

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 19, 1989.

The House met at 8 p.m.

DEBATE ON SECOND READING

BILL NO. 3—THE HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Speaker: Debate on second reading, on the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), Bill No. 3, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, standing in the name of the Honourable Member for The Pas (Mr. Harapiak), who has 29 minutes remaining.

The Honourable Member for St. Johns (Ms. Wasylcyia-Leis).

Ms. Judy Wasylcyia-Leis (St. Johns): Thank you, Mr. Speaker—

Hon. James Downey (Minister of Northern Affairs): Mr. Speaker, on a point of order.

Mr. Speaker: Order, please. The Honourable Minister of Northern and Native Affairs (Mr. Downey).

Mr. Downey: Just a point of order. The Member for St. Johns (Ms. Wasylcyia-Leis), is she speaking in place of the Member for The Pas (Mr. Harapiak)? The Member for The Pas is giving up speaking on that?

Mr. Speaker: The Honourable Minister does not have a point of order.

The Honourable Member for St. Johns.

Ms. Wasylcyia-Leis: Mr. Speaker, I am very pleased to be able to participate in this debate on Bill 3, The Highway Traffic Amendment Act, pleased because it addresses a very critical issue in my mind in terms of the quality of life in our communities and indeed the entire Province of Manitoba. I am also pleased to participate in a debate that addresses such a timely issue, but a long overdue response.

Obviously, we are all concerned in this Legislature about the critical issue of impaired driving. It is a critical issue, a life-threatening issue, a destructive issue in terms of our communities and the health and well-being of all citizens in our province.

I want to begin my remarks by joining with my colleagues in the New Democratic Party in commending the Government for coming forward with these amendments to The Highway Traffic Act, amendments which deal with the critical matters of licence suspension, suspension of vehicle registration, and the licence suspension appeal process, all of which are critical issues to the theme of cracking down on drinking and driving.

In addition to offering my congratulations to the Government of the Day for bringing forward these amendments, I want to say that we will be pursuing this Bill with a great deal of interest as it goes through the normal legislative process. We will be looking forward to very intense input on the part of community members and organizations everywhere.

* (2005)

As Members know, this is an area which has generated considerable interest and activity on the part of volunteers right across the province. Many organizations have devoted hours, time, energy and money to address this issue, to bring it forward to the Government of the Day, to bring it to the attention of all legislators with the hope that we will, with the responsibility that we assumed in becoming elected to this Chamber, take up these serious issues and that we will deal with them in a comprehensive and serious way.

We support the Government for making one step in that direction, for addressing some of the issues pertaining to drinking and driving. Obviously, Mr. Speaker, there are many related issues and outstanding matters pertaining to drinking and driving which must be addressed. We will, in the course of this debate, raise those issues and throughout the process continue to raise them and make every effort to listen to the other concerns being raised by Manitobans generally.

As I said, all legislators in this Chamber believe drinking and driving is a serious issue which must be dealt with urgently. We know the statistics. We know the statistics from our own sources here in Manitoba, the Manitoba Attorney General's office, Highway and Transportation Department and of course the MPIC, all of which demonstrate that the numbers are astronomically high when it comes to persons charged with impaired driving.

In 1986 alone, 7,547 persons were charged with impaired driving offences, and unfortunately Manitoba ranks seventh in terms of those statistics, in terms of numbers of people charged for drinking and driving offences. What is particularly shocking and relevant to this debate, shocking in terms of our overall view of this problem but relevant in terms of the need for immediate action, legislation and attention, is the incredible increase in offences pertaining to drinking and driving that has occurred here in Manitoba in a period of time when the trend was going the other way for the rest of Canada. Manitoba has shown the largest increase in terms of persons charged with impaired driving offences since the year of 1983.

Obviously with those kinds of statistics, we need to be much more than concerned about the problem, much more than aware of those statistics. The statistics do not really demonstrate the severity of the problem. The statistics do not really tell the emotional trauma. The

statistics do not do justice to the fact there are hordes and hordes of drinking drivers on our roads.

* (2010)

By a survey, I believe of the Justice Minister's own department again, it would appear that nearly one in every five drivers on the road at night has been drinking, and even more shocking that one in 20 driving at night are actually impaired. That means that you and I in this Legislature and indeed Manitobans everywhere face a 50-50 chance of being involved in an accident that is related to the consumption of alcohol. In fact, probably 100 percent of the population in Manitoba knows someone, either a neighbour, a friend, a family member, who has been involved in an alcohol-related crash.

Mr. Speaker, it is time, it is absolutely imperative that we deal with this issue on a very urgent basis. If we are serious about dealing with that death toll, cutting down on those statistics I have just cited and others have mentioned during this debate, then obviously there must be tougher penalties. There must be penalties of a nature included in this legislation. There must of course be a lot more. There must be a comprehensive approach dealing with education, awareness, prevention, treatment, rehabilitation, leadership on the part of the Government in all aspects of this issue. Mr. Speaker, I will return to that theme, as I am sure Members on the Government benches will know I will do.

There is another aspect that must be considered whenever we are dealing with the question of alcohol consumption and that critical issue of drinking and driving. That is the toll on our society in broader health-related, work-related terms. Mr. Speaker, I am sure the Minister of Health (Mr. Orchard) who is joining with us in the—excuse me, no comments on the presence or absence of Ministers—but let me just say that the Minister of Health who is paying such attention to this debate is fully aware of the impact of consumption of alcohol on our health system and on the cost for taxpayers generally when it comes to responding to the health-related problems as a result of alcohol consumption.

Whether we are talking about alcoholism, psoriasis, poisoning and a whole host of diseases that are attributed to the consumption of alcohol, the consequences for a burden on our health care system and a burden on taxpayers everywhere is absolutely glaring. I am sure the Minister of Health (Mr. Orchard) is aware of some of those statistics, is aware of the fact that 17 percent of alcoholics are administered to psychiatric hospitals and the cost to our health care system because of that.

I am sure the Justice Minister (Mr. McCrae) and all Members of the Government are aware of the relationship between alcohol consumption and domestic violence, child abuse and violence in our society generally. There is no shortage of documentation to clearly point to the tremendous cost that our society must bear as a result of alcohol consumption.

I am sure that the Minister of Industry, Trade and Tourism (Mr. Ernst) will be concerned when he looks

up the statistics found again in Government documents. This one in the report by the Alcoholism Foundation of Manitoba shows quite clearly that alcohol use causes industry a loss of at least 25 percent of the troubled employees' wages in non-productive work, that untreated alcoholic employees are absent two-and-a-half times as many days as other employees.

Finally, I am sure all Members of the Government will be concerned with the fact that alcohol abusers filed five times as many compensation claims and used three times more sick leave than any other employees. The statistics go on and on.

Now, Mr. Speaker, as I said at the outset, it is imperative for the Government of the Day and indeed all of us in this Legislature to address the issues. We have seen a positive response on the part of the Government of the Day. We have seen some tougher penalties coming forward to crack down on the threat, the menace on our roadsides.

* (2015)

The measures in Bill No. 3 certainly are long overdue and much needed. I think all of us in this Chamber, at least on this side of the Chamber, are having a little difficulty putting this Bill in the context of the overall record of accomplishment on the part of the Conservative Government in Manitoba. It obviously, in our mind, is a little difficult to determine how consistent this approach is with the number of what I would call very regressive actions on the part of the Conservative Government in dealing with this serious issue.

Mr. Speaker, the Minister of Justice (Mr. McCrae) is now taking some interest in what I am saying. I think he appreciates the words of commendation on the part of the New Democratic Party. I hope he is prepared to listen to some constructive criticism when it comes to dealing with the broader issues involving drinking and driving and some suggestions for other actions and other needed measures to deal with a serious problem, because obviously there is not a soul who would believe that we can solve the serious problem of alcohol consumption, which has enormous costs on our society, whether through health care costs, whether through loss in participation in the work force, whether through abuse in the family, battered women, child abuse and so on.

There is not a soul in this House, I would hope, who would not know we have to address the broader question of how to prevent the incidence of alcohol consumption to begin with, or to cut down on the incidence of alcohol consumption, and to prevent the incidence entirely of drinking and driving. We are not going to do it simply by putting in place harsher penalties. We are going to do a bit of the job, we are going to get a little better in terms of the statistics. We are going to send a clear signal to Manitobans that there are costs to be paid if one chooses to drink and drive, and in the process change the attitudes on the part of people.

When it comes to this very serious issue, as the Minister of Justice (Mr. McCrae) is no doubt aware, most people do not view drinking and driving as a

crime. They do not view it as a serious issue, an issue that has the potential for killing other people, innocent victims, for maiming citizens who are caught in the middle of an alcohol-related crash. Mr. Speaker, it is absolutely critical that we start to move a little bit beyond this issue and we start to press this Government for some of the actions that have been missing today, and some of the actions which do not fit at all with this legislation.

