe it comes either under the Mechanical and Inspection Department that some of this training should take place or some indication should be given to the industries that have this kind of situation that they should be doing some training and preparation for it, besides the fact that they have gas masks and nothing else, or the Workplace Safety and Health Act. Now, one of those areas should have the jurisdiction and should be providing a program, and I would like to hear from the Minister what the department is doing in this particular regard.

MR. MacMASTER: I'm informed that maybe the Member for Kildonan knows more, really, about it than I do at this particular point. Our division is not doing anything in the line of training, but we understand that the Winnipeg Fire Department is doing some training in conjunction with some industries, and I'll have to follow up on that and see just how extensive that is. Obviously it's not enough or the member wouldn't be raising it. I'll find out and I'll take his words of wisdom; after 40 years in the business, I'm sure he knows a heck of a lot more about it than I do.

When, in fact, I find out what the city fire department is doing, I will discuss it with the Member for Kildonan and maybe we can talk to some of our departmental people and see if additional type training programs couldn't be put in place or awareness programs, or something. But if the member would just allow me to find out what the other department is doing, I'll get back to him on that.

MR. FOX: I can appreciate that the Minister now is saying the Fire Department is doing something. I was under the impression that the Workplace Safety and Health Act was supposed to cover this particular area. I agree that the mechanical engineering section is just the inspecting section, it doesn't have a training role, but nevertheless, if it's aware of the fact that there are safety hazards, then it should be making recommendations to the Minister, and someplace or other his department should be looking after this particular problem of training. He shouldn't leave it to an ad hoc basis of an emergency fire department doing it, because the fire department doesn't have that responsibility. They only go there in case of emergencies. These plants are operating 24 hours around the clock and if we are going to have a Workplace Safety and Health Act, then this is the area that should be looking after the training or suggested training. They may not have to do the training themselves, they must just be there to make sure that there is some training by the people who operate this kind of equipment, but you can't leave it to chance because one of these days we are going to be very sorry that we do, if we do that. And if the fire department will come in and mop up and clean up and maybe shut off whatever has gone wrong but that will be too late. And so therefore I say to the Minister, in all sincerity, he's got to do more than just get the information from what the fire department is doing. One of his departments either The Workplace Safety Health Act or else The Mechanical Engineering Act has to get some teeth into the way it operates and make sure that these industries are doing something towards training people to operate more safely.

Now some of them in their own self-interest will be doing this, that's true, but they will do it at a minimal cost to themselves and that may not be sufficient to safeguard the public or environment of any particular community.

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MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Just let me take that under advice and I'll get back to the Member for Kildonan.

MR. CHAIRMAN: (1)—pass; (2)—pass; (b)—pass. (c) Fire Prevention, (1) Salaries. The Honourable Member for Kildonan.

MR. FOX: The Honourable Minister first.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: This branch referred to as the Office of the Fire Commissioner administers Part 2 of The Fires Prevention Act and related regulations. The Office of the Fire Commissioner promotes fire prevention and protection practices to reduce loss of life and property in the province. It is required to enforce all laws and regulations of the province pertaining to fires prevention, establishing cause and origin of fires and the suppression of arson. It may establish a central fire college and training programs for fire officers, fire fighters and other persons in a fire prevention and fire protection practices. It may assist municipalities by giving advice on the adequacy of water supplies, the enactment of fire bylaws, the establishment of mutual aid areas and the provision of adequate fire apparatus. The Office of the Fire Commissioner may also collect and disseminate information with regard to fires in the province.

During 1980-81 the Office of the Fire Commissioner is expanding its training and advisory programs throughout remote northern communities and will re-establish its home inspection program in these areas. The branch proposes to establish a training site in Thompson and to carry out practical fire training evolutions with newly or presently organized fire departments in the north. The fire college training program will be diversified on a trial basis by conducting more regional and local training schools to meet the present needs of the fire services in the province. A study and recommendations will be made on the contents and application of the Manitoba Fire Code by the reorganized Fire Advisory Committee. The direction, the somewhat change of direction is more, this particular year, in regional and local training schools scattered throughout the province and will be using the facilities at Gimli, possibly Shilo and in the north. If you'd like I'd give you the numbers. Last year there were 24.05 SMYs; this year there is 29.05. Two term positions for the Home Inspection Program. We would like to believe that with the three new fire commissioners that are being added throughout the province to deliver the northern program and with the upgrading and training of well, first, the establishment of fire fighting groups - I don't care whether you call them crews or groups but groups I think is a good word - within the communities that we hope to upgrade some of those more interested people to the point where they can do some of their own home inspections at a later date. So that's the additions proposed for the year 1980-81.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Chairman, I wonder if the Minister could outline for me the areas of interaction and responsibility between the local town fire chief and the Fire Commissioner's Office pertaining to nursing homes and hospitals, public buildings, the areas of responsibility and inspection?

MR. MacMASTER: It's kind of a difficult question to answer precisely because in some areas the local fire brigade or the fire group within that particular community is responsible for the inspections after they have reached a certain point of adequacy that our Fire Commissioner's Office deems them capable and knowledgeable enough to do their own inspections. In some areas we do the inspections, that's why there is a bit of awkwardness in answering the question. If the Leader of the Opposition had a specific instance or specific area or could give me a set of circumstances I might be able to narrow that down, but we do upgrade local fire fighting crews to the point where communities or groups of communities may hire someone to do those type of inspections once they have reached that point of credibility in established qualifications that our Fire Commissioner's Office is satisfied that they can do the inspections. I don't know if that helps the answer or not.

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MR. PAWLEY: Possibly I could assist the Minister by referring to the specific institution that I have in mind, the Selkirk Nursing Home.

MR. MacMASTER: That would be done by the Selkirk people themselves, Mr. Chairman.

MR. PAWLEY: If it's done locally, is there any procedure by which there is a report by the local people to the Fire Commissioner's Office in the case of nursing homes and hospitals or is it left entirely with the local fire chief in situations like that as to making the inspection? Is there any involvement at all by the Fire Commissioner's Office?

MR. MacMASTER: In this particular case if they require assistance we would go and assist them but to the best of my knowledge, now I don't want to say that they have never asked for that, but to the best of my knowledge they haven't asked for our intervention in this particular case that the member is talking about.

MR. PAWLEY: I wonder, insofar as nursing homes are concerned, are the standards that are required, are they set down by the Fire Code or is there some uniform standard which the local fire chief is expected to inspect for? I'm concerned about uniformity, gaps from one community to another simply because if it's left to the local level something may not be properly followed through in an area as important as a nursing home.

MR. MacMASTER: We have the Manitoba Fire Code which they should be working with. If the member has any reservations about the adequacy or the qualifications of the people doing the inspection and he would ask as a member, quite possibly we could involve ourselves in that but it's the Manitoba Fire Code. He asked if there was some common thread that runs throughout this whole system and that's a good question and the answer is the Manitoba Fire Code.

MR. PAWLEY: Just one final question in connection with this. Is there any requirement then for any report as a result of the inspection done locally to the Fire Commissioner's Office so they maintain a file pertaining to hospitals and nursing homes in the province or is there no report required on an annual or more frequent basis?

MR. MacMASTER: No, there is no requirement that they file it but when we would get involved, Mr. Chairman, is if they were to issue an order, for example, that there shall be four more doors - two more, one at each end of the hall on the second floor, and one going out of the kitchen, and one out of another particular area of the building - and if the institute that the member is talking about was to appeal that order then the Fire Commissioner would get themselves involved.

MR. CHAIRMAN: (1)--pass; (2)--pass. The Honourable Member for Churchill.

MR. JAY COWAN (Churchill): Yes on (1), Mr. Chairperson. I wonder if the Minister could indicate how many of the personnel in this department will be stationed in northern Manitoba as opposed to previous years, this year and as opposed to the previous year?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: There will be two additional inspectors working in the north. There will be one working in Dauphin, and there will be one working in Winnipeg which may not appear to be the north to the Member for Churchill or myself but that person actually will be working out of Winnipeg into the Selkirk, Interlake area, through there and Dauphin will be working north and there will be three working in the north.

MR. COWAN: That is, if I understand the Minister correctly, then there is now one working and there will be two additional working in the north or at least two. There was one last year working the northern area and there will be two additional this year. Is that a correct interpretation?

MR. MacMASTER: No there will be two more Assistant Fire Commissioners and two Home Inspectors, so there is an addition of four for the northern program. I think that's what

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the member is getting at. There will be even a further one but that person will be working in Brandon putting together the programing and the educational system and the methodology of getting it across, so there is actually three new positions, plus two Home Inspectors.

MR. COWAN: Now if I understand the Minister correctly, perhaps, the two home inspectors were always on staff? They are new also so we are talking about five new positions altogether and I assume this is the major northern thrust to the Fire Prevention Program that was announced in the Throne Speech.

Well if I just might then say a few words on it because I think it is necessary where positive action is taken and progressive action and action that in this case seems to be a fairly complete program, at least in the initial stages. I don't have the same criticism of this as I do of say the previous program on the carcinogen study this afternoon, just because of the amount of time and effort that it looks like they are putting into this area and it is an area of major concern. It may not be of the proportions that we talked about this afternoon as a hazard but it certainly is for northern people an area that there was need for changes to be made and we are glad to see these sort of changes made. Again we reserve judgment on these programs until we see how they actually work but if I understand the Minister correctly, that we are talking about five added personnel here, even though some are working out of the city covering the north, then we can make the assumption I think now, that the program has a good chance of working, unlike the program we talked about this afternoon which I believe to be doomed to failure because of lack of staff. It looks as though this program has a real potentiality.

The Minister knows as well as I do and most people in the province that there are conditions in northern Manitoba that necessitate this sort of a strong preventative program and that it is a program that will in its own way add to the quality of life of northern Manitobans. We've had far too many tragedies in the past number of years due to fires in northern Manitoba and the statistics belie the situation. Northern Manitoba has had more than its fair share, more than its proportion of fire tragedies. I would ask the Minister then if he can take just some time to outline the responsibilities and duties of these people and to give us an overview of how he expects that program to work and any timetables that they may have developed for such program, because it is a matter that is of some extreme interest to northern Manitobans, both in the remote communities and in the more industrial communities? So if he could apply his comments to both communities, the traditional communities and the industrial communities in northern Manitoba.

MR. MacMASTER: Well, Mr. Chairman, firstly I should say that the northern community aspect of the program is extremely important, as the member has mentioned. Being involved up there for approximately 20 years, I have witnessed and am aware of some of the tragedies the Member for Churchill makes reference to.

One of the difficulties which three or four of the members opposite would share and understand is the convincing of and the importance of communities selecting a volunteer firefighting crew, a group of people. I'm a believer, and I believe it's the only way to go, that you do not impose from above on people living within communities. They have to appreciate and understand and make that decision themselves, and I don't think we're going to have much difficulty convincing community leaders throughout this particular province, all 53, 55, whatever the particular number is; at least that's not the reaction I got when I talked to them when I was Minister of Northern Affairs, and I have been talking, be it belated or not, I suppose, for several years about attempting to get something done within the communities so that the people themselves did not have to stand there and watch the fire demolish their homes.

So the first stage, and I haven't got all the breakdowns in front of me, but I think the member may appreciate that it's similar to the Northern Affairs situation where some communities are away ahead of others in relationship to their administrating their own business. Several communities, and I'm just trying to recall the number and I think it's 17, maybe 19 or 15, in that area, have already established a group selected by themselves, picked by themselves, of people within their community that will serve on the volunteer fire-fighting group. And that's very very important that that particular group be selected by the community and there be total commitment to it, to really understand it.

Over the years - and I do not berate anybody - there have been efforts made, but the real commitment then by the community did not seem to be there. The last number I had, and I can update that for the Member for Churchill, but the last number I had last fall and it's

possibly double that now, I think was about 17 communities that had specifically picked their own group of people that they wanted trained and wanted upgraded.

Since then we have been working with some of them and we have run the odd course, and I think there are three or four - no, there are more than that, seven or eight that have been run throughout the province for some of the leaders of those groups. And it's not a process that you're going to see results tomorrow. But some of the preliminary training has been taking place by some of the leaders of those volunteer firefighting crews and, as they get adapted, giving the basic training to some of the more junior ones within the groups.

From there, we're going to have to, as I said, we're putting some emphasis on regional, we want to this year, and we're going to, get out in the regions and do some regional training. I have had several phone calls, several conversations, several letters from leaders in communities saying that we're not all that interested in packing our bags and getting off to Brandon. That's maybe nice but we would prefer if you got into our communities, got into our regions, and gave us the real, practical, basic ABC's of the program. What the people in the communities are interested in is putting that damn fire out, and all the rest of the ongoing more advanced training can come later.

So if the member would appreciate that it's the very basics of regional training that we have to get on with this year. And I'm sorry, but I can supply him with it, but the number of courses and the number of seminars or classes, whatever you want to call it, that's going to be taking place in Manitoba is very substantial this year. And I can get those numbers for him, I don't have them in front of me but I think he'll appreciate that there's been some pretty major efforts being made.

We're not trying to find, at this particular time, great educated people who are going to become assistant fire commissioners two or three years down the road. What we're looking at, and it's long overdue, is to get out to the communities, out to the people and give them the real basics, a big job, and we think we've got a lot of people in place that are going to do a very credible job this year, and I think this time next year we both may say that it's been pretty successful. After the ABC's of what has to be done is done, then you start upgrading the top people so that they are better educated in different types of firefighting.

So that's generally the route that we wish to take this particular year.

MR. CHAIRMAN: (1)—pass - the Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Yes, Mr. Chairman, I would like to ask the Minister if he has any funds within this section to prepare communities for the new responsibility which I understand they now have as a result of a change in government policy of another department, and that is the fighting of forest fires within the community and within the community boundaries. The previous practice of the Department of Resources was to provide that service for communities when there is a fire in or near a community, a forest fire, which is usually of a nature that cannot be controlled with light hand forest firefighting equipment, and/or even the kind of equipment that is used to contain house fires, or grass fires. There is a need in many cases for forest fire suppression equipment, aircraft and men, and heavy equipment to move in and put out some of these forest fires.

Given that the government has now changed its policy in the Department of Resources to force the communities to undertake this responsibility themselves without, to my knowledge, them having the necessary equipment and/or funds to do this job, I'm wondering if this Minister, who is responsible for the fire commissioner's office, is doing anything to provide those communities with that equipment and/or funding which would be required for them to purchase the necessary materials and equipment to fight forest fires within their boundaries.

MR. MacMASTER: Mr. Chairman, the Department of Northern Affairs will be buying equipment this year. When I was Minister of Northern Affairs we did a review of a lot of the communities' needs and I'm led to believe that that review has been followed up and that there is moneys in the Estimates in Northern Affairs of equipment that we have recommended. They have told us what the community had. Our fire commissioner's office has reviewed that from our viewpoint and recommended upgrading of some equipment, replacement of some equipment, and purchase of additional equipment. That portion has been done.

The Natural Resources Department, of course, will be training people in their areas, and that's the bush fires and the fires within the community that the member talks about. And hopefully, our long-term expectation is some day somewhere down the road the same groups

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of people would be trained well enough to handle both types of situations, but that will take a little bit of time, Mr. Chairman.

MR. BOSTROM: Mr. Chairman, he's talking about some of the Northern Affairs communities, which he is responsible for, not directly as a Minister but certainly as a Minister of the Crown, which as I understand it, do not have the necessary equipment now, or are they being provided with the necessary equipment to fight forest fires. Forest fires are a very difficult fire to contain; they move very rapidly and unless a fire is contained in the early stages, it can very rapidly get out of control, and the only way to contain some of these fires is to use forest fire suppression equipment and that is aircraft that have water bombing capacity.

And Mr. Chairman, as a result of a change in government policy, these communities, if they request the assistance of the department to put out these fires, now have to pay for that service. In other words, if there is a forest fire within a Northern Affairs community boundary and there is forest fire suppression equipment called to put out the fire, as a matter of necessity because the community can't control it with their own equipment and the community is in danger of being engulfed with the flames from a forest fire, they call on the Department of Natural Resources to put out the fire. They will be sent a bill from the Department of Natural Resources.

Is the Minister providing somewhere in his Estimates for the community to be able to pay that bill? And that's for Northern Affairs communities. That's not even talking yet about the communities that don't come under the jurisdiction of Northern Affairs and/or his departmental purview as far as the fire commissioner's office is concerned, but in addition to that there is the Indian reserves in Manitoba that even have less capacity for fighting fires within their communities and certainly are not equipped to fight forest fires. They are also being told that they must contain their own forest fires and fight their own forest fires and, in the event that they can't and they call the Department of Resources for assistance, they will be sent a bill.

So can the Minister explain to me, either in his capacity as fire commissioner or generally in his capacity as a Minister of the Crown, how these communities are going to pay these bills and/or to do the necessary firefighting that has to be done to control the fires and protect their communities?

MR. MacMASTER: I hope the member isn't suggesting that any change of policy is going to create any hardship and loss of life or loss of buildings or loss of facilities, because if he is then that's just nonsense. There hasn't been a community that I know of that's been in such a situation trying to handle something themselves that hasn't had pretty good response during the Member for Rupertsland's days as Minister responsible for Renewable Resources, or myself when I was responsible for Renewable Resources, or the present member.

Now, the billing procedure, I don't know how that works. We certainly, and the member, I'm sure knows, that we wouldn't have the funds to provide to communities for that particular billing procedure. It has to be some type of internal billing situation that's been created by . . . If it's correct, and I must assume that the member has some information that that's exactly correct and, if it is, it's something has been worked out between Northern Affairs and the Department of Natural Resources. Certainly there isn't funds in the fire commissioner's office for it.

To the Member for Churchill, I do have the numbers of those courses. There will be 45 courses that we now have established held throughout the province of Manitoba this year, 45 courses scattered throughout all Manitoba under that northern program.

MR. BOSTROM: Mr. Chairman, I will be following up this line of questioning with the appropriate departments, but I would certainly hope that this Minister would take this problem under advisement and consult with his colleagues in Cabinet, those who are responsible for Northern Affairs and Renewable Resources, because I can see this as being a serious problem for many communities. As his responsibility is the fire commissioner's office, I would think he would be concerned about the safety of communities and one aspect of that safety is to protect themselves from forest fires.

And if a community is faced with the prospect of having to pay a massive bill, knowing that the policy is changed so that if they call on the assistance of the Department of Resources to put out a fire within their community boundaries, and knowing that they will have to pay for that service if an expensive service is provided by way of water bombers and fire suppression equipment, they may be inclined to try to fight that fire themselves with

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inadequate equipment, in some cases no equipment, just axes and some back pumps or something. Mr. Chairman, the result of that may be that much more valuable fuel and timber resources easily accessible to a community may be wiped out, because the community is afraid to call the department and be faced with a huge bill.

So I would expect, Mr. Chairman, that this Minister should be concerned about that and will be consulting with his colleagues to ensure that there is some adequate provision made for these communities to be able to be protected without having to shell out an amount which I'm sure most of them would not be able to afford. Knowing the budgets that are provided to them by the Northern Affairs Department, I'm quite sure they would not be able to afford the cost of a major forest fire within their boundaries.

MR. CHAIRMAN: Might I suggest to the Honourable Minister that this item will probably come on Page 79 of the Main Estimates, Forest Protection Item (e) under Forestry, and would probably be the proper place to be discussed.

The Honourable Member for Churchill.

MR. COWAN: The Minister indicated there would be 45 courses. I would ask him if those are projected courses or courses that have already taken place? I am not to certain as to the time reference that the Minister is using in those number of courses.

MR. MacMASTER: It would be 45 courses of a variety type put on in the year 1980, what we are budgeting for, the one that we are going into.

MR. COWAN: Would it be possible for the Minister, and I won't ask him to do it here this evening, but to provide me sometime within the next couple of days with a list of the upgrading of equipment he mentioned, that certain communities were getting new equipment? What sort of equipment is going in, also where those course are going to be held, and just a general description, if it is all the same type of course one description will do for all forty-five? And also I would ask if the Minister could commit himself to providing me with a list of all the communities that will come under this program?

The Honourable Minister.

MR. MacMASTER: The calendar of events as it relates to the courses will be out shortly and I will forward the first copy I get to the Member for Churchill.

MR. COWAN: And he would also provide me with the other information I asked for, as to equipment and the names of all the communities, I think he mentioned a number of some 50-odd that will be participating in this program.

MR. MacMASTER: I can get that from Northern Affairs or the member can ask the Minister of Northern Affairs, either way the moneys for that equipment is in Northern Affairs?

MR. COWAN: Well, we will certainly then discuss that during the Northern Affairs Estimates at one juncture I am certain.

Well, all I can say then is, notwithstanding remarks by the Member for Rupertsland, because I think he brought up some very pertinent points which have to be discussed in Estimates procedures on down the line, as you, Mr. Chairperson, have directed him to do, and we will be discussing that because it is an item that needs some clarification and I believe we have a responsibility to speak out on behalf of our constituents in that regard.

But to address my remarks very briefly to this particular area, when we are talking about, I believe, more or less the types of fires that would be a hazard in a community, home fires we are talking about, business fires, structural fires within the community. It is an important program. It is a program that, as the Minister quite rightly said, is one that is of its own time. In other words, the need is there and we must meet that need. And it is my hope, it is my sincere and fervent hope, that this program that the Minister has developed with his Department, I should say the Minister's Department has developed, will address itself fully to the problems so that the individuals in those communities no longer should have to stand and watch their homes burn. There is no need for that in the 1980s, there is no need for that sort of tragedy and injustice. So the program, we hope, will address itself to that urgent and momentous problem that we face in northern Manitoba in many of the communities, far too many communities have insufficient equipment. When they do have equipment as the

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Minister said, far too often the training that goes along with that equipment that enables the volunteers to use that equipment is not there, and so they may have the equipment, as in an instance that happened last year, and still have to watch our houses burn. We cannot allow that to continue.

I hope that in this program there is some sort of preventative inspections, that we are not just dealing with fires after the fact or during the fact when they occur, but that there is some program to go in and educate the people of those communities as to how to avoid fires, how to prevent them, how to stop them from occurring in the first place. Because if we can attack the problem successfully there, if we can put in place an educational program that will stop fires from occurring, then we have licked the battle right there and then, then we have managed to overcome much of the problem. There will be fires as there are always fires, even among the most enlightened population, but we will be able to reduce them. The reason we have those fires in northern Manitoba is because we have in many cases older cases, wood homes, there are woodburning stoves, in far too many communities there are still woodburning stoves that maybe through years of use are not as efficient, not as effective, not as safe as they should be, so that is going to create the fires. If we can go in and root the problem out at that level, wiring in many of the northern homes is not properly put in place to begin with and not properly maintained, and that is through no fault of the residents, that is not their fault, let me make that very clear, it is for numerous reasons. But the fact remains that fires are caused by improper wiring far too often, so we have to deal with that problem. And I hope that this program deals with those problems as well as what the people in those communities are going to do once an unavoidable fire occurs; how they are going to deal with that fire; how they are going to save property; more important, at least more important from my perspective, how they are going to save lives, because that is the bottom line when you are talking about fires.

So we wish the Minister well in this program and as I said I think it is important that when we see a constructive progressive program come in place that we should stand on this side and offer our support, offer our suggestions as I just have, and also tell the Minister that we will be watching this program very carefully. And I hope, as he says, that in the next year we can stand in this House and say how successful this program has been. We can talk about the lives that have been saved and the property damage that has been avoided because of this program. That is my wish. Of course, if that is not the case and for some reason the program does not live up to the expectations or for some reason the program never gets fully implemented, which has happened in the past, then of course we will stand before this Committee and criticize that program and try to get it back on track. The criticism is not to destroy the program, the criticism will not be to embarrass the Minister. The criticism, as it is in all cases I believe, to try to get a program back on track, to try to make changes in that program through suggestive criticism that will enable the Minister and the Department to more fully make use of all their resources. We can provide that sort of input and that we will.

So not wanting to prejudge the program, only wanting to comment that I think the motivations behind the program are important, I think that the problems that the program is intending to deal with are serious problems and urgent problems. We wish the Department every success with their efforts and will stand by watching closely and offering suggestions when they become necessary so as to ensure that this program will indeed do that which it was intended to do.

So having said that I would just again ask the Minister if perhaps he can provide the information we had asked for at a later date and we will be watching on this side.

MR. CHAIRMAN: (1)--pass; (2)--pass.

The Honourable Member for Kildonan.

MR. FOX: Yes, I wonder if the Minister could give us a breakdown of why the increase of over 50 percent in the Other Expenditures?

MR. MacMASTER: Most of the expense is related to the new staff, Mr. Chairman.

MR. CHAIRMAN: (2)--pass; (c)--pass.

The Honourable Minister without Portfolio.

HON. EDWARD MCGILL (Brandon West): Mr. Chairman, I move the Committee rise.

MR. CHAIRMAN: Committee rise.