



Fourth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

42 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmere	
<i>Vacant</i>	Rupertsland	
<i>Vacant</i>	The Maples	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 12, 1993

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. John Plohman (Dauphin): Mr. Speaker, I beg to present the petition of Astrid Harms, Cathy Harrison, Mary Lou Goshulak and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

* * *

Mr. Doug Martindale (Burrows): Mr. Speaker, I beg to present the petition of Bonnie Brand, Marilyn Byle, Adele Kupp and others requesting the Minister of Family Services (Mr. Gilleshammer) to consider restoring funding of the Student Social Allowances Program.

Ms. Marianne Cerilli (Radisson): Mr. Speaker, I beg to present the petition of Deborah Price, Rosemary Miguez, Leagh Blackwell and others requesting the Minister of Family Services (Mr. Gilleshammer) to consider restoring funding of the Student Social Allowances Program.

READING AND RECEIVING PETITIONS

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Clif Evans). It complies with the privileges and the practices of the House and complies with the rules. Is it the will of the House to have the petition read? [agreed]

Mr. Clerk (William Remnant): The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS Manitoba has the highest rate of child poverty in the country; and

WHEREAS over 55,000 children depend upon the Children's Dental Program; and

WHEREAS several studies have pointed out the cost savings of preventative and treatment health care programs such as the Children's Dental Program; and

WHEREAS the Children's Dental Program has been in effect for 17 years and has been recognized as extremely cost-effective and critical for many families in isolated communities; and

WHEREAS the provincial government did not consult the users of the program or the providers before announcing plans to eliminate 44 of the 49 dentists, nurses and assistants providing this service; and

WHEREAS preventative health care is an essential component of health care reform.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Hickes). It complies with the privileges and the practices of the House and complies with the rules. Is it the will of the House to have the petition read? [agreed]

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS Manitoba has the highest rate of child poverty in the country; and

WHEREAS over 55,000 children depend upon the Children's Dental Program; and

WHEREAS several studies have pointed out the cost savings of preventative and treatment health care programs such as the Children's Dental Program; and

WHEREAS the Children's Dental Program has been in effect for 17 years and has been recognized as extremely cost-effective and critical for many families in isolated communities; and

WHEREAS the provincial government did not consult the users of the program or the providers before announcing plans to eliminate 44 of the 49 dentists, nurses and assistants providing this service; and

WHEREAS preventative health care is an essential component of health care reform.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Bob Rose (Chairperson of the Standing Committee on Law Amendments): Mr. Speaker, I beg to present the Sixth Report of the Standing Committee on Law Amendments.

Mr. Clerk (William Remnant): Your Standing Committee on Law Amendments presents the following as its Sixth Report.

Your committee met on Thursday, July 8, 1993, at 9 a.m. and 7 p.m. in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representation on bills as follows:

Bill 32—The Social Allowances Amendment Act; Loi modifiant la Loi sur l'aide sociale

Terry Peterson - Private Citizen
 Brett Buors - Private Citizen
 Garry Joynson - Private Citizen
 Corrine Normand - Youth Employment Service
 Laurie Leveille and Brian Chappell - Winnipeg Adult Education Centre
 Barbara Teskey - Private Citizen
 David Turner - Manitoba Teachers' Society
 Ryan Craig - Private Citizen
 David Gratzer - Private Citizen
 Barry Hammond - Private Citizen
 Bill Sanderson - Winnipeg School Div. No. 1
 Alan Daly - Private Citizen
 Rob Bray - Private Citizen
 Leigh Blackwell - Private Citizen
 Paul Johnston - Manitoba Coalition on Children's Rights
 Glen Murray - Standing Committee on Planning and Community Services of the City of Winnipeg
 Walter Stewart - Principal, R.B. Russell School
 Ken Guilford - Private Citizen

Written Submissions:

Lorraine Moore - Private Citizen

Lori Balharry - Private Citizen

Lynne Swabuk - Private Citizen

Your committee has considered:

Bill 32—The Social Allowances Amendment Act; Loi modifiant la Loi sur l'aide sociale

and has agreed to report the same with the following amendment:

MOTION:

THAT Section 4 of the Bill be struck out and the following substituted:

Coming into force

4 This Act is retroactive and is deemed to have come into force on July 1, 1993.

All of which is respectfully submitted.

Mr. Rose: Mr. Speaker, I move, seconded by the honourable member for Portage la Prairie (Mr. Pallister), that the report of the committee be received.

Motion agreed to.

* * *

Mr. Marcel Laurendeau (Chairperson of the Standing Committee on Public Utilities and Natural Resources): Mr. Speaker, I beg to present the Eighth Report of the Standing Committee on Public Utilities and Natural Resources.

Mr. Clerk: Your Standing Committee on Public Utilities and Natural Resources presents the following as its Eighth Report.

Your committee met on Thursday, July 8, 1993, at 7 p.m. in Room 254 of the Legislative Building to consider bills referred.

Your committee has considered:

Bill 2—The Endangered Species Amendment Act; Loi modifiant la Loi sur les espèces en voie de disparition

and has agreed to report the same without amendment.

Your committee has also considered:

Bill 10—The Farm Lands Ownership Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la propriété agricole et apportant des modifications corrélatives à d'autres lois

and has agreed to report the same with the following amendment:

MOTION:

THAT subsection 2(2) of the Bill be renumbered as subsection 2(3) and the following added as subsection 2(2):

2(2) Clause 1(3)(a) is amended by striking out “, the resident spouses of farmers or the resident children of farmers” wherever it occurs and substituting “or resident persons related to farmers”.

Your committee has also considered:

Bill 17—The Crown Lands Amendment Act; Loi modifiant la Loi sur les terres domaniales

and has agreed to report the same without amendment.

All of which is respectfully submitted.

Mr. Laurendeau: Mr. Speaker, I move, seconded by the honourable member for Turtle Mountain (Mr. Rose), that the report of the committee be received.

Motion agreed to.

ORAL QUESTION PERIOD

Julian Benson Preferential Pension Plan

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, I would like to ask the Acting Premier a question dealing with the revelation this weekend that Jules Benson, the secretary of the Treasury Board, a former Conservative fundraiser, a former chief financial officer for the Conservative Party, who was appointed with some fanfare in September of 1991 by the Premier (Mr. Filmon)—it has been reported that this individual, the head of Treasury Board, who, of course, is the person recommending the cutback on the Children's Dental Program, the elimination of the antipoverty groups and the cutback on student social allowances for people on social assistance, has received a preferential pension plan from the cabinet of Manitoba.

I would like to ask the Acting Premier: Why did the Premier approve a preferential pension plan for the secretary of the Treasury Board? Why was that not made public when his appointment was announced in September of 1991?

* (1335)

Hon. Glen Cummings (Acting Premier): Let not the member choose to be too sanctimonious when we look at the arrangements that the government has made. This type of an employment contract allows the government to protect the taxpayers from any future liabilities against people who have signed these types of employment contracts. Their future pension requirements are cut off at the end of the contract, whenever it is that they leave government.

Mr. Speaker, we know from perusing the records that there have been a number of similar pension top-ups that were provided previously. Yes, it is a lot of money, but in bringing forward senior people to fill senior positions in this government, we want to make sure that we attract quality individuals.

Mr. Doer: Mr. Speaker, the Acting Premier did not announce and tell us why the Premier did not make this public when he had a press conference in September of 1991 announcing that the Tory fundraiser, the chief Tory fundraiser, would be appointed to be secretary to the Treasury Board.

I might point out, in 1990, in answer to questions from the member for River Heights (Mrs. Carstairs) dealing with employment contracts, the Premier (Mr. Filmon) said that this was just a flexible way to do business. There was nothing going to be hidden in these contracts. There was nothing going to be differential about these contracts. In fact, the Premier's words, when you go through them, clearly left the impression that only severance pay would be dealt with, not a preferential pension plan which is now part and parcel of the head of Treasury Board, Mr. Speaker, in terms of the provisions that were made by the government.

I would like to ask the Acting Premier: Given the fact that the clerk of cabinet has said that Mr. Benson receives \$12,500 a year for the pension provisions—Mr. Benson himself, who is an accountant, says he is only receiving \$11,500 per year—Mr. Leitch said Mr. Bessey was receiving the preferential pension plan but Mr. Bessey then had to table his contract to show he was not receiving a preferential pension plan—can the Acting Premier please tell us what is Mr. Benson receiving from the direct public service in terms of pension contributions? Is it \$12,500 or \$11,500 as Mr. Benson alleges?