Let us remember that it was this Government who made a huge election promise in the last provincial election campaign around this question of drinking and driving. Let us not forget the eight-point program of this Conservative Government. Let me refresh the memory of Members of the Conservative Government by referring to the April 14 press release entitled: "Filmon Cracks Down on Drunk Drivers." In it he says that impaired driving—of course, we all agree—is the largest single criminal cause of death in our province and, as a result, the Conservatives have promised an eight-point strategy that will get at the heart of the matter around drinking and driving.

Now, Mr. Speaker, there is an eight-point program and I do not really know if any more than one or two of that eight-point program has even been addressed or acted upon. A great fanfare was made by this Government about special licence plates to identify individuals convicted of impaired driving offenses. I do not think I have heard anything, unless I have missed something, I have not heard anything from this Government about that promise. I have not heard too much yet about requiring first-time drivers to go through a course, to see films on drinking and driving, to be educated on the dangers of drinking and driving. I may have missed it, Mr. Speaker, but I have not noticed a new emphasis on that area. I have not seen the introduction of photographs on driver's licences to end the practice of suspended drivers using other people's licences.

* (2020)

Now again, I may have missed something, but I did not pick that one up yet. If the Minister of Justice (Mr. McCrae) has moved, or the Minister of Highways and Transportation (Mr. Albert Driedger) has moved on those issues in a concrete way, then I would certainly congratulate them for doing so.

I have not seen any movement on this province of reduced delays in the court system by introducing video taping of impaired drivers and designating the court's facilities to specifically hear impaired driving cases.

Yes, I have heard about the last promise, which was a non-election promise to begin with, which was maintaining the ALERT Program. I am pleased to see that the Conservatives had the astuteness to recognize something good that was in place, and would have expected any political Party of the day serious about forming Government to obviously maintain the ALERT Program. So I think that it is certainly not something that was new and innovative.

So, Mr. Speaker, we have a set of election promises that have not been entirely acted on. In fact, it would

seem that only a few have actually been acted on. I would hope that this Government, if it is not pulling another Mulroneys tactic on us, will live up to its promises, will not promise one thing in an election period and turn around and totally deny any responsibility, abdicate responsibility for implementing on those promised actions. So, Mr. Speaker, this Government still has a long way to go before it has met its own obligations, obligations enunciated by its own political Party apparatus, and I would hope that at least it would start by living up fully to those promises in short order.

But even more serious than unfulfilled election promises is the critical issue of initiatives undertaken by this Government, not promised during an election campaign—keep that in mind, Mr. Speaker—but initiated since coming into office that fly in the face of everything they have said in their press release back in the election and everything they have tried to say by introducing this Bill, Bill No. 3.

(Mr. Deputy Speaker, William Chornopyski, in the Chair.)

Mr. Deputy Speaker, it does not make sense. If a Government is serious about cracking down on drinking and driving, it does not make sense for that Government to turn around and encourage the consumption of liquor to make it easier to drink and drive, to make the possibility of a menace on our highways even more of a danger, even more of a threat to our communities and our people in those communities.

Mr. Deputy Speaker, I would urge, through this debate and this discussion on Bill No. 3, an attempt on the part of the Government of the Day to rethink its initiatives to date, its actions taken to date, that fly in the face of its—and I believe its intentions are serious. I believe there is a real interest on the part of Members on the Conservative benches to get at the heart of this problem and to actually make some inroads and to start cutting down on the numbers of innocent victims who are killed or maimed for life because of carelessness on the part of individuals and a willy-nilly approach to driving down the road and swigging back a beer or whatever type of alcohol, or feeling that it is quite in order to simply hop in one's car after drinking a great deal at a local pub or at a party and not thinking for one second about the serious problems that this will have on someone else's life.

* (2025)

As I said, the odds really are 50-50 for all of us. The odds are 50-50 of driving at night. Tonight, when we drive home to our constituencies, those of us who are fortunate enough to drive home at night from the Legislative Building will face a 50-50 chance of being involved in an alcohol-related crash because someone out there, because hordes of people out there are drinking and driving. It is on that basis that I really firmly believe that this Government must move a little further than simply introducing a number of harsher penalties that are certainly in order, but it must move in other directions as well.

I do not understand for one moment how this Government, a few short months ago, felt it quite in

order to introduce changes to The Liquor Control Act to make it possible for advertisements of wine and beer to take place on our airwaves during the day. I do not understand the rationale for that kind of a decision. Mr. Deputy Speaker, let me say I do understand it on the basis of the links between the Conservative Government of Manitoba and indeed of Canada with big business. I do understand that there is a certain amount of catering and pandering to those interests. I do understand when I look at the election contributions' lists. I do understand that there is a certain need on the part of the Conservative Government, and I believe the Liberal Party as well, because they are just as tied into those interests. On the basis of the election contributions' list, one would think even more tied into those interests and probably more committed to listening to the concerns of that particular group in our society and acting on the part of those corporate interests, whether they be in the liquor industry or any sector of our economy.

So I guess I do understand it a bit, but it does not fit. It does not fit when you look at a Government that is trying to deal seriously with the menace on our roads by introducing tougher penalties for The Highway Traffic Amendment Act but, on the other hand, make it possible for the liquor industry, our beer and wine industries, to advertise willy-nilly at any time of the day or night, regardless of who is watching and no matter what the consequences. Mr. Deputy Speaker, I think it is only too well documented the impact that kind of advertising has on groups in our society, on individuals in our society, and clearly without a doubt on the increased consumption of liquor. So I fail to understand how we, on the one hand, can encourage consumption of liquor and, on the other hand, try to crack down on the incidents. It seems to me that it is cancelling the positions out. We are left with the same problem and still nothing is being done to deal seriously with this critical issue.

It is absolutely shocking that this Government would promote the advertising of wine and beer to the extent it has, and not at all be concerned with the impact that it will have particularly on the young people in our society. Study after study after study has demonstrated that those advertisements which suggest that if you want to be popular, if you want to be hip, if you want to be trendy, if you want to be cool, if you want to be liked, if you want to be loved, if you want to have friends, then you will go out and party and you will booze it up all night and day.

* (2030)

There is no shortage of evidence to point to the direct correlation between the promotion of drinking as a socially appropriate behaviour and the growing concern, the growing incidence of drinking among young people. Again I point to the Minister's own department's documentation. There is page after page of statistics to show that it is becoming much more of a serious problem among young people. The incidence of drinking, of consumption of liquor, of alcohol, of wine and beer, is certainly on the rise. Mr. Deputy Speaker, it is clearly on the rise because it has been encouraged as a socially appropriate kind of behaviour. It is

encouraged through our airwaves on TV, on radio, through the newspapers and magazines that we read, everywhere you turn, on the billboards, on the bus stops, everywhere. If you want to be popular and you want to be accepted, then you will not hesitate to drink.

The results in turn and the increased potential for drinking and driving is absolutely clear. To me, it is absolutely crystal clear that the potential for drinking and driving as a result of increased consumption is there. You cannot encourage consumption on the one hand and turn around and say that is not causing drinking and driving, and all we have to do is worry about cracking down on those people on the road through amendments to The Highway Traffic Act and we will have dealt with a good part of the problem. The fact of the matter is we will only have dealt with a tiny, tiny, tiny part of the problem.

Mr. Deputy Speaker, I would hope that the Government is on a new wave, on a new line of thinking, on a new foundation of commitment to dealing with this problem and will be thinking about rescinding the amendments to The Liquor Control Act that were brought forward in the last Session. I would hope that the Members of the Liberal Party in this House would have recognized the error of their ways by supporting this legislation and recognize the need to call for the rescinding of that legislation. I find it just shocking that the Members of the Liberal Party can stand up day after day after day and talk about what is important for our communities and our society, what is morally right, what is wholesome and so on, and then turn around and support this Government on advertising of wine and spirits 24 hours of the day.

Again it is becoming harder and harder to see the difference between the Liberals and the Conservatives. It is more and more difficult for Manitobans everywhere to wonder if anyone in these two political Parties is on their side, is on the side of ensuring that innocent victims of alcohol-related crashes are recognized or are spared the kind of menace on the roads that are faced on a day-to-day basis, are spared the kind of threat to their own life.

The Minister of Health (Mr. Orchard) has said that is nonsense, and I just do not understand how the Minister of Health can say that it is nonsense when the evidence is clear, Mr. Deputy Speaker. I have just pointed out in stark terms, in clear unequivocal terms, that this Government, although it has moved on some reasonable amendments, has clearly made some other major decisions in the contrary direction, in the total opposite direction. I would be delighted to hear the Minister of Health's rationale for those changes when he is dealing or trying to deal with the enormous burden on our health care system as a result of alcoholism, as a result of accidents caused through alcohol-related crashes.

Not only have we seen inconsistency in terms of the advertising of wine and spirits on our airwaves, but we have also seen it when it comes to some of the serious considerations that this Government is giving to other ways to encourage consumption of liquor. The Minister of Justice (Mr. McCrae) will know quite well the concern that Members of the New Democratic Party have raised

with respect to the notion of credit, of convenience cards being available to make it possible to cash cheques in liquor stores. We are concerned about that precisely, because anything that would possibly increase the consumption, encourage drinking and increase the consumption of liquor, creates a greater danger in terms of drinking and driving, has a greater threat of impaired drivers on the road.

I implore the Government of the Day, before it embarks down this treacherous course of encouraging drinking, and possibly drinking and driving, that it will think very seriously before going in that direction. I would urge the Minister responsible for the Liquor Control Commission (Mr. McCrae) to not act on any of those recommendations from the Liquor Control Commission, including the convenience card, including the sampling of liquor, including the Sunday opening—Sunday opening, an issue that has been raised through the strategic plan of the Manitoba Liquor Control Commission—and the list goes on. I think we have embarked upon a very, very, dangerous road, a very dangerous course of action for Manitobans if any of those ideas are promoted.

I know the Minister of Justice (Mr. McCrae), at least in Question Period, has tried to divert attention from those constructive criticisms by suggesting that these were the same ideas that were presented when the New Democratic Party was in Government. I think it is very important for the Minister of Justice and all Members of that side to remember that this Government, the New Democratic Party when it was in Government, did not act on those recommendations, did not move to bring in a convenience card, to bring in sampling in liquor stores and other significant changes that clearly encourage consumption and hence the possibility for drinking and driving.

Mr. Deputy Speaker, I would hope, in the remaining few minutes of my time, to talk a little bit more about the solutions from a positive perspective and offer some constructive criticism to this Government, as well as some suggestions for dealing with this area in a more comprehensive way.

It is certainly the view of the New Democratic Party Caucus that one has to act on all fronts at once. Obviously, we have got to act when it comes to tougher penalties, enforcement of existing laws and serious measures to act as a deterrent to drinking and driving, but we have to be equally vigilant in our efforts to address education, prevention and treatment. Without any focus on those areas, without a serious effort to work on those aspects of the problem, then we will be further behind despite the introduction of amendments to The Highway Traffic Act. I think it is obviously something that should not come as a surprise to the Minister of Justice (Mr. McCrae).

This multifaceted approach, the solution to a very serious problem, has been documented over and over again, has been brought to his attention and all Members of the Government by many concerned groups. Certainly I think the brief by some of the concerned citizens points very clearly to the need to deal with all aspects of the problem. I would ask the Minister of Justice (Mr. McCrae) and the Minister of

Health (Mr. Orchard), who is obviously quite, I would assume, concerned about this issue, to deal with health and legal problems or solutions as if it was a unit in terms of this serious problem.

I would refer very briefly to a publication that all of us are quite familiar with here in the Legislature entitled Crossroads, the national newsletter on drinking and driving, and refer back to the March issue of 1989, which I think gives some very good suggestions which I hope that the Members of the Government side will be looking into and following up. "Ideally, the criminal justice system and the health care system would function together in dealing with impaired driving. Most persons convicted of two or more impaired driving offences not only have legal problems but they also have drinking problems. Few jurisdictions, however, ensure that repeat offenders do not receive their driver licence back until they handle any serious problems with alcohol.

* (2040)

"Under the so-called health-legal approach, the criminal justice would still punish offenders, and driver licencing agencies would still suspend or revoke their licence upon conviction, but health providers dedicated to treating alcohol problems would become much more involved throughout the process of sentencing and punishment."

I say to Members of the Legislature, to you, Mr. Deputy Speaker, that in my mind we are missing the second half of that equation. We are missing the serious approach pertaining to the health part of the solution. We are missing a commitment on the part of this Government to seriously put in place and maintain services that deal with treatment, that provide treatment for those with a serious addiction problem who are alcoholics, who are suffering diseases from consumption of liquor, who are under emotional, psychological and economic stress and are unable to break that cycle around them, to break that cycle of drinking, of suppressing their pressing problems of the day through drink. Until we start to deal with the need to treat that problem, we will not have made a great step forward.

I would implore the Government of the Day to think very seriously about existing services and to work on improving those services, not cutting back on the services. I think that the Alcoholism Foundation of Manitoba should not be made to endure a cutback of any sort, as was evident the other day and certainly raised in this House by the New Democratic Party. Any cutback at this time is not in order. If changes in direction are required, if new emphasis is required, then I am sure the Government of the Day has the ability to negotiate with the AFM and to ensure that those changes are forthcoming.

I would also implore this Government, the Government of the Day, to ensure that organizations like the Women's Post-Treatment Project which does go back to deal with the root of the problem, which does try to get at the issues of prevention, treatment and education, will get the necessary funding to keep its doors open. I believe, as I wrap up, that by ensuring

that organizations like the Women's Post-Treatment Project and any other—

Mr. Deputy Speaker: The Honourable Member's time has expired.

Ms. Wasylycia-Leis: —similar efforts in our society will do, will go a long way towards ensuring that this problem is dealt with in a positive, realistic way.

I would urge the Government of the Day to act both on the legal side and provision of greater penalties to crack down on the problem of drinking and driving, also to ensure that our health system responds in a very serious way to the question of prevention and treatment. Thank you.

Mr. Jerry Storie (Flin Flon): I am pleased to be able to offer a few comments to this important piece of legislation. I think the comments of my colleagues, and perhaps the suggestions of my colleagues are ones that could be taken to heart. Perhaps some of the suggestions she made will be reflected in the discussion that we have in committee.

I am sure that many of the individuals and groups that come forward during the committee stage to make representations on this Bill are going to come with similar suggestions, but I am also prepared to suggest that many of the groups who come forward are going to see many shortcomings in this piece of legislation.

One of the challenges of legislators is to impose upon the citizens—impose is the word I choose to use—reasonable requirements for appropriate and responsible behaviour and actions. It is never an easy balance. I know there are going to be those who say that this legislation is repressive, violates in some respects individual rights. Perhaps there are going to be those who argue that certain provisions in this Act violate the Charter of Rights in some respects. Mr. Deputy Speaker, they may be right. We may have occasion at some future date to be reviewing this legislation, making perhaps consequential amendments to this legislation, to overcome some of the shortcomings that inevitably are part of the drafting of any piece of legislation.

All in all, I do not think we should let that dissuade us from doing what we would see to be right. I do not think it matters which side of the House you are on, all of us agree the problem that alcohol creates in our society is a critical one, a severe one. The problem that it is creating on our highways is more than severe, it is tragic.

For edification of Members who may not be aware of the statistics, and I apologize to the Minister responsible, who perhaps when he introduced the Bill outlined some of the statistics when it comes to drinking and driving in the Province of Manitoba. However, I am going to repeat them.

In 1986, Mr. Deputy Speaker, Manitoba had a total of 7,547 persons charged with impaired driving offences. The largest single offence was driving with over 80 milligrams of alcohol in the blood. That figure is staggering to say the least. If I may be permitted,

the leniency of rounding that figure off and saying that 10,000 Manitobans chose to put themselves in contravention of the Criminal Code, chose to endanger the lives of themselves and their passengers and any unfortunate pedestrians, other vehicles that might be in their path, is a staggering figure.

When you consider, according to the estimates of most police forces in Canada, only one in ten of those who are actually involved in drinking and driving come to the attention of police officers, we are talking about 100,000 offences in a year with the obvious multiplication exacerbation of the potential for damage and injury and death, not to mention the human suffering that goes along with each of those statistics.

So, Mr. Deputy Speaker, we are talking about a serious problem. We have a serious problem partly because the phenomenon of drinking, the phenomenon of alcohol abuse in our society has become part of the perceived requirement of sociability. We, like many other western world countries, have come to depend on alcohol as a stimulant, as a lubricator, if you will, of social interaction.

There are many, and I suppose if I were to categorize myself as one, would say that I am a moderate when it comes to imposition of rigid rules with respect to the use of alcohol. However, I believe that with the freedom to use a drug, and alcohol is a drug and let us not kid ourselves, also comes responsibility. When you are using a drug with the potential debilitating affects of alcohol, the responsibility is great.

In a society that gives responsibility, we have to assume that individuals take responsibility. For those who do not, there has to be inevitably consequences and that is where we come to right now. Mr. Deputy Speaker, this Bill, while it goes much further than previous pieces of legislation in terms of (a) allowing police officers to do their job, to enforce the laws, and (b) in requiring individuals to be responsible, then I think that is a good thing.

* (2050)

We know that for too long police officers, whether they are municipal or our national police force, have felt that they have lacked the tools necessary to sufficiently enforce the law, to ensure that drinking and driving is an offence likely to cause incarceration or cause consequences. The drinking and driving laws in the province, the laws that apply consequences to social drinking, should be enforceable. They should encourage enforcement and they should ensure that we are not leaving our police forces without the appropriate and adequate tools to do the job.

Mr. Deputy Speaker, this Bill is much broader than simply dealing with the question of drinking and driving. The Bill in its first part also deals with the right and the obligations of motorists to respond to the signals of a police officer. It also redefines the powers of a police officer when it comes to directing traffic. Not all of that is germane necessarily to the perceived object of this Bill, and that is to limit or inhibit drinking and driving, but it is nonetheless part of the legislation. It gives the police officer additional power to assert in

circumstances where there is reason to believe that there may be drinking or other circumstances which are deemed to be possibly jeopardizing human life, property or whatever. Part of the Bill deals with that.

The largest single objective of this legislation, however, is dealing with the specific problem of drinking and driving, dealing with the consequences of licence suspension and impounding of vehicles. Again as I indicated, there are going to be those who come before committee who are going to try and persuade the Attorney General (Mr. McCrae) and the Minister of Highways and Transportation (Mr. Albert Driedger) that the legislation goes too far, that it is the heavy hand of Government being laid upon innocent individuals. We have to contemplate what those arguments mean and what likelihood of success those arguments are going to have, because any piece of legislation can be subject to a challenge of one sort or another, either in our own courts or ultimately in some Supreme Court, so we have to be cognizant of the fact that we are dealing more harshly with drinking drivers than we have in the past.

Mr. Deputy Speaker, I think the Bill has drawn a nice balance, and I will explain why in a few minutes, but I want to say that the balance in itself is important. I think any legislation that goes before a higher court on appeal is going to ask the question, does the legislation try and balance the rights of the individual with the rights of the society at large. I think that it has done that. I think, as I said, it gives police more power. It applies more responsibility to the individual. The balance, I think, comes in how individuals are dealt with in respect to ownership of the vehicle, with respect to the personal belongings, personal property in an impounded vehicle. It is dealt with in respect to the appeal mechanism, the application that can be made by someone who feels that their vehicle has been wrongly impaired (sic).

One of the other interesting parts of the Bill is the question of assigned responsibility. I do not know whether that word is used in the Bill, but basically it follows on the question of whether an individual who is driving has or does not have the consent of the registered owner of the vehicle, a very tricky and thorny problem in law because it is almost always a question of interpretation or a question of judgment about who, involved in the incident, is actually telling the truth. The registered owner may say no, he did not have my permission. Of course, the individual who happens to be charged may be saying something completely different. Those kinds of disputes are inevitably going to lead to other quasi-judicial battles over the custody of the vehicle and the legitimacy of the impounding, those kinds of questions which tend to drag out.

So we may see circumstances where the owner did not believe he gave consent to an individual, who turned out to be impaired and had the car impounded, and then really the injured party ends up being the person who, although he owned the car, was not responsible. So you have to have a way of resolving those in an expeditious manner. You simply cannot leave someone hanging out there because someone, without his consent, has assumed responsibility for driving or taking charge of the vehicle.

I think that, as I said at the beginning, there is some balance in this legislation and it is only an attempt. There are going to be those who can criticize it legitimately from some perspective, but again the test of whether the legislation is fair is probably not going to be interpreted in this forum but in some other court of competent jurisdiction, and they will look at the question of balance. So I think it is addressed in this Bill. There are a number of other sections which I think add to the balance, and that is the issue of temporary licence, not wanting to create a circumstance which entails only hardship for the person charged or the registered owner.

Mr. Deputy Speaker, there are a couple of other parts of the legislation that I want to comment on. One of them that I found particularly interesting was the ability to prohibit out-of-province drivers. That has been a particular sore point with most of the law enforcement officers whom I know are enforcing the law in the province, because there is a tendency not to want to inconvenience travellers through our province by suspending their licence or by creating unnecessary judicial problems for them.

I think that we clearly have to have something on the books in Manitoba which will allow a police officer to use his judgment about the nature of the danger present from someone who is out of province but is nonetheless driving in a way which is hazardous to the health of our own residents or hazardous to the life of our own residents. This provides some additional power or it clarifies, I guess really, powers that police officers may have been wielding without the necessary authority, and this particular clause in the legislation I think adds something that has been missing in the past.

Mr. Deputy Speaker, there is also a provision that deals with repeat offenders. Another problem which we have heard addressed in the media that comes about as a result of a person without a licence, or a person who has been disqualified from having a licence, or a person under the age necessary for obtaining for driver's licence, who now will have his future rights curtailed. What it is saying basically is that if you are driving without a licence, you may actually disqualify yourself from having a licence in the future, and that is something that I think is important.

We have seen too many instances in the Province of Manitoba where an individual with complete disregard for the life and safety of everyone around him, complete disregard for the law, has said, well, I do not have a licence. I can drink and drive because my licence cannot be taken away anyway. In fact, that has happened in the province and the judges look at it and say, well, we cannot suspend his licence, and they do not seem to have the power to disqualify in advance or at some future time his right to obtain a licence.

This really is saying that whether or not you have a licence, whether you have had one suspended, whether you have never had one, whether you are under the legal age, if you drink and drive there are going to be consequences, that the problem is not going to be ignored.- (Interjection)- Well, Mr. Deputy Speaker, the demoted Minister of the Environment, the former Minister of the Environment, with his feet up, continues

to yap from his seat as if there is nothing wrong. Perhaps if the Minister had been so smart he would still have a decent portfolio.

* (2100)

The fact of the matter is that this Bill is going to be supported by the majority of the Members in this Legislature. I think it deserves to be. There will be some criticism in committee. We have heard from groups already outside this Chamber who are preparing legitimate arguments against the legislation, raising legitimate concerns about the balance between individual rights and the rights of society to protect itself and protect its members. But, Mr. Deputy Speaker, on balance, we have to do what we think is right. There has to be a balance when it comes to the individual versus society.

The Bill, as I have suggested, tries to create that balance by protecting innocent people in these kinds of dramas while, at the same time, making sure that responsibility is borne by those who are responsible, and legislation can do no more. I will be supporting this legislation as we move it on to second reading. I will be watching with interest what groups, like the Manitoba Association for Rights and Liberties, have to say about the legislation. I think that we have to be cognizant about the kind of force we use to impose society's will on individuals, but the bottom line is we also have the obligation to protect those individuals, and I think this Bill goes some way to doing that particular objective justice. Thank you, Mr. Deputy Speaker.

Mr. Steve Ashton (Thompson): I also intend to participate in this debate. I can indicate that a number of Members from our side of the House have spoken because we feel this is an important area. It is important to discuss our approach to liquor laws in Manitoba. It is important to discuss this particular Bill which deals with the problems we face with drunken driving. I think it is important to address those general areas because they are certainly areas of major concern. I want to indicate that although I will be the final speaker from our caucus on this, and that we anticipate on being able to send this Bill to committee tonight for consideration later this week, I can indicate that our caucus will continue to participate in the debate on this Bill at committee stage and possibly even at third reading stage because when we are dealing with legislation we have to deal with not just the general principle, but the specifics.

Now in second reading, we address essentially the general principles of the Bill, and I want to indicate that I have no problems with the general principles of having tougher laws in this province involving drunken drivers. I really believe, Mr. Deputy Speaker, that the statistics speak for themselves and, even more than the statistics, the tragedies that have been caused by drunken drivers speak for themselves. One only has to talk to people who have had members of their family injured or killed by drunken drivers to realize the problem it is in our society, and even perhaps to talk to some of the drunken drivers themselves, Mr. Deputy Speaker, because I believe, in many cases, there is a

very real remorse about what has taken place and a very real feeling that there should have been better efforts to prevent drunken driving.

I believe that tougher penalties are necessary because I really believe there has been a tremendous improvement in this area in the last number of years. Despite the continuing problems, I really believe that in society today we have a much better attitude towards drinking and driving than we did 10 years ago, and even 20 years ago. I believe 10 and 20 years ago, it was not considered to be that much of a problem, if one had had one too many, to be driving one's care home. It was considered almost to be standard practice. I certainly remember the attitude in my student days when I frequented the many bars in Winnipeg and the attitudes toward drinking and driving then among young people was one of concern, not something you wanted to get caught doing, but perhaps not something that was particularly serious.

I think what has happened is there is this social realization that drinking and driving is absolutely unacceptable. That in itself is preventing people, through social pressure, peer group pressure, from proceeding to drinking and driving. I think that is one of the key things that has changed. It is partly as a result of the penalties that have increased and certainly they have over the years, but I think it is also because of peer group pressure.

There is a very different attitude I find today for example at, say, house parties or socials. I was just at a social this weekend in my constituency, the wind-up for the Darts banquet. I can say that in the last 10 years the number of cars in the parking lot at that social is halved, with the same number of people attending the social. The reason is more and more people are doubling up. They are taking cabs, they are having drivers be designated who will not drink that night and will take the driving responsibilities. I think that has become very clear, particularly in northern communities and rural communities where people are not taking the chance of drinking and driving anymore. They are responding to the peer group pressure, the pressure from their fellow members of the community, say, in the Thompson social or their friends at a party. It is considered now acceptable, I think, in a party environment to tell a friend not to drink and drive, to offer to send them home in a cab.

I have a standard practice. I know when I invite friends over and I have regular social events, as many of us do as Members of the Legislature, to offer to pay anybody's cab fare home whether they feel they are over the limit or not, because I think the real bottom line is if we are going to eliminate drinking and driving, we have to eliminate many of the grey areas that do develop, where people are not quite sure if they are over the limit or not. I think it has been demonstrated that even people who are marginally over the .08 can get themselves into horrendous difficulties that could lead to many very serious accidents. That is something, I think, that society has accepted.

Despite that, despite the growing realization of the difficulties with drinking and driving, I believe there are still many people, a significant number of people, who

do not take their responsibilities as citizens seriously enough in this particular instance. Despite the fines and despite the penalties that have taken place, I believe there are some individuals who have not accepted the very real problem that exists with drinking and driving.

That is why I support one of the principles in this Bill, which is to deal with situations where suspended drivers—and we have seen it and it happened in Winnipeg—will come out of the courts having had their licence suspended, and they will get in their vehicle and they will drive away. That is absolutely unacceptable. It is contempt not just for the law but for their fellow citizens. I think that we have to be very clear to them that is absolutely unacceptable. I am pleased to see some of the provisions in the Bill that will deal with that.

I think we do have to be cognizant of the rights of citizens. I certainly look forward to the input at the committee. I really believe that there may be some amendments that may be necessary in terms of making sure that this does comply with the Charter of Rights, but I believe that for every right there is an equal responsibility on behalf of citizens. When we are dealing, in this particular case, with—and I agree with the Minister of Highways and Transportation (Mr. Albert Driedger)—driving, I believe driving is not a right, it is a privilege that is granted by society to fellow members. I believe, particularly in this case where we are talking about a privilege, that there is a double responsibility for the Minister of Northern Affairs (Mr. Downey), on behalf of individuals who are driving to absolutely and whole-heartedly not drink and drive and run the risks not just to themselves but to their fellow citizens.

Mr. Deputy Speaker, I have talked about the principles of the Bill. I also want to talk, as have a number of Members of our caucus, about the inconsistency of the current Government's approach in this particular area. When I say this particular area, I include not just drinking and driving but in terms of liquor laws in general. I really believe there is an inconsistency from Members opposite in their attitudes towards drinking and driving liquor laws.

I want to begin by saying that I am not a believer in prohibition or temperance. I tend to believe that in some regard our liquor laws are probably too restrictive. I will give a few examples of that in a couple of minutes because I think it will make my point quite clearly. I am not coming from that particular perspective, but at the same time I also believe that we should not be out promoting the consumption of alcohol. I really take the attitude we should not be promoting, as has this Government through its acceptance of expanded advertising, for example, as it may be doing through its proposals from the Liquor Commission, we are not sure yet.

* (2110)

There may be some acceptance of some of the proposals, to my mind, would greatly increase the amount of promotion of the consumption of alcohol. I do not agree with that. I believe there is enough evidence to show that alcohol does lead to social

problems, at least to health problems. It certainly leads to problems in this particular case in terms of drinking and driving that we, in society, should not be promoting the consumption of alcohol. I tend to believe that alcohol, when it is available, should be available in far more flexible formats than it is currently.

I want to give you a classic example of how I feel the system works against itself. In committee last year, when the Minister responsible for Justice brought in changes to The Liquor Control Act, there was a very good presentation by the proprietor of a local pub in Winnipeg, The King's Head. It is a British-style pub, and he pointed to the fact that establishment is having considerable difficulty with our liquor laws in this province. It is a neighbourhood style, British-style pub. There are a number of others in the city that have a very similar format. It has run into difficulties with the Liquor Commission time and time again.

Just across the street from that particular establishment, there is another establishment, a hotel, which also fronts on Main Street and has had over 160 police visits in a period of six months. The King's Head has had none and yet the King's Head finds it has difficulties with the liquor laws.

I can show Members opposite the particular regulations, the particular laws and particular difficulties, while this Main Street hotel, which I am told has virtually everything that is illegal available in Winnipeg, available right in that hotel in the rooms in one way, shape or form, that hotel has been able to operate under our liquor laws unimpeded for the last number of years, because we have a system that is based on large hotels and basically having people commute to those hotels, drink, and then go back to their home. I believe that is wrong.

I believe there should be room, as there is in other provinces, in British Columbia for example, for neighbourhood pubs. One of the reasons I believe that is because, by having neighbourhood pubs, people would not have to drive to and from that pub. They would not have to drive to and from the suburban hotel, the larger hotels that we have in place. They would not have to be out afterwards, after hours and be on the road and in many cases be over the limit, be drunken drivers.

I raise that because I really believe if the Minister responsible for the Liquor Commission, the Minister of Justice (Mr. McCrae), wants to be consistent in dealing with this type of legislation in Bill 3 and trying to reform our liquor laws, that is a way that it should be done.

I want to stress I am not suggesting we would end up in a situation where there would be no hotels, no bars, no hotels. I am not suggesting anything that would eliminate the many country hotels which do combine many different functions including that. I really believe that by being more flexible in terms of neighbourhood pubs, we would end up in a situation, we would not only give people more flexible choice in choosing where they do wish to consume alcohol, which is their right, but we would also help prevent drinking and driving. I have found that for many average citizens in this province that is self-evident. They look at that and they

say that is logical. Yet, we as legislators, despite repeated amendments to The Liquor Control Act, have not come to that realization.

Since I have been in this Chamber, I can recall for example eliminating the supper hour closing which was very unpopular, I know, with a number of establishments and the hotels. Quite frankly, Mr. Deputy Speaker, I was so ambivalent about that change because, once again, it was a control, perhaps an anachronism but a control that was in place that did tend to put some sort of control on drinking, and was not an onerous burden. In that case, we were told we have to be consistent with the lounges, for example, where alcohol is available.

We went through that same process in extending the hours until two o'clock, same process. They say, it is logical and consistent to expand from one o'clock until two o'clock. I recall many other such arguments that were made by lobby groups and very, very logical arguments, legitimate arguments from their point of view, pointing out inconsistencies. When I look at it and I do not just pick on this Government. I believe this has been a problem in this province for the last number of years.

I really believe we have had piecemeal changes to The Liquor Control Act, some of which have been more negative than positive, and that what we really need is an overall reform that would combine two things, I believe, not have the promotion of alcohol but on the other hand allow people to have a flexible consumption pattern when they do decide to consume it. That is why I stress neighbourhood pubs, but there are many other things that could be done.

I think we need a new approach to liquor laws in Manitoba. I believe that because my experience has been that the best countries, in terms of attitudes towards alcohol, are not those countries where there is strictly the strongest, tightest controls against the use of alcohol. I point to Europe, for example, a number of countries in Europe that I have very direct knowledge of. I will take Greece, for example. My wife is Greek. I have had the opportunity to visit Greece on a number of occasions. In Greece, there is no drinking age. A 16-year-old can walk into a bar and ask for any type of alcohol they wish.

An Honourable Member: Good old ouzo.

Mr. Ashton: Well, not quite ouzo but they could ask for ouzo too if they wanted. You go to a place frequented by young people in Greece, for example, and what happens? You will find they drink Pepsi, they drink 7-Up. I can tell you in Thompson right now, if you went to a place frequented by 16-year-olds and you gave them a choice whether they could drink 7-Up or beer, they would go for beer overwhelmingly because there is a sense that beer is somewhat taboo, and to come of age one has to drink.

I do not want to necessarily put anyone on the spot in this House, certainly not myself, but going into the bars under age is certainly a tradition. It is almost a passage, a rite of adulthood in this province of getting

in. I suppose for some Members of this House it would have been when they were under 21. I came after the reduction of the drinking age to 18. I know many people did not wait until they were 18 to go to a bar, because it is seen as being something that is taboo and is peer group pressure. They place a great deal of pressure on people.

This weekend, many high schools will be holding graduations for example. One of the things that was a feature in Thompson at graduations was basically overconsumption of alcohol to the extreme, and not just by the graduates but by a lot of the Grade 9s, Grade 10s and Grade 11s who would go out and who would use the excuse of the graduation to really drink excessively. I saw what that did in terms of people being physically sick in a lot of cases, and people then driving afterwards back. It is amazing that in Thompson there were not more accidents as a result of that. It is that whole mentality that we have.

I compare that to countries where you will find the attitude towards drinking is that if you want to drink that is fine, but you realize that there are social pressures. In Greece, there is a good example. There are no drinking laws in terms of the age. You can take alcohol anywhere, on a picnic or wherever, but there is not that sense that it is a taboo and you do not get the abuse.

I am not suggesting a move to the Greek system necessarily. I do not think that you can adjust from one culture to another culture overnight, but I do think it shows that by being relatively flexible in terms of allowing the consumption in various different ways, being fairly tight in some other areas—they are very tough on drinking drivers by the way. That is considered absolutely unacceptable in that country, many countries in Europe, and this is part of this Bill—and at the same time working towards societal pressure to get more responsible drinking, I think that you can get results.

What I would hope out of this Government, Mr. Deputy Speaker, is more than just Bill 3 in terms of liquor control amendments. I would look for more than they brought in last time. What I would look for is a general approach that would emphasize responsible drinking, not more drinking which I believe they unfortunately did last year with their amendments, but more responsible drinking. I think that can be achieved in Manitoba. I really believe that we do have some possibilities to bring in some significant reforms that could significantly help us and would lead, I believe, to as much benefit to society as this particular Bill.

As much as I like to think that this Bill will make a difference—and I believe it probably will—I believe this will further drive down the percentage of drinking by 10 percent or 20 percent. It will still leave many people who are drinking excessively getting into situations of drinking and driving, getting into situations of alcohol abuse. Many case of wife abuse and child abuse are alcohol related; many crimes are alcohol related. I think it is absolutely vital, and I hope the Minister of Justice (Mr. McCrae) is listening to this because this is something that I will be raising in the future and I know our caucus will be raising. It really is not satisfactory as far as we are concerned.

On the one hand, to bring in the kind of regulations we saw last year which, I believe, will promote drinking in this province, I do not think it is sufficient for the Government to accept this document being put forward by the Liquor Control Commission without rejecting immediately many of the proposals and then on the other hand talk about this type of Bill. I would suggest what they should do is really rethink not this Bill per se—I think this Bill is fairly good in principle—but rethink their general approach to alcohol.

* (2120)

As I said, and the Minister of Northern Affairs (Mr. Downey) seems to agree with it, I would hope they would go back to the drawing board and come up with a different approach, a major reform. The Minister of Justice (Mr. McCrae) has an opportunity here to do something that has not been done in 20 years in this province, come back with a reform that will bring in more responsible drinking. I really believe that is what people can agree with. It is very rare that we get a consensus on major issues, including liquor consumption, but most people I talk to say the same thing. They do not want alcohol use being promoted with kids. They believe that the kids are picking up from ads on the news. You know, they can pick it up at supper hour now. They believe there is enough promotion as it is. We have enough consumption without dealing with that.

They also, on the other hand, believe there should be more flexible consumption allowed. If you are going to drink, you should be able to drink at a neighbourhood pub. There should be more flexible attitudes that way. I think the bottom line is they feel that without increasing liquor consumption, we can have a much better situation in society. I really hope the Minister of Justice (Mr. McCrae) will look at that because I believe there may be some possibilities of all three Parties agreeing with some consensus on that.

I would even go so far as to suggest that there should be some sort of a task force developed that will look at the whole area of liquor policy. It is not as original as the (Interjection)- I really wish the Minister of Northern Affairs (Mr. Downey) would not give me quite so much credit. I am not suggesting it is original. I just think it is something that has not been done in many years in this province. Many of the proposals that were brought in, in terms of liquor laws that we currently have in place, the modernizations, were brought about as a result of a report that was done many years ago in this province on liquor laws. We have not done anything in this province in the way of a comprehensive review in 10 years or 20 years.

I would like to see a task force or a committee go throughout the province and take submissions from people. We might come up with an even better idea than this in terms of dealing with drinking and driving. I am sure we would come up with much better liquor laws. I think we would not end up with the kind of situation that we are facing now in this Bill that we basically have no problem in our caucus, in the New Democratic Party, in supporting the general principle of this Bill, but we wonder, where is the consistency?

I do not see the consistency. I hope the Minister of Justice (Mr. McCrae) will take our comments, take my comments and the comments of our members of our caucus, as we do pass this Bill into committee. At least when we are dealing with the next round of liquor control amendments, come back with a package that makes a lot more sense, not just to us. I think we are probably just reflective of the population as a whole, but it is more reflective I think of the needs of the people of Manitoba out there. I think there are ways in which we can reform liquor laws and reform them positively.

With that, Mr. Deputy Speaker, once again, our caucus will support this Bill passing second reading, going into committee, and we look forward to a discussion in committee.

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Deputy Speaker, it is a pleasure for me to rise and take part in the debate on Bill No. 3, hopefully the last contribution before the Bill is passed on to committee for further study.

I must say I am pleased at the support which ultimately has come around for this Bill. I think it is a tribute to the large amount of dedicated work that has been done by various departments of Government over some extended period of time in order to get a Bill that will receive ultimately, I hope, the resounding support of this House, and I think it already has the resounding support of Manitobans.

Before I get into some of the thoughts that I have and which have been committed to paper by people in the department to assist me in getting through this stage, I should respond to a number of the comments that have been made by the last few contributors to this debate.

I do not wish to get into a free-for-all, and a knock-'em-down, drag-'em-out fight over the issue of liquor control and the control of impaired driving and suspended driving in our province. I must say that from my friends in the New Democratic Party today I am receiving some messages that are mixed in the extreme, the suggestions made by some, notably the last speaker, the Honourable Member for Thompson (Mr. Ashton), that the approach taken by this Government is not a consistent one. Yet if I take his comments, compare them with the comments of the Honourable Member for Elmwood (Mr. Maloway), the Honourable Member for St. Johns (Ms. Wasylycia-Leis), the Honourable Member for Logan (Ms. Hemphill), the Honourable Member for Fliin Flon (Mr. Storie), perhaps the Honourable Member for Churchill (Mr. Cowan) as well, there are a number of messages coming from those Honourable Members and they are not the same.

With all due respect, Mr. Deputy Speaker, there is quite a variety of reactions coming from those Honourable Members. I certainly do appreciate that Members in the New Democratic Party join with the rest of us in this House in expressing our outrage at the carnage and the destruction and the ruined lives, the injuries and the grief that is caused on our streets and highways in this province. I do appreciate their support, and your support I hope, Mr. Deputy Speaker, when the time comes for this.

We are talking about mixed messages and without getting into all of the details because the Honourable Member for Logan (Ms. Hemphill), I am sure, does not really want me to get into all of the details of what has been going on in this province for the last 20 or so years with regard to the control of alcohol, beer and spirits, whatever you might want to call it. I am not going to go into that kind of detail because Governments come and Governments go, and changes are made in our society as society progresses with the times.

Changes in liquor control in Manitoba have changed significantly over the last century or so, and certainly a lot of changes have happened in the 20 or so years leading up to the last year or so. Changes made in the last year pale compared with changes made by previous Governments, notably New Democratic Governments.

I really do not want to get into that in a lot of detail, but the point is—I am trying to choose my words very carefully here—the comments I have been hearing do amount, at least if not to hypocrisy, at least to mixed messages coming from the New Democratic Party.

Honourable Members, let me deal for a moment with some of the comments of the Honourable Member for St. Johns (Ms. Wasylcia-Leis). The Honourable Member for Logan (Ms. Hemphill), if she stays around, may want me to get into some of her comments too. For example, the Honourable Member for St. Johns referred to changes made in the last Session relating to the advertising of beer and wine prior to 10 p.m. and how that amounts to some terrible message we are sending to people in Manitoba about the use of beer and wine.

Aside from the fact the Honourable Member for St. Johns would be the first to applaud the brewing industry for its "drink responsibly" campaigns, spending some of their own profit dollars to educate the public about responsible drinking habits for those who choose to drink, the broadcasters also have taken what I think is a responsible role.

Before I refer to their role, I will refer a little bit to the history of the changes in the last Session. For some 20 years in this province, our local Manitoba broadcasters have suffered discrimination at the hands of Governments in this province. It took this minority Conservative Government to have the courage to come forward with changes which would remove the discrimination in the marketplace.

The question being asked now by the Honourable Member for Thompson (Mr. Ashton), the argument is that you cannot just pick and choose where you are going to discriminate. I believe New Democrats as a matter of philosophy abhor discrimination unless it happens to be against broadcasters who want the same rights as cable operators beaming into our living rooms in Manitoba. I think that is probably the reason the Liberal Party accepted the amendment. I do not think they liked them very much more than I did but the point is they do not believe in discrimination either, and they probably do not mind seeing a few advertising dollars being spent in Manitoba, which I do not mind either.

On that point, I have to stress to the Honourable Member for Logan (Ms. Hemphill) especially, who raised

this matter that when it comes to—in fact it was the Honourable Member for Logan who was concerned that people would be watching this advertising during the dinner hour, which they could be watching on their cable stations anyway. Now it bothers her that Manitoba broadcasters are extended that same rate. I am saying to the Honourable Member that it was her Party, the New Democratic Party, that allowed beverage room and beer parlour licences to remain open between the hours of 6:30 p.m. and 7:30 p.m., the supper hour. It was her Government that did that, not mine.

(Mr. Speaker in the Chair.)

* (2130)

I have two single-spaced pages here, Mr. Speaker, of liberalizing initiatives on the part of the New Democratic Party, including reducing the drinking age, including matters such as extending drinking hours, allowing cheques to be cashed in beer parlours, all those things, but I am not going to take that approach.

What I am going to do is say that what we have here is a fundamental difference in philosophy between the Progressive Conservative Party and the New Democratic Party. No doubt there were Conservatives in Manitoba, who complained about some of the changes made by the New Democrats. No doubt that happened. I might have complained myself about some of them if I had been here. Now we have New Democrats, who supported moves of the kind that I have mentioned -(Interjection)- yes, you did—complaining about sampling of a third of an ounce of wine in the liquor store, complaining about changes in advertising, complaining about a better service to the public through the use of cheque-cashing cards in liquor stores, a move which must at one point have been supported by the NDP or they would not have allowed people to cash their pay cheques in beer parlours. I ask you, Mr. Speaker, there is a message there.

Getting back to this fundamental difference in philosophy, this is it. I am proud that Bill No. 3 stands in the name of Honourable Minister of Highways (Mr. Albert Driedger), speaking for our Government, to tighten up on impaired driving and suspended driving in this province.

I am not paternalistic and I am not Big Brother. Here is the difference between our position and that of the New Democrats. The New Democrats want to protect people from themselves. The Conservative Party says do not drink and drive, it is against the law and you will be punished. If you are convicted, we will take administrative measures to protect society in the meantime. We are not telling people what they can and cannot do, we are telling them what the law is. The New Democrats want to point people in certain directions. This is the fundamental philosophic difference between the two Parties. I suppose I could lump the Liberal Party in with the New Democrats, but I suppose they will want to speak for themselves on this issue. I do say that is the difference.

That does not mean that we are going to go out holus-bolus and allow liquor to flow through the streets so that our children and everyone else can just gobble

it up, and do all kinds of damage in our society. What I am saying is that you are free, you are grown-up in this province over the age of 18, entitled to do what you like with your life, but do not drink and drive because that is the wrong thing to do. It is against the law. We will take measures with the help of our colleagues in this House to try and put a stop to that.

Getting back to the Brewers Association and the broadcasters, the Honourable Member for St. Johns (Ms. Wasylycia-Leis) says they are such great friends of the Conservative Party. Well, there was a time I wondered what the broadcasters had done for us lately, I can tell you, and I am sure there have been times in all of our lives as politicians when we wonder what the broadcasters have done for us lately. I am telling you, there is no need to allow discrimination to exist in the broadcast industry any more than among women or any other people in our society, the visible minorities or minorities of any kind. There really is no room for discrimination. Yet Honourable Members of the New Democratic Party suggest we should allow the discrimination to continue with respect to broadcasting. Then again, not all Members of the New Democratic Party, if I heard what the Honourable Member for Elmwood (Mr. Maloway) said today, that feeling is not shared by all Members. Certainly the Honourable Leader of the New Democratic Party (Mr. Doer), I suggest, does not share the views expressed by the Member for Logan (Ms. Hemphill) or the Member for St. Johns (Ms. Wasylycia-Leis).

The Honourable Member for St. Johns also talked about the advertising of beer and wine on this non-discriminatory basis, having the effect of promoting the further consumption of beer and wine, when I tell you that the studies have told the Liquor Control Commission that advertising, at a time like now of diminishing consumption, advertising has the effect of perhaps changing one's mind about one's choice of brand as opposed to guzzling more beer or guzzling more wine.

The Honourable Member for Logan (Ms. Hemphill) would also suggest that having a sip of wine at the liquor store as you try to make up your mind which wine you would like to purchase for your dinner guests or whatever, that somehow you should have an ALERT machine out in front of the liquor store because a third of an ounce of wine is going to create all kinds of havoc in our province. I am saying to you, Mr. Speaker, the Honourable Member for Logan (Ms. Hemphill) knows better. The Honourable Member for Logan, I am not sure what tack she is on. I really will leave it up to others to decide the integrity of those types of criticisms.

With regard to convenience cards, Mr. Speaker, when you run a monopoly in a province as we do, certainly in the City of Winnipeg with respect to the distribution of alcoholic beverages, it seems to me that it is only right that you should be providing services to the people which meet some minimum standard of a decent level of service. I think even the Honourable Members in the New Democratic Party would agree with that statement. Although we do sometimes differ on how we get to the same place, I think we are all headed in that same direction.

As I say, I am not going to go through the single-spaced list of measures which would tend to liberalize our liquor laws in this province from 1982 all the way through to 1987. There is really no need for me to do that. I think the point has been made, the moves that have been made by the new Government of Manitoba are far less in the direction of liberalizing our liquor laws than some of the moves that had been made by the previous Government.

That being said, Mr. Speaker, I will deal for a few minutes with some of the more technical aspects of this Bill. I encourage Honourable Members to listen because I know certainly the Honourable Member for St. James (Mr. Edwards) and the Honourable Member for Logan (Ms. Hemphill) are interested in these matters, are generally supportive of what we are trying to do, and we appreciate that.

I think some of the following comments might help allay some of their fears in addition to some of the other things we are doing, including a meeting we are having tomorrow morning in this building with some representatives from the State of Minnesota, who will be here to assist Honourable Members in understanding some of the things we are trying to do with regard to impaired and suspended driving in our province. The experience of Minnesota and other states of the United States of America, in addition to Great Britain and Scandinavia, has been positive with regard to the reduction of impaired driving, and consequently safety on our streets and highways.

I want to thank the two Opposition Parties for the co-operation they have shown in agreeing to debate this Bill and to give it second reading so that it can move on to committee. Before the House sends the Bill to committee, however, I believe it is appropriate to review briefly the reasons for this Bill being introduced and to provide Members of the House with an update on the progress that is being made in implementing the parts of the Government, anti-impaired driving package that do not form part of this legislation.

As most Honourable Members are aware, cracking down on impaired drivers was a specific campaign promise of the Progressive Conservative Party. We put forward during the last election campaign an eight-point program, and when we formed the Government that program was given to the Civil Service for its review and its comments. The Honourable Member for St. Johns (Ms. Wasylycia-Leis) referred earlier to our eight-point program and went through them chapter and verse, suggested that we are moving on very many of them. The fact is, we are moving on virtually most of them or all of them with these measures and others that we will be proposing at future times.

The point is the Honourable Member for St. Johns clearly supporting Bill No. 3 had to say something. As it turned out, the things she said did not make any sense and did not make any particular point, but that is all right. I respect the Honourable Member for St. Johns when she is standing on her feet in whatever she will say in this debate to support this Bill. That is a good thing because this Bill is going to save lives, Mr. Speaker, and that is what I am here for, and that is what other Honourable Members are here for too.

Because of the crush of business necessary to prepare for the Session last July, it was not possible to produce a complete program. Now perhaps the Honourable Member for St. James (Mr. Edwards) felt that between May and July of last summer we should have put together the comprehensive program that has been put together over the past year. The fact is, Rome was not built in a day, and a good program like the one we are bringing forward is not built in the short space of time we had at that time.

We felt it was better to take the risk of being criticized for acting more slowly than to rush into a program without having it analyzed thoroughly. I have learned that criticism from the Honourable Member for St. James is probably something that should be encouraged, because when the Honourable Member criticizes sometimes he actually has something to say. Quite often though, his criticism has the ultimate result of turning back on him and serving the Government better in the long run. That being said, I must add that the Honourable Member quite often makes some suggestions that are looked into by Government, acted on, and some of those suggestions benefit society as a whole. We have a mixed situation there, too.

* (2140)

Mr. Speaker, when the last Session was completed, there were large briefing books prepared by the Civil Service with the pros and the cons, not only of those matters that had been referred to the Civil Service, but also of a series of other ideas that had been tried in other jurisdictions. As well, there was the impoundment-of-cars idea which to the best of our knowledge is unique.

That, I submit, is a reasonable way to proceed and the way that we are likely to make the best use of Manitobans' tax dollars. As a small province, we should avoid reinventing the wheel and we should avoid trying those ideas which, although they sound good, have been tried in other jurisdictions and have failed.

When the program was reviewed, it was obvious that the administrative licence suspension would be the most effective but also the most contentious item. As Members opposite know, an opinion from the Constitutional Law Branch was sought, and that opinion has led to significant changes in the concept as it was originally presented.

In particular, any reference to a driver being impaired has been dropped. The procedure this Bill establishes is a purely administrative one and, therefore, there should not be any evidentiary questions regarding the signs of impairment.

This legislation authorizes the suspension only when there is a breath alcohol content over 0.08 or a refusal to provide that sample. Moreover, an appeal has been built into the process.

It is of course appropriate and necessary that this House consider the individual rights implications of every Bill that is brought before it. It is, however, our duty as legislators to make a judgment whether a potential infringement of a Charter right is justified by

a greater society concern that is compatible with the free and democratic nature of Canadian society. I believe this Bill, as stated by the Honourable Member for Flin Flon (Mr. Storie), provides a proper balance of the rights of society as opposed to the rights of the individual. We must be clear about one thing. There is no right in anyone to drive while impaired. The province has a clear duty to take action to make its streets and highways safe from impaired drivers.

Most Honourable Members will not be aware of the Presidential Commission on Drunk Driving that issued its final report in November of 1983. Administrative licence suspension was found by the commission to be a very effective means of reducing accidents on the road.

This one will interest you for sure, Mr. Speaker. In Oklahoma, there was a 25 percent reduction in alcohol-related fatalities and an alcohol-related crash reduction of 41 percent. That is enough to make anyone sit up and take notice. Indiana reported a 36 percent reduction in alcohol-related fatal accidents, and when Iowa introduced this administrative licence suspension procedure, deaths on the highways dropped to their lowest level since 1946. Imagine, Mr. Speaker, the year you were born, that is how long ago that came along. I am sorry, someone said you were born in '49.

After reviewing the effectiveness of the program, the Presidential Commission recommended, "States should enact legislation to require prompt suspension of the licence of drivers charged with driving under the influence upon finding that the driver had a blood alcohol content of 0.10 in a legally requested and properly administered test. The prompt suspension should also extend to those who refuse the test."

I believe all of us in this Chamber hope that the introduction of this new system will produce as dramatic results as were experienced in the United States.

Last year, there were in Winnipeg alone 2,159 charges of driving while impaired or driving while being over 0.08. Think of that alone, that number alone, and the potential tragedy that can cause to families in this province and to youngsters and elderly people and all the rest of us.

Distressingly, despite the increases in penalties under the Criminal Code and despite the publicity regarding the dangers of impaired driving, this was higher than in 1987, and indeed 20 percent more than the number of charges in 1984. Increasing the penalties alone are not sufficient. This seems to be the knee-jerk reaction to a number of initiatives that we bring forward, oh, just fine them more. Just suspend their licences longer. But you see, Mr. Speaker, those ideas have not worked in the past and besides the number of suspended drivers bears out my suggestion, that what we have been doing in the past has not been working. So it is time for a different approach, one that has been shown in other jurisdictions to work.

I might add that driving while disqualified, or while prohibited from driving, or while the licence is suspended is a serious problem as well. Last year in Winnipeg, there were 2,374 such charges laid. If I could

quote from a paper published by the American National Highway Traffic Safety Administration and prepared for presentation by their Director of Safety Programs to an International Conference, "There may be those among you who would ask, of what value is licence suspension when most of the persons who lose their licences continue to drive without one?" Exactly the point.

After reviewing various programs that had been in force, the National Highway Traffic Safety Administration contracted for the development of a model enforcement program against suspended drivers. Again quoting the Director of Traffic Safety Program in the United States, "The method most likely to be used and to achieve success was that available to every state and community to date, checking the licence status of every driver contacted by the police in their normal course of duty."

For this to be effective, however, the police must have 24-hour-a-day, 7-day-a-week accurate information about the status of drivers' licences. This is precisely what the computer Interlink that was announced by the provincial Government as part of our program will provide, Mr. Speaker. The impoundment of cars is a measure which we believe adds significantly to the penalty that a driver faces if stopped by the police and charged with driving while suspended. We are not moving strictly with Bill No. 3, there are other things going on. There is the computer link that this Government will be funding in an attempt to protect lives. There is the Alertmobile which is at presently in Winnipeg and the program will be expanded beyond the City of Winnipeg. There are other things besides what you see in Bill No. 3, Mr. Speaker.

The suggestion has been made also by the Member for St. Johns (Ms. Wasylycia-Leis), perhaps others in her Party about education, a perfectly logical suggestion to me, that is what you see on television. The Honourable Member for Logan (Ms. Hemphill) refers to me saying, drinking and driving is wrong, do not do it, then goes on to talk about sampling of wines in liquor stores, but in any event that is happening. That is happening, thanks to the broadcasters. The broadcasters are spending \$350,000 on that program to educate Manitobans, and they seem to think that coming from me, it might make a difference. I would leave that for others to decide.

But the point is that is part of the education program. The brewers have their Drink Responsible Campaign. Other private sector agencies are involved, for example, the insurance industry has an interest in this matter and is doing something about it through poster campaigns and so on. The AFM, the Honourable Member for Logan refers to them. There are others too at a more community level, such as Canadians Against Impaired Driving, such as the young people. Certainly in the Province of Manitoba, the ones that I know about, the Teens Against Drinking and Driving, and there is the kind of enthusiasm there that will get the job done. I am telling you, it is very good and very gratifying to see young people displaying such a responsible attitude about this very dangerous matter. I think we can look to them for leadership, and we are getting it from the young people of this province. Indeed

that kind of leadership is coming through in the statistics.

Young people are not the people who are drinking and driving to the same extent as others in our society, and they are the very people who are involved in these education programs attempting to convince their compatriots and their contemporaries to avoid this kind of behaviour. I have nothing but support for the CAID and for the TADD chapters all across this province.

With regard to public education, there is more too, and just in case that was not enough there is more and this Government is involved in that. I would like to make just a couple of remarks about public education. The Honourable Member for St. James (Mr. Edwards) has stressed the need for public education, as have Members of the New Democratic Party, and particularly the need to get public education into the schools.

* (2150)

Well, here again, thanks to TADD, that is happening already but there is more to happen. More could happen and more will happen. We, on this side of the House, agree that public education is a vital part of any program that seeks to reduce impaired driving and that the education of young people is particularly vital. Whether or not that is the target group, that is the group we need to get to now because the time will come when they are of the age that, statistics tell us, they might get into the situation of drinking and driving. If they work through their TADD chapters now, perhaps the incidence of drinking and driving will be reduced significantly when they get a little older.

I am pleased to advise Honourable Members that agreement has been reached with the Province of Alberta to permit the Province of Manitoba to adapt for Manitoba audiences a 30-minute video that Alberta developed over a period of one year after spending approximately \$250,000 and obtaining perhaps as much money again in donated time and corporate services. The video has been seen by Manitoba officials, and by myself I might say incidentally, and it will be officially premiered in Alberta very soon.

The Province of Alberta has developed guidelines for using the video in the classroom as part of the health curriculum. We have received copies of that video and we will be establishing a working group, including representatives of the Department of Education, the Department of Health, the Manitoba Public Insurance Corporation, Highways, the Department of Justice, as well as representatives of Citizens Against Impaired Driving and Teens Against Drinking and Driving, to make the changes necessary in that video so that it reflects Manitoba law and to design the most effective way of integrating it into the curriculum.

There are some people who would like to see this debate wound up sooner than others, but I am telling you this is the news that Honourable Members have been waiting to hear, so if they will bear with me for just a minute or two more—oh, I am on the last page of my notes. We will wind this thing up and everybody can go on home, safe in the knowledge that tomorrow

Monday, June 19, 1989

we are going to have a meeting with these representatives from Minnesota.

We are going to learn a whole lot more about this whole thrust on the part of this Government. Then we can get on, on Thursday evening which I hope to announce after we get this thing through and prior to ten o'clock, so we will get right into this right away here.

Our officials continue to monitor changes that are being made throughout Canada and the United States. We hope as well to use this expanded committee to consider all other programs that anyone can suggest that might be effective against impaired driving.

In summary, this Bill should lay the groundwork for a reduction in the number of impaired drivers on the roads, and that is what we are here to do. It is only one part and a very important part of a co-ordinated program that will continue in the future to be enhanced by this Government, with the assistance of Honourable Members in this Chamber. Now, Mr. Speaker, Honourable Members will be pleased to see me closing my book, concluding my contribution to this debate so that the question can be put. I see we are finishing up in reasonable time and all Honourable Members, certainly Honourable Members who would like to

perhaps end this debate sooner rather than later, will be pleased about that.

QUESTION put, MOTION carried.

HOUSE BUSINESS

Hon. James McCrae (Government House Leader): Mr. Speaker, in connection with the Bill just passed, Bill 3, I should like to announce that this Bill would be referred to the Industrial Relations Committee. That committee is scheduled to sit Thursday evening, 8 p.m., in Room 255.

Mr. Speaker: I would like to thank the Honourable Government House Leader (Mr. McCrae) for that clarification.

Mr. McCrae: Mr. Speaker, shall we call it ten o'clock?

Mr. Speaker: Is it the will of the House to call it ten o'clock? (Agreed)

The hour being 10 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).