Mr. Cummings: Mr. Speaker, we have indicated that we are quite prepared to table all the information relative to these contracts, and it will be quite evident. I am not going to get into a debate between these two gentlemen as to what the exact figure is. That information will all be made available publicly.

Mr. Doer: Mr. Speaker, it is a fairly important question. I am surprised the Acting Premier would not answer it.

We want to know whether the head of Treasury Board knows his own pension contribution from the public service. This is a person who is going on slashing and burning vital programs to Manitobans, and he is getting this either \$11,500 or \$12,500 contribution from the taxpayers of Manitoba. Does the government not see some kind of lack of credibility in terms of economic stewardship in giving Mr. Benson these kinds of preferential pension benefits?

I would like to ask the government: In light of the revelation over the weekend that contradicts what the Premier (Mr. Filmon) has told us in the House before, that there are no secret and preferential deals in these employment contracts, will the government today table every one of the contracts so that members of the public can see for themselves what are the actual hidden benefits and preferential benefits that the government has negotiated?

Mr. Cummings: Well, Mr. Speaker, the Leader of the Opposition wants to vilify these types of employment contracts. He should look at how this process is much better than what we inherited when we came into government—the previous situation, a number of contracts where people had two-year severance packages, where the pension liabilities went on to be carried on into the future when a government already had a seriously unfunded pension liability.

Mr. Speaker, these contracts can and will be tabled. The information will all be made available publicly. I think the member might well look at the fact that as he wishes to single out one particular employee, maybe he should remind himself that this employee probably took a 30 percent reduction in salary in order to take the employment with this government.

* (1340)

Social Assistance Reform

Mr. Doug Martindale (Burrows): Mr. Speaker, late last Thursday night, the bill eliminating the student social assistance program passed through the committee stage. The only amendment from the government was to deem it retroactive legislation retroactive to July 1. The very next day the Premier (Mr. Filmon) announced comprehensive welfare reform.

Can the Minister of Family Services (Mr. Gilleshammer) tell us why he and his department are increasing the number of people on social assistance by approximately a thousand, kicking them out of school, putting them on social assistance, and on the other hand, talking—their rhetoric is about welfare reform?

Can the minister explain the contradiction between what he and his department are doing and what the Premier announced on Friday?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, there is no contradiction. The ministers from across this country have been meeting to take a look at how social allowances are delivered by the various provinces. All provincial ministers have indicated a willingness to work together to look at reform.

The Premier of Ontario, the President of the United States, many leaders across North America have indicated that because of the tremendous number of individuals who are accessing social allowances right across North America, we have to find new and different ways of doing business as far as social allowances are concerned.

There is an interest from all of the provinces to make the Canada Assistance Plan a more active plan, whereby some innovative strategies can be developed, instead of the passive manner in which it is being interpreted by the federal government.

So I can say to you that not only are there experimental programs going on in British Columbia, New Brunswick—

Mr. Speaker: Order, please.

Mr. Martindale: Mr. Speaker, we agree there is a need for reform and for change. The key is education and training.

Why has this minister taken 11 people out of school and put them on social assistance? How does that jive with his ideas and his desire for

change, and is it at all in keeping with the need for education and training to prepare people for the paid workforce?

Mr. Gillshammer: Mr. Speaker, certainly, we agree that there has to be training programs put in place and meaningful jobs available for that trained workforce. I have indicated over the last couple of weeks that municipalities have been approaching us on some of the changes that have taken place and that there are ongoing discussions in that area so that we can accommodate those who are in need of both training and of assistance.

Employment Creation Strategy

Mr. Doug Martindale (Burrows): Will this Minister of Family Services back up his words about the need for training and job creation programs by doing something to respond positively to the City of Winnipeg, who told us in their presentation at committee stage on Thursday night that they have proposed 12 job creation programs in addition to the infrastructure renewal program?

Will this minister stop talking about negotiating and actually do something in conjunction and co-operation with the City of Winnipeg to get people back to work?

Hon. Harold Gillshammer (Minister of Family Services): Mr. Speaker, I do not believe I used the word "negotiating."

I have indicated there are ongoing discussions and that we hope in the near future we are going to be able to announce some new initiatives similar to what Ontario has announced in their broad framework and that other provinces are also looking at.

*(1345)

Senior Civil Servants Salaries—Information Release

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, I have a question for the Acting Premier.

It was with some surprise that I read comments over the weekend attributed to Mr. Leitch and Mr. Filmon saying that leaving the salary information out of cabinet orders was an innocent mistake and that opposition members would be given the salary information if they ask.

Mr. Speaker, I want to table this afternoon correspondence dated October 10, 1991, written by

Mr. Leitch, and it was written to Jeff McLaren, who at the time was working in our caucus office and had filed Freedom of Information requests asking for copies of the employment contracts for Julian Benson, Jonathan Scarth and Taras Sokolyk, who were appointed by Order-in-Council and who had no employment contract attached to the Order-in-Council.

Mr. Leitch said in that letter that he relied on Section 43(c) of the Manitoba Freedom of Information Act in denying access to this and said the disclosure of which could reasonably be expected to prejudice the competitive position of a department or the government or to interfere with contractual or other negotiations of a department or the government. We are providing you, however, with a blank form.

Mr. Speaker, my question for the Acting Premier: What is the explanation behind the very apparent seeming untruth of the statements that were made over the weekend when compared with the facts, the written responses, which have denied access consistently of this information to members of this House and the public?

Hon. Glen Cummings (Acting Premier): Mr. Speaker, historically, the Civil Service Commission does not release this type of information. It seems to me that in the interest of making sure that no misunderstanding or apprehensions about the nature of these contracts lingers with the public, we are going to make sure it is made available.

Mr. Edwards: Mr. Speaker, there have been many, many questions, not only about Mr. Pedde's salary but about many other salaries of people appointed in this fashion.

I draw the Acting Premier's attention to the response of the Premier (Mr. Filmon) to a question of Mrs. Carstairs on October 30, 1990: Will the Premier now commit to attaching the Orders-in-Council to the contracts? This was October 1990: Mr. Speaker, I will be happy to answer chapter and verse to the Leader of the Liberal Party and anybody else what is the remuneration level. That is open information, open government, and I will provide it with all enthusiasm.

That was two and a half years ago, Mr. Speaker.

Mr. Speaker, my question for the Acting Premier: What guarantee do we now have that the government is going to come through with this information? They promised it before. The

Premier is on the record as saying he thinks it is open information. In fact, he has denied it in writing.

Mr. Cummings: Mr. Speaker, the Premier has consistently in his Estimates, I believe, indicated that he was quite willing to disclose the salary levels and the information around that, and I again give you the assurance of this government that information will be made available.

Mr. Edwards: How does this government defend and justify secret side deals giving these select top civil servants, in effect, a 5.5 percent additional pension contribution? The average is 6.5; they are getting approximately 12 percent. How do they justify that to these senior civil servants?

At the same time, they are legislating nurses, child care workers and everyone else in the government who truly does do essential work a 2 percent reduction. How do they justify the reductions to the people on the streets doing the work when these people behind closed doors are getting side deals for thousands of extra dollars?

Mr. Cummings: Mr. Speaker, let not the member indicate that these are side deals or that these are somehow to be handled in a different manner.

Mr. Speaker, as I said a few moments ago, this type of arrangement makes it much easier for future governments, at a time when either the government decides to shed themselves of these employees or the employees decide to leave, that the government does not have ongoing liabilities with these employees as happened under previous types of arrangements.

Mr. Speaker, this means there is no future pension liability. This means that there are no future severance requirements beyond the explicit conditions of the contracts. In the long run, this saves dollars for the taxpayers of this province.

* (1350)

Wine Boutiques Business Name Registration

Mr. Jim Maloway (Elmwood): My question is to the Minister of Consumer and Corporate Affairs.

Mr. Speaker, on May 19 three Manitobans registered a firm called The Wine Shop of Manitoba—and I will table the registration for the members of the House—under The Business Names Registration Act. This was a month before the minister announced on June 22 that she was

letting in private wine stores in this province. To me, that would indicate that someone had some advance knowledge.

Mr. Speaker, why did this minister allow the name to be registered since wine stores were illegal and will continue to be illegal until her bill is passed into law during this session?

Hon. Linda McIntosh (Minister of Consumer and Corporate Affairs): Mr. Speaker, I did not allow or not allow any particular individuals to register any business name. I can only speculate as to why individuals would register a business name. I can tell you that it is not uncommon for people to register names in anticipation of business that they may be starting someday.

This particular case, I have no idea why they registered it. I was not there. They did not consult me about it, nor did I make any inquiries as to it because I did not know about it.

Mr. Maloway: Well, certainly the department should not be registering names for companies that are engaging in something that is not yet legal in the province.

Consultations

Mr. Jim Maloway (Elmwood): Now, Mr. Speaker, my supplementary to the same minister is this: Whom did this minister consult before she announced this bill, and is it simply a coincidence that this firm was registered in advance of the bill being announced?

Hon. Linda McIntosh (Minister of Consumer and Corporate Affairs): Mr. Speaker, there is no law that forbids any individuals to register a business name. Whom did I consult? Dozens and dozens of Manitobans consulted me from within a few months of becoming minister on the whys and whereofs of the possibility of having private wine stores.

My answer to them has always been consistent; it has always been the same. It has always been that at the current time we do not have such legislation in our province, but I am always reviewing the liquor act. I have kept all those names and addresses on file and told people if legislation came in they would be informed. The fact that we were having a liquor review was well known to the public. The Premier (Mr. Filmon) himself indicated that on Peter Warren many, many months ago.

Business Name Registration

Mr. Jim Maloway (Elmwood): Mr. Speaker, my final supplementary to the minister: Since there was contact between the minister and these particular owners of this business, is it the policy of the minister to give private advance notice of major changes in government policy before the public is informed—

Mr. Speaker: Order, please.

Point of Order

Hon. Clayton Manness (Government House Leader): On a point of order, the member is imputing motives of the worst sort. I would ask, having been a veteran of this House for now approaching 13 years, that he choose his words very carefully, because he is making an outlandish statement. Indeed, if he feels so strongly, then I ask him to rise on a matter of privilege and state his charge, but he cannot, by way of the guise of a question, impute motives in the fashion that he has. I would ask him to withdraw it and, indeed, Mr. Speaker, apologize to our minister.

Mr. Speaker: On the point of order raised by the honourable government House leader, I would like to reference Beauchesne's 481(e): "... a Member, while speaking, must not impute bad motives or motives different from those acknowledged by a Member."

I believe the honourable member's question comes perilously close to imputing motive, but I will give the honourable member an opportunity just to rephrase his question.

* * *

Mr. Maloway: Mr. Speaker, my final supplementary to the same minister is this: Since I spoke to the director this morning and he told me that he would not accept a business name registration from a company that was involved in something that was not yet legal, since the director said that, on what basis did this minister approve the business name registration in this case?

Hon. Linda McIntosh (Minister of Consumer and Corporate Affairs): Mr. Speaker, I have not approved this particular business name. I had no knowledge of this particular registration until Friday when a Free Press reporter contacted me and, I presume, the member opposite.

Mr. Speaker, the decision as to whether or not a name can be registered will be made by the director based upon whatever it is that the people have put forward. I have not been in communication with these particular people to tell them that the legislation was coming in.

The announcement was made on June 22. When it was introduced in the House, the press release was sent out, and if people choose to register a business name in anticipation of doing a business, many, many people do that in this province and other provinces as well.

* (1355)

Disaster Assistance Board Office Reduced Workweek

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, as most people are aware, the people of Swan River faced a very difficult situation last week as a result of high flooding, and a state of emergency was declared last Sunday. By Friday, people were starting to finally be able to get on their feet, but they could not get the answers they wanted.

I want to ask the minister responsible: Why, since there was a state of emergency and people were told there would be help for them, was the Disaster Assistance Board not open on Friday to take all the questions and all the calls that were coming? Why was that office not opened last Friday to help these people?

Hon. Gerald Ducharme (Minister of Government Services): Mr. Speaker, our employees were open on Friday. As a matter of fact, they officially left part of that area about 2:30, three o'clock in the afternoon.

Ms. Wowchuk: The office was not open. People could not get an answer at the Disaster Assistance office.

MPIC Offices Reduced Workweek

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, I want to ask, since in the last week MPIC has had to hire extra people to meet their workload—they cannot operate on a four-day workweek, people in need of assistance cannot get help—when is this government going to recognize—

Point of Order

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): Mr. Speaker, on a point of order, the member alleges that MPIC was not open on Friday. The fact is, they were.

Mr. Speaker: Order, please. The honourable minister does not have a point of order.

* * *

Ms. Wowchuk: Mr. Speaker, my supplementary question is: Since MPIC has had to hire extra staff to meet their workload and pay overtime, and Disaster Assistance is not meeting the needs of the people, when is this government going to recognize that a four-day workweek is not going to work? You cannot run a province on four days a week.

Mr. Cummings: Mr. Speaker, the corporation was, as I indicated, open last Friday for business. I think the member would be the first to acknowledge that when you have some additional jump in claims of about 200-and-some-odd claims because of a rash of thefts and other claims that have been brought forward, vehicles in a nonusable fashion, where they must be towed for further investigation, that is what created the backlog, and that is what we dealt with.

Disaster Assistance Board Office Reduced Workweek

Ms. Rosann Wowchuk (Swan River): I want to ask the minister responsible if at the minimum this government will suspend immediately the Friday closure of the Disaster Assistance Board office until the questions and the needs are met of the people in the Swan River and the Lynn Lake area.

This is disaster assistance—be there to serve the needs of the people.

Hon. Gerald Ducharme (Minister of Government Services): Let us not have the member for Swan River, everybody in that area, excited.

She knows that you file your claims with each of the municipalities. Once the claims are filed, then these come to Disaster Assistance and, Mr. Speaker, they are working. They have been working all weekend.

Travel Insurance Regulation Changes

Ms. Avis Gray (Crescentwood): Mr. Speaker, a significant regulation in the hospital services insurance administration regulation was changed on June 23, '93. This regulatory change will mean Manitobans travelling outside of Manitoba across the border to the United States will not be covered by outpatient services for 75 percent of the charges, but now at \$100 per visit, at a flat fee.

This is a significant change in the regulation. My minister—my question to the Minister of Health: Can he tell this House if his department plans to communicate this regulatory change to Manitobans so that, in fact, they will be able to take appropriate measures and have appropriate insurance should they travel across the border to the United States?

* (1400)

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I appreciate my former employee's Freudian slip. Depending on who is reflecting on it, those used to be the good old days.

Mr. Speaker, yes, regulations were changed. Those regulations put some consistency in the Manitoba rates we pay for out-of-country inpatient as well as outpatient services. There was discussion with third-party insurance providers to inform them of the change because the impact, in all likelihood, although this is not announced in any fashion I am aware of, will likely reflect in the premiums that may well be charged by third-party insurers.

But, Mr. Speaker, let not my honourable friend's question lead to confusion. There should be no one, and I say absolutely no one, who leaves the country of Canada without taking additional insurance coverage from third-party insurers, because our health care system is comprehensive. Countries they visit certainly do not offer the benefits that we do in Canada.

Ms. Gray: Mr. Speaker, I think, though, the fact remains that people do leave the country, and this change in regulation is a significant change. I think it is the responsibility of the minister—

Mr. Speaker: Order, please. I would remind the honourable member for Crescentwood, this is not a time for debate. The honourable member for Crescentwood, with your question, please.

Ms. Gray: Mr. Speaker, my supplementary question to the minister: Will he guarantee to this House that his department will make public and will let the people of Manitoba know about this change so, in fact, people can take appropriate measures? Will he communicate with the public?

Mr. Orchard: Mr. Speaker, there have been changes made to regulations I think every single year that I can recall being both minister and Health critic. Now, in each and every case they have impact, Sir, on third-party insurance coverage. In other words, there have been changes, for instance, by other jurisdictions in terms of ambulance costs, which are not an insured service, even though they are provided to Manitobans in Manitoba.

Every year that those regulations have changed—for instance, on the per diem rate of a private hospital room, which is subject to an additional charge—there has been no communication with Manitobans directly. It has been through the provision of third-party insurers that those changes have sometimes, not always, been reflected in terms of the premium rate.

Now, if my honourable friend is saying that every time we change regulation, we should communicate with all Manitobans, I will certainly take my honourable friend's suggestions under advisement, but I would first want to check the cost of that and—

Mr. Speaker: Order, please.

Ms. Gray: Mr. Speaker, with a final supplementary to the Minister of Health, because this is a significant change in regulation and, hopefully, the minister can determine which are significant changes and which are not and which require communication.

I would ask the minister if he has any statistics or any data available which would determine what the average extra costs will be to Manitobans who may have to utilize emergency or outpatient services while travelling in the United States.

Mr. Orchard: Mr. Speaker, no, we do not have that kind of information because those third-party insurance coverages are provided by private corporations in Manitoba and, indeed, those headquartered outside of Manitoba but having insurance sales agents in the province of Manitoba.

Mr. Speaker, often those rates are set on a national basis. For instance, all Canadians paid a

significant increase in out-of-country travel insurance last year, not because of any decision made in Manitoba but because of decisions made in Ontario and a couple of other provinces. So we have no control over that value of coverage.

Sir, I reiterate to my honourable friend, even though my honourable friend is attempting to make some great political issue of this, these changes have been happening for the last 20 years. Manitobans have been, for the last 20 years, encouraged to seek third-party travel insurance when they leave Canada. It only makes good financial sense to protect yourself against that kind of risk when you are travelling out of Canada.

Vehicle Safety Inspections Privatization

Mr. Daryl Reid (Transcona): For 25 years public vehicle inspections have been performed by Highways and Transportation staff and MPIC staff. On average, some 25,000 vehicles were inspected every year, but by way of Bill 36 this government intends to privatize this service and it is going to cost every Manitoban a \$40 user fee.

My question is for the Minister responsible for MPIC.

What studies has this minister undertaken to show that it is more cost effective to privatize this public service, and will he table any copies of studies that his department has undertaken?

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): Mr. Speaker, one thing that the member has failed to ask and perhaps he has not thought of it, and that is: How many cars would be inspected under a changed regime? In fact, we would have access to a lot more cars being safetied before they go on the road, and I think that is really the criterion he needs to look at.

Mr. Reid: The minister's answer is nonsense.

Fee Schedule

Mr. Daryl Reid (Transcona): Can the Minister of Highways and Transportation explain why he is setting a maximum user fee of \$40 per inspection when an uncirculated Manitoba Public Insurance Corporation study shows that used vehicles could undergo an MPIC inspection every two years for a

cost of only \$10? Why is this government now going to charge or gouge every Manitoban \$40?

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): Again the member ignores the fact that we will have a lot more vehicles brought in for inspection. We will have access to records on a dramatically increased number of vehicles, and the fact is, there is a large element of consumer protection involved in this aspect because the number of vehicles from private sales where you may have an unsophisticated purchaser making a purchase, they will now have the benefit of having that vehicle safetied before they put it on the road.

Vehicle Safety Inspections Privatization

Mr. Daryl Reid (Transcona): My final supplementary is for the Minister of Highways and Transportation.

Can this minister tell us and all Manitobans why his department does not take the over \$800,000-a-year profit that his department makes on the photo licensing program and invest it into public vehicle inspection program in this province so that Manitobans do not get gouged by this \$40 user fee?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, just last week I handed a piece of information to the Leader of the Opposition (Mr. Doer). In that information it indicated the change of legislation in the States, and I asked him to present that to his critic the member for Transcona (Mr. Reid). I do not know whether he did or not—immaterial.

But that article indicated the change in legislation in the States would basically target Canadian provinces for dumping of unsafe vehicles.

Mr. Speaker, the whole question of whether we should safety vehicles or not—legislation has been passed for the last 20 years and never proclaimed in terms of vehicle safety inspections. We finally have legislation that I think is acceptable to the general public, which is to protect the consumers, and there is a general acceptance out there. I am very pleased and look forward to the bill being passed in committee so that we can ultimately proclaim this legislation. It is something that the public is waiting for.

Chemical Warehouse—Fisher Branch Public Hearings

Mr. Cliff Evans (Interlake): Mr. Speaker, my question is for the Minister of Environment.

The minister, over the past many months and many consultations with myself and him and this House, has indicated that more information was needed to fully assess the proposed site for the elevator and storage site near Fisher Branch.

Has the minister received all the information, and will he now tell this House what decision he has made with regard to a full environmental review and public hearings?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I have—the department has received all of the relevant information regarding this particular project.

This is one of those projects where there is a lot more than just the facts that surround the project itself. There is a lot of concern and opposition within the community, opposition which raises considerable concerns surrounding some of the factual presentations. Therefore, it would appear that the only way that we will be able to satisfactorily settle this issue to everyone's satisfaction, if you will, for lack of a better word, for the better understanding of everyone in the community and their satisfaction as to whether or not adequate safeguards are in place, will likely be to have a public hearing.

* (1410)

Mr. Cliff Evans: Mr. Speaker, due to the concerns of the people around the area and with the site being as such, can the minister indicate how soon the public hearings will be called so that people can get to the hearings and can display their concerns about it?

Mr. Cummings: Mr. Speaker, I have not yet asked the Clean Environment Commission to establish hearings, nor have I conveyed my decision to the department. I have indicated that I am leaning towards asking for a full public hearing, and I will be conveying that to the department and subsequently to the commission.

As to a time frame, I would think that things would proceed expeditiously, but certainly we are looking at a couple of months.

Mr. Cliff Evans: Can the minister indicate that it will be the Clean Environment Commission that will be doing the full study?

Mr. Cummings: Yes, Mr. Speaker, and I want to give the member opposite some credit at the same time, because we have explored the possibility of using mitigation in this case and having people sit down, those who are concerned and the proponents, and try and mediate the proposal and establish the veracity of the environmental safety that this project would have.

But it appears that we are not likely to have much success in that area, therefore my answer.

Tuberculosis Manitoba Statistics

Ms. Judy Wasylycia-Lels (St. Johns): After declining for nearly a century, tuberculosis, which was once ranked as any nation's leading killer, is back and appears to be poised to re-establish itself as a major cause of suffering and death. All studies have pointed recently to an increase in the deadly disease of tuberculosis.

We are very concerned, having read some of the media reports over the weekend. If these statistics are to be believed, we have a very serious problem on our hands.

So I would like to ask the Minister of Health today if he can tell us precisely how many people in Manitoba have been diagnosed with tuberculosis and what percentage increase this represents year over year.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I am informed that since 1990 we have had 54 cases of tuberculosis diagnosed at the Main Street Project.

This year, to date, the latest information we have is, some 14 cases have been diagnosed at the Main Street Project.

On June 29, my departmental staff, in collaboration with the City of Winnipeg Public Health department, as well as individuals from the Faculty of Medicine, University of Manitoba, the director of tuberculosis control, the Sanatorium Board of Manitoba and program specialists from Health and Wellness in Tuberculosis, as well as Mr. John Rodgers, met to attempt to find out what actions would be appropriate to take given that we have diagnosed 14 cases this year and, as I indicated, 54 since 1990.

Prevention Strategy

Ms. Judy Wasylycia-Lels (St. Johns): Mr. Speaker, that is one part of the problem. The newspaper also indicates that there has been a 14 percent increase in tuberculosis year over year. That is a dramatic change from a decline to a major increase.

So I have to ask the Minister of Health what specific steps he is taking to ensure broad testing to determine the level of TB in the province of Manitoba and what steps he is taking to deal with the prevention and treatment of—

Mr. Speaker: Order, please. The honourable member has put her question.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, my honourable friend said what testing were we about to do. Would my honourable friend be suggesting that we test—who?

Ms. Wasylycia-Lels: Answer the question.

Mr. Orchard: Well, no, no. My honourable friend wanted to know what testing we were undertaking. To my knowledge, Mr. Speaker, individuals through normal visitations with physicians are tested, and where there are disease problems such as tuberculosis, chances are, through manifestation of symptoms, they will be so diagnosed.

Now, Mr. Speaker, before my honourable friend gets the alarmist bells ringing and has all Manitobans tested for tuberculosis, which I sense from her question, I want to indicate that a 14 percent increase this year is on 54 cases in the last two and a half years. That is several more identified.

We are concerned enough about that to bring all of the players around tuberculosis to focus on the issue. I would not want my honourable friends's questions to lead to the cries of an epidemic.

Ms. Wasylycia-Lels: Mr. Speaker, once again the minister takes remarks made and distorts them, avoiding the issue.

I want to ask specifically as I asked previously: What strategy is in place to deal with the very serious health problem facing Manitobans? All studies show that this is a disease fueled by poverty and homelessness. I want to know what the minister is doing to get at the root cause of this problem and what kind of services he is providing for people in our inner city and other areas affected by poverty.

Mr. Speaker: Order, please. The honourable member has put her question.

Mr. Orchard: Well, Mr. Speaker, now my honourable friend is saying that in some fashion, there are issues other than medical issues involved in tuberculosis. I have no basic disagreement with that. That is why for six budgets in a row, this government has not increased personal or corporate income taxes. That is why in this province we have significant investment into world mandate products at Ayerst Organics in Brandon, at a major upgrade of a smelter in Flin Flon to make the copper market . . . , a major investment in Morden, Manitoba to develop world dry product Glyphosates.

Mr. Speaker, the economic development agenda of this government of no tax increases is stark in its uniqueness across North America.

Mr. Speaker: Order, please. Time for Oral Questions has expired.

Committee Changes

Mr. Edward Helwer (Gimli): I move, seconded by the member for St. Vital (Mrs. Render), that the composition of the Standing Committee on Law Amendments be amended as follows: The member for Sturgeon Creek (Mr. McAlpine) for the member for Morris (Mr. Manness); the member for La Verendrye (Mr. Sveinson) for the member for Brandon West (Mr. McCrae); the member for Fort Garry (Mrs. Vodrey) for the member for Emerson (Mr. Penner); the member for Seine River (Mrs. Dacquay) for the member for Lac du Bonnet (Mr. Praznik); and the member for Riel (Mr. Ducharme) for the member for Niakwa (Mr. Reimer).

I move, seconded by the member for Portage la Prairie (Mr. Pallister), that the composition of the Standing Committee on Economic Development be amended as follows: the member for Minnedosa (Mr. Gillshammer) for the member for Arthur-Virden (Mr. Downey); the member for Steinbach (Mr. Driedger) for the member for Lakeside (Mr. Enns); and the member for Pembina (Mr. Orchard) for the member for Kirkfield Park (Mr. Stefanson).

Motions agreed to.

Mr. George Hlckes (Point Douglas): Mr. Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that the composition of the Standing Committee on Economic Development be amended as follows: Wellington (Ms. Barrett) for

Thompson (Mr. Ashton); Transcona (Mr. Reid) for Flin Flon (Mr. Storie), for Tuesday, July 13, 7 p.m.

I move, seconded by the member for Swan River (Ms. Wowchuk), that the composition of the Standing Committee on Law Amendments be amended as follows: Dauphin (Mr. Plohman) for Burrows (Mr. Martindale); Flin Flon (Mr. Storie) for St. Johns (Ms. Wasylycia-Leis), for Tuesday, July 13, 9 a.m.

Motions agreed to.

Mr. Neil Gaudry (St. Boniface): Mr. Speaker, I move, seconded by the member for Inkster (Mr. Lamoureux), that the composition of the Standing Committee on Law Amendments be amended as follows: Crescentwood (Ms. Gray) for St. James (Mr. Edwards).

Motion agreed to.

* * *

Mr. Speaker: Does the honourable member for Thompson (Mr. Ashton) have leave to make a nonpolitical statement?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, before we go to the nonpolitical statements, I wonder if I might have permission of the House to revert to Ministerial Statements and Tabling of Reports.

Mr. Speaker: Is there leave to revert to Ministerial Statements and Tabling of Reports? [agreed]

TABLING OF REPORTS

Hon. Donald Orchard (Minister of Health): Mr. Speaker, in the interest of discussions with the member for Concordia (Mr. Doer), I missed tabling the Annual Report of Manitoba Health for 1991-92, for two days in a row.

Mr. Speaker: Now it has been corrected.

* (1420)

Nonpolitical Statement

Mr. Speaker: Does the honourable member for Thompson (Mr. Ashton) have leave to make a nonpolitical statement? [agreed]

Mr. Steve Ashton (Thompson): Mr. Speaker, this was an important weekend for citizens of Thompson with, of course, Nickel Days. I participated in the events from the opening ceremony to the last, unfortunately somewhat wet events on the midway on Sunday.

I would just like to point out that Nickel Days is more than just an opportunity for a summer festival. It is also the site of the national King Miner Contest. Once again Ed Chuckery has won, for the sixth time. I know Ed is a very experienced miner. I think he is well on the way now to perhaps matching the record of Lorne Spicer, who was King Miner for many years, Mr. Speaker. I certainly wish him well.

I just want to make one other comment about this weekend. As so often happens as an MLA, I wished I could have also been in Winnipeg for a very important event, a reception held by long-time residents of Thompson, Roy Pandya and Mrs. Pandya, the wedding reception of Manisha and Gaurangkumar Yagnik, which was held here in the city of Winnipeg.

Of course, I was in Nickel Days. I had the opportunity to host them this afternoon in the Legislature, and I would like to wish Manisha and Gaurangkumar all the best in their life ahead. Thank you, Mr. Speaker.

ORDERS OF THE DAY

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I wonder if there is a willingness to waive private members' hour.

Mr. Speaker: Is it the will of the House to waive private members' hour?

An Honourable Member: No.

Mr. Speaker: No, leave is denied.

Mr. Manness: Mr. Speaker, I wonder if there is a willingness to waive the rules in our book dealing with the sequence of Estimates, specifically the Rule 65(6.1). What I propose is a slightly altered sequence.

There would be in the Chamber: AJI, Justice, Natural Resources, Finance, Government Services, Status of Women. I do not believe there is a change in the Chamber.

The change would be outside in the committee room in that section. The new sequence would be, starting as soon as we go into Committee of Supply: Seniors, Consumer Affairs, Rural Development, Decentralization, Culture, and Industry, Trade and Tourism.

Mr. Speaker: Is there leave of the House to alter the sequence of the departments that are going to be introduced? [agreed]

Mr. Manness: Mr. Speaker, I would ask for leave also then to start a new department after ten o'clock tonight again.

Mr. Speaker: Is there leave of the House to allow the government House leader to introduce a new department after the hour of 10 p.m.? [agreed]

Mr. Manness: Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to, and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty with the honourable member for St. Norbert (Mr. Laurendeau) in the Chair for the Seniors Directorate and the Department of Consumer and Corporate Affairs; and the honourable member for Seine River (Mrs. Dacquay) in the Chair for the Aboriginal Justice Initiative.

COMMITTEE OF SUPPLY (Concurrent Sections)

SENIORS DIRECTORATE

Mr. Deputy Chairperson (Marcel Laurendeau): This afternoon, in Room 255, the committee will be considering the Estimates of the Seniors Directorate.

Does the honourable minister have an opening statement?

Hon. Gerald Ducharme (Minister responsible for Seniors): I am pleased to have the opportunity at this time to discuss the activities of the Seniors Directorate for the most recent fiscal year and to provide a brief overview of its plans for '93-94.

As the Minister responsible for Seniors, it is my mandate and responsibility, with the assistance of the Seniors Directorate, to continue enhancing the quality of life for Manitoba's senior citizens. We believe seniors have an important role to play in our society with special contributions to make to our communities across the province.

Working together, the Seniors Directorate and I continue to seek new opportunities for seniors to participate in their communities. In particular, we

strive to include their ideas and concerns in the decision-making process of the government.

The input of seniors will become evermore important as their numbers and proportion of the total population increases. According to the most recent census, there are nearly 200,000 people 65 years and older in Manitoba, making up about 20 percent of the population. Both these figures will rise as we enter the 21st Century.

We solicit the concerns and opinions of seniors through several means, including questions received on the directorate's information line, various formal consultations, and by meeting and talking with seniors on a regular basis. To ensure the directorate meets the needs of seniors across the province, it has staff in Thompson and Portage la Prairie who provide seniors with information and access to appropriate government programs and services.

* (1430)

My staff has been active in making presentations through Manitoba regarding elderly abuse and other senior concerns. The Seniors' Information Line continues to be a vital link, both in terms of providing information to seniors and in assisting the directorate and myself to identify their concerns.

Since it was launched in 1989, the information line has proven very popular with seniors. The Seniors Directorate receives approximately 150 calls per month, and the number of calls continues to rise. The information line is designed to reduce the number of calls or contact seniors must make in order to access information within a broad range of areas of interest to seniors.

The directorate's knowledgeable staff are able to provide information on such diverse topics as yard maintenance, accessing home care and where to call about federal government pensions. The directorate often will investigate specific issues and report back with an answer or solution to the individual organization requesting the information. Over the past year it has researched a wide variety of concerns affecting seniors, including housing, transportation, elderly abuse and emergency measures.

In our ongoing efforts to identify and meet the needs of seniors, the directorate staff had consulted with a wide variety of organizations throughout the province. Among these are Age and Opportunity, the Manitoba Society of Seniors,

Seniors for Seniors based in Brandon, New Horizon seniors in Gimli and seniors groups in Morden and Winkler.

As part of their efforts to ensure the voices of all Manitoba seniors are heard, directorate staff have also continued building bridges to the multicultural community through working with such organizations as Ethos, which is the Multicultural Seniors Coalition of Manitoba, Franco-Manitoban seniors and the Filipino senior groups. They are also working with aboriginal seniors organizations, including the Flin Flon seniors, The Pas golden-agers and the Thompson Northern Lights seniors.

The directorate has actively maintained and expanded its contacts within government. In particular, it has worked with Culture, Heritage and Citizenship, Justice, Housing, Family Services and Consumer and Corporate Affairs to ensure that the needs and concerns of seniors are considered in various policy discussions.

The directorate has also been represented on several provincial committees. For example, the directorate is also chairing a committee examining transportation issues composed of representatives of the seniors community and government. As well, it has been active on a committee that aims to improve communication and co-ordination of programs and services related to seniors housing.

The directorate chaired a multidisciplinary committee that drafted guidelines and procedures for dealing with elderly abuse called Abuse of the Elderly: A guide for the development of protocols. The development of these protocols was a follow up to the two successful conferences on elderly abuse that the directorate organized in '91-92. This publication will soon be available to service providers across Manitoba.

We have also produced and begun to distribute a brochure called Seniors' Emergency Preparedness. This has come in response to a need raised by seniors and service providers. The brochure outlines guidelines for handling emergency situations. We have had a great deal of interest in this information from seniors who find it informative and easy to understand.

I know the members with me today probably would like to receive those copies. You just ask the Seniors Directorate for them. They found it a very good publication.

We have distributed our brochures to the native community in Saulteaux and are also in the process of completing the translation into Cree. A video called Standing up for Yourself on financial abuse, which was directed and produced in 1991, has been widely sought after and used by many organizations. To date, over 1,250 copies in both English and French have been distributed.

Just recently, today, we were asked to buy seven more copies from the Winnipeg police. The video has won two awards, an international Silver Screen Award in the general education category and an award sponsored by the Manitoba film and video industry in the category of educational training.

The directorate also assists me in preparing a regular column in Seniors Today, a bimonthly newspaper aimed at Manitoba seniors. This column addresses a wide variety of topics of interest to seniors, including common questions asked by callers to the Seniors' Information Line.

The staff also have been actively co-ordinating special senior events in partnership with community groups for Seniors Month. This year Senior Day events were held in Russell, Gimli and Carberry. The final event to close Seniors Month was held in Winnipeg at the Legislative Building.

I now wish to discuss the Seniors Directorate major activities and undertakings planned for the fiscal year '93-94. The Seniors Information Line will continue operation, providing Manitoba seniors access to information and services as we have done in the past few years. The directorate will continue to distribute a variety of educational materials, including the new one, the video on financial abuse and related print material; the booklet Questions to Ask your Doctor and Pharmacist on Taking Medication; the Manitoba Seniors Directorate Information Guide; and the Seniors Emergency Preparedness brochure.

The directorate will distribute the elderly abuse protocols to service providers, law enforcement agencies and hospitals. As a further step towards our aim of eradicating elderly abuse, we will be working with communities to set up multidisciplinary teams throughout the province. The interdepartmental committee has already begun meeting to produce materials such as manuals and guidelines for the development of these. The directorate is working with some communities that are already beginning to deal with

such cases through the local multicultural committees.

With '94 designated as the Year of the Family, the directorate will be working with community groups to focus on the special role of seniors within the family. We expect this year to be very exciting for all of us. The directorate will establish a single point of entry to allow seniors to access information quickly on available senior housing in both urban and rural areas. The directorate will develop information and guidelines for seniors to effectively access services and resources that they help them maintain their independence. The directorate will continue to work to establish co-operative partnerships with the private sector to develop informational materials and provide services. The directorate will work in partnership with local senior groups in planning Seniors Month events. I am confident the Seniors Directorate will succeed in meeting these particular challenges over the coming year and will continue to play a vital role on behalf of our province's seniors.

As in the past, this will be accomplished through strategies and policies developed in co-operation among the seniors community, private sector and this government. The issues and concerns of Manitoba seniors affect us all, and how we resolve and deal with elderly abuse, housing, health, financial stability, transportation and the many other issues affecting seniors, who also shape the future of our province. As a prosperous economy and healthy, harmonious society, we are committed to ensuring seniors are full and active participants in making decisions that will shape our common future.

Although it has not been added to my notes, I would at this time, though, make the members of this committee aware that Seniors Directorate is a policy-setting directorate with a staff of three, so you can appreciate the many hours that they put in. As you can appreciate, just answering the calls can take probably a good part of one day. The whole idea for our Seniors Directorate and three staff is to work with the people when they do phone in. I know some of the members have used our directorate. We know that our people there are very co-operative. Their whole idea is, as I explained very briefly in my notes, to try to save some of that frustration that happens to people when they are phoning in and trying to find out the different departments.

My staff is very conscious about what they are dealing with and how they are dealing with it. However, we cannot answer—or we can answer but will not satisfy all their concerns, but I must say, the people we have there when you come down to Kathy Yurkowski and Betty Brand and the receptionist and one other policy person, that it is tough. We want to share the view that they are people who do want to work with seniors and will continue to do so.

I now invite questions from the members and hope I can answer all of them for them.

* (1440)

Mr. Deputy Chairperson: We thank the honourable minister for those comments. Does the official opposition critic, the honourable member for Broadway, have an opening statement?

Mr. Conrad Santos (Broadway): Yes, Mr. Deputy Chairperson.

The honourable Minister responsible for Seniors had made an estimate that about 13 percent of Manitoba's population belongs to the seniors group, but the most striking thing in the demographic information regarding our population is the changing picture of the composition of that population.

Over all of Canada, for example, the multicultural reality even as early as 1986, all across Canada, is that there is 37 percent of Canadians whose declared origins are neither English nor French. Among the immigrants who are coming here, in 1960, four out of five were of European descent, British, U.S.A., Australian, New Zealand, but if you investigate and look at the decade of the 1980s, two out of three immigrants came from other places like Asia, Africa, the Caribbean, Latin America.

To be specific, in Manitoba in 1989, for example, there were about 5,700—between the years '88 and '89, there were 5,786 adult immigrants who were 55 years or older who came as immigrants to Manitoba. They were distributed as follows: From the Philippines, there were 37 percent of them; from China, 13 percent; from India, 11 percent; from Viet Nam, 5 percent, making up a total of 65 percent that constitutes now what we call the visible minority groups, and these are 55-years-or-older citizens, Manitobans. It follows then that not only is the population in Canada and in Manitoba getting older by age, they are also getting multicultural more and more as years pass by.

Everybody wants to live long. Nobody wants to get old, but it is a reality that if we live long, we get old. Yet we do not get old by merely living a life. We get older in appearance, in disposition, in attitude, if we lose interest in living.

How do we know we are getting old? Well, if our only initiative in the morning is to get out of bed in our underwear, then we know we are getting old. If you have gold in your teeth and silver in your hair—

An Honourable Member: Smile, Conrad.

Mr. Santos: And lead in your legs, then you know you are getting old. However, U.S. President Kennedy said in a special message to Congress in his paper entitled Public Papers of the President of the United States, 1963, page 189: This increase in the lifespan and in the number of our senior citizens presents this nation with increased opportunities—the opportunity to draw upon their skill and their sagacity and the opportunity to provide the respect and recognition that they have earned.

I suggest that the same statement applies to our Canadian seniors. They provide us with opportunity for our economy and our nation to draw upon their skills in all the arts and trades. Indeed, we have an opportunity for all seniors to get involved again in their lines of work so that they can be useful to our citizens, and that will prolong their interest in life, and will help us also to provide the necessary skill and knowledge that we need in our economy, in our society. In so doing we need to give them the due respect and recognition that they have truly earned.

Pearl S. Buck in her book, *My Several Worlds*, published in 1954, page 337, has stated: Somehow our society must make it right and possible for old people not only to fear the young or to be deserted by them, for the test of a civilization is in the way that it cares for its helpless members.

She is saying the test of a civilized nation is the way they treat their senior citizens. I suggest we owe not only moral, not only legal, but a perfectly legitimate obligation to our senior citizens to better their conditions and situations in life after they have served this country and contributed their best in building up our social and economic structure.

That great Roman philosopher Marcus Tullius Cicero in his work *De Senectate* said: There are four causes of the apparent misery of old age.

First, old age withdraws us from the active accomplishment in life.

That was his observation.

Second, it renders our body less powerful. Third, it deprives us of almost all form of enjoyment. Fourth, it stands not far from death.

All of these alleged causes of misery of old age are more apparent than real in my estimation. Old people, certainly, can continue to be active, need not withdraw from the activities of life despite retirement, and in fact some of our senior citizens are more active than they were when they were actively engaged in their occupations. Even our body—I suggest we can restore the power of our body through proper diets and exercise. You have seen Jack Lalanne, for example, even in his old age he is still powerful in body. I think we can also enjoy ourselves. We do not have to surrender all the joys of life just because we have joined the aged group. We can go on dancing, I think, and travelling, and all of these will be very enjoyable activities.

It is not also true that, as we grow older, we necessarily are nearer to death than before. We have seen people who are young and who died earlier than us. It is really unpredictable, regardless of age, where and when we shall go.

Indeed, science has not been very negligent—[interjection] No, they have been researching age and how they can postpone aging. This is the latest I have found. Scientists have always thought that all the species have certain allotted life on earth, that this is determined by the law of nature, but now there are new experiments they are undertaking on, for example, flies and on worms, and they say that aging can be postponed. They created—for example, in the University of California in Irvine and in the University of Colorado, what they call the methuselah animals live twice as long as normal because they can manipulate their environment.

How do they do that? The scientists isolated one species, for example, one kind of gene that can control the span of life. The long-lived flies and the long-lived worms harbour a gene for—[interjection] Yes. No, these are living beings. Okay. They produce a certain enzyme called superoxide dismutase.

* (1450)

An Honourable Member: Say that again.

Mr. Santos: Superoxide dismutase.

An Honourable Member: You had better get the spelling of that one.

Mr. Santos: D-i-s-m-u-t-a-s-e. Okay. It detoxifies the harmful substances in their cells. Certainly, we also have cells in our body, and there are some toxic things that lead to aging and old age in our body cells. Now, if you have that enzyme in this little being, by the same logic, this enzyme can also be injected into human cells; and, if it works with lower-level animal life, certainly it will work with human life. So it is still a matter of optimism for science that sometime in the future we might perhaps double the life span of human beings, and that is not far from conjecture at all.

An Honourable Member: Are you telling us you are 150 years old? You do not look a day over 40.

Mr. Santos: I do not look like it. It is a matter of attitude. Nobody gets old by merely living a number of years. That is a fact of life. People get old if they deserted their ideals in life—[interjection] Right. Years may wrinkle our skin, but we do not give up the enthusiasm of our inner being. [interjection]

Inner being. Enthusiasm. We may have worry, doubt, self-distrust, fear, but we have the spirit. The human spirit is inside of us that can overcome all this. As said by Samuel Ullman, you are as young as your faith, as old as your doubt; you are as young as your self-confidence, you are as old as your fear; you are as young as your hope, you are as old as your despair.

So, whether we are 60 or 16, there is in everyone of us the lure of wonder, the unending childlike appetite of what is coming up next, the joy of the game of living.

In the centre of heart there is a wireless station that receives messages. If it receives messages of beauty, hope, cheer, courage, then so long we stay young. These are beautiful words.

You know, there is an Irish proverb which says: When we are old, all our pleasures are behind us. I say that is not necessarily correct.

An Honourable Member: No, no.

Mr. Santos: No. When we are young, all our troubles are before us. I said, there might also be trouble for us if we do not take care.

If any government ignores the needs of the elderly, if they ignore their necessities, trouble will

always be before us. These are very beautiful things, and it is the obligation of government, I would say, to take care of their senior citizens, especially in their old age.

I have a quotation here from Hubert Humphrey; you know him. He used to be the vice-president and senator. [interjection] Yes, there has been a Hubert Humphrey building, it was during the dedication of that building that he uttered the following statement. He said: The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and handicapped.

So it is either in the beginning, or in the end of life, or in the shadow of the twilight of life that government has a moral obligation to uplift their conditions of life and help them adjust that they may enjoy life.

That kind of government will have the legitimacy to continue as government. But, if a government violates any of these maxims, that government has no legitimate right to continue because it has surrendered its obligation to take care of these kinds of citizens who are in the early dawn of life, who are in the twilight of life, or who are in the shadows of life.

Therefore, whatever measure we propose, whatever policy we may adopt in our government, whether federal or provincial, it is our obligation to make sure that those kinds of programs will inure to the benefit, well-being and welfare of our people, especially those who are children, especially those who are old, and especially those who are under the shadow of death, the sick and the disabled.

If we are only to please the people, and we cannot defend our program and our work before the eyes of the world, and we cannot have a standard to which the honest and the wise can always repair, then we have no right to govern.

Society must change the criteria of what kinds of activities must be met by limited financial resources, not the demand of the stronger groups in society, but the needs of people, especially those who are in the twilight of life like our senior citizens, especially those who are in the early years of life like our children. So we have the food banks, the growing number of food banks, homelessness, hungry school children in our schools, the crying

needs that stare at us naked. We should not regard any ideological or philosophical looking glass, but we should look into the needs of human beings who need help.

With those regards, Mr. Deputy Chairperson, I now focus particularly on some of the concerns and needs of our senior citizens. Let me, because of limited time, focus on the ethnic immigrant seniors this time.

Their main problems are fourfold—the financial problem, employment problem, health problem, transportation problem. We can add a fifth, the lack of information. Because of the fact that they are not eligible for the old age benefit unless they have been here for at least 10 years, they do not have any means of support of their own. They are mostly economically dependent on the members of their family. Some of them have less than \$25 per week for themselves, so they are financially dependent and in need.

They want to be employed even in their old age, because they do not want to depend on their siblings who have sponsored them. So they seek work regardless of the kind or nature of work they can find. But they cannot find employment, not only because we are in an economic recession, but because even if they have credentials or skills they have brought with them, they cannot use all these skills and credentials. It is not recognized in this country.

Not only that, they may have poor diction or poor English. Because of their appearance, they may have difficulty in seeking employment, and because of lack of money and because of lack of jobs and opportunity, of course, their health will suffer. This is due to the financial strain, the stress of living day to day with no money in your pocket. Because of this, they will have to stay with their siblings, in the household of their siblings. They take space, the personal space of their grandchildren, so you can see that there is conflict there between the grandchildren and their grandmother or grandparents.

The climate is not essentially very conducive here compared to the place where they come from. So some of them develop sickness like asthma or bronchitis or arthritis or rheumatism. It is very difficult for senior citizens to live where they have no financial source and when they cannot find employment and so they suffer.

Even the transportation system we have pride in in the city of Winnipeg, even the bus passes they find very expensive if you have only \$25 in your pocket. Taxis are, of course, very expensive. Even if they dared take the bus, they are afraid they might get lost, and all this because they lack the information about the available social services and the kind of professional help they need.

* (1500)

Now, what are some of the suggestions that we can offer these ethnic seniors who have just come to our country? With respect to their financial problem, maybe the provincial government and federal government can sympathize with them. Perhaps they can reduce the 10-year residency requirement in order for senior citizens who are ethnic seniors who just arrived to be able to qualify at least for the old age benefit, for those immigrants who are at least 65 years old.

Maybe the federal government can increase their GST refunds for people who are without income, mostly from the ethnic seniors. As to matters of employment, this is certainly a matter of labour policy, and it is within the jurisdiction of the provincial government.

(Mr. Edward Helwer, Acting Deputy Chairperson, in the Chair)

The honourable minister can probably facilitate the according of recognition to the credentials and skills that these people brought with them, so that they can use their skills in order to achieve some kind of employment and also help in the economic restructuring of the country.

Also, perhaps the provincial government can help and assist the federal government in offering English language classes so as to facilitate their language ability in order to communicate.

As regards the health problem of ethnic seniors, maybe there is also some truth about the medicine that they had traditionally used in their country which is culturally relevant. It is not necessarily that medicine has to be modern in order to be effective. It is sometimes related to the belief of those people, and there are some herbal remedies that are as effective as the modern ones and need not be very expensive.

Transportation problem: Maybe they can have voluntary drivers that take the senior citizens from language classes to their home so that they can learn English or French so that they can

understand the social system here and have access to social services.

The ethnic community outreach program, they can bridge the lack of knowledge on the part of senior citizens by using the organized voluntary groups in our community as conduits in the giving out of information to our senior citizens.

I have many more things to say, but I will defer to the honourable member for St. Boniface.

Mr. Nell Gaudry (St. Boniface): Yes, Mr. Acting Deputy Chairperson, I will be very brief because we have a few other departments that we want to go through this afternoon. I know we are anxious to finish; there are only a few hours left for Estimates, and I think it is important. We have questions here that we want to ask in this department.

Firstly, I would like to say thank you to the minister for being co-operative at all times when I have had problems or I have had questions. I would like to say thank you to his staff. Maybe his executive director would not say that, because where she has appeased the seniors maybe on the day for seniors on June 29, where I riled them up again so that they—you know. But I have appreciated your staff, their co-operation, Mr. Minister.

I know they are doing a super job, and the co-operation has always been there. As I have said, I have appreciated the minister's staff, and I would be brief because I would rather ask questions in regard to concerns that we have, especially the home care. I do not know whether the minister has had as many calls as we have had. I know it is not his department, but I am sure he can answer some of the questions or concerns that we have.

(Mr. Deputy Chairperson in the Chair)

He has talked about housing. I think we will also have questions in that section to see if he can answer some of our concerns in regard to the seniors. I think the seniors are very important to our community, and it has been proven that we can count on them for advice and so forth.

The minister has mentioned that he has communicated with the senior community, and I am sure always with good advice from the seniors. My colleague from the NDP has brought along a lot of statistics, which I will not do at this stage; but, as I say, I would certainly say thank you to the staff, and we will continue working with them. We will

continue the Estimates by asking questions this afternoon, and, hopefully, that will give a chance to the other departments so that we can go through it with them.

Mr. Deputy Chairperson: I thank the honourable member for St. Boniface for those opening remarks. At this time, we will invite the minister's staff to come forward and have the minister introduce the staff. We will be dealing with line 1 under Seniors Directorate on page 135, (a) Salaries \$133,400.

Mr. Ducharme: Mr. Deputy Chairperson, I will reply to some of the comments made by the members later on during the meeting. However, I would like to introduce the Seniors Directorate. The director is Kathy Yurkowski. Kathy has been, as you all—those who work with the seniors know who Kathy is.

Mr. Deputy Chairperson: Item 24.1 (a) Salaries \$133,400-pass; (b) Other Expenditures \$123,800.

Mr. Santos: I noticed that, of the total budget of the Manitoba Seniors Directorate, about 52 percent is spent on salaries, and, of course, the remainder on other expenditures. But, out of that remainder, \$39,200 spent on communication, advertisement and information, the only item of direct benefit to senior citizens. There are approximately 147,372 seniors in Manitoba. If you divide this amount by the number of seniors, it comes to 27 cents spent per senior citizen on matters of information. How could that be substantial or of help to any senior citizen?

Mr. Ducharme: First of all, to the member, we are a Seniors Directorate that supplies information, and most of that information is developed over a period of time. What we continue to do is we continue to upgrade that information.

I have mentioned some of the information in my opening remarks in regard to our manuals and our seniors manual that we produce and change over a period of time. We also have our manuals on medication and pharmacists and doctors. We also have the manuals that we produced on emergency preparedness. I guess what the member is saying is that we do a lot for our money.

If you take a look, if that is all the cost is, I think we have done a very good job in producing, and remember that we do utilize other departments when we are producing information. Other departments also produce information that we give

to them. Also, we work in the communities, and a lot of information is either through the media, or else it is through our own staff in direct contact with people.

Also, we do run a column, as I mentioned, bimonthly in the Seniors Today that works out very, very well. It is amazing how many people stop me, and they not only kid me about Gerry's gem, but they also kid me—they also like the column.

As a matter of fact, to the member of St. Boniface, I met Senator Guay about a month ago. He said, Gerry, I do not know whether people comment to you, he says, but I have to tell you, I thought I would be through reading about politics, but when I see your column, you do not mention politics very often, but I have to tell you I read it, and I said, thank you very much.

Those are the types of people who read that column. It is amazing how many people. I do not think the judgment of how much you spend per capita—I mean, I know I would be criticized in the House if I went and I continued to spend monies, monies and monies. But I think we do very good coverage for our—we try to limit where we spend our money.

We try to make sure that if we are producing something, we are producing something that is relatively cheap to do so. The main thing is to get the message out. Along with our copies and our material, remember that when we do get our material out, we usually go to groups. We will take our material out to a group of 60, 70 seniors who will have the material, and then our staff or somebody else from a different department will spend a couple of hours with that particular group. So it is usually used in conjunction with presentations.

* (1510)

Mr. Gaudry: Yes, Mr. Deputy Chairperson, the member is right when he says it is seniors who do read the columns, and they appreciate what is sent.

We could criticize the money we spend; like you take, for example, the day we have here at the Legislature. We could criticize the government for doing that. But we should not, because the seniors enjoy coming out to that day, and I think it would be wrong in taking it away in rough times, like we say, or criticizing it. It is an outing for seniors, and I think they appreciate that day at the Legislature.

But I said I would have questions in regard to Home Care, and it has been on the minds of a lot of seniors lately. We read in the Seniors Directorate here, where it says the directorate co-operates closely with seniors organizations and government departments.

I was wondering what does this department do in regard—I know it falls under the Department of Health—but with all the calls that they do get, I am sure, in regard to Home Care that has been cancelled in regard to laundry and I believe it is preparation of meals, yet you see in talking to seniors that the need is there for certain people, for vacuuming, for example.

I have an elderly person who is 87 years old and has no family and he needs someone. All he is asking for is two hours every two weeks. What do we do with these kinds of calls in regard to giving them the service?

Mr. Ducharme: To the member, and I can appreciate it, because as he does say, we are a directorate a lot of people do not understand what a directorate is. We are getting questions, and I would be foolish to say we were not getting inquiries. Our staff, how they have been mainly handling the calls is, as you can probably appreciate, as the minister has mentioned, there are some changes to the home care. However, when people call, we want them to be specific. We want to know the individual. We want to know the address. We want to know what types of services they were receiving, because there is a lot of confusion out there.

We will be working with Health because, again, the information that we gather from some of the senior organizations and those people that we talk to—we will gather the information and work with Health to see what is really being affected. As I said, there is a lot of confusion out there. What I tell people is that seniors in Manitoba are relatively looked after very well. Their questions are generally very well looked after.

I know the member works hard with the Tache people and the people who maybe go home from Tache—not that many do probably go back and forth—but the people who are working with the Tache people probably have questions to him, because they are involved in both. They visit people, and he knows whom I am referring to. We have some people in common who call on the

individual houses themselves, and they want to know.

I think the main item now is, what we are saying, we gather that information, and we will get back to all of these individuals to find out really where the effect is because it is very confused out there. I just hope that the member will also work with us on the home care, because we will pass that information on to the Department of Health along with all the other information that we will gather.

Mr. Santos: Mr. Deputy Chairperson, the truth of the matter is that this department is like a hollow shell with three people and no appropriation for substantive programs. The seniors are dependent on the major department. This is a structural defect in the sense that this department will have no ability, no power or authority to initiate any kind of program of substantive nature that will help the senior citizen, for the simple reason it has no appropriation for such programs.

Mr. Ducharme: I will tell the member, remember, we are policy and information. We do not handle programs in the Seniors Directorate. Just to inform the member, I will give him a small example. He mentioned about the different multicultural backgrounds of the senior citizens throughout Winnipeg. I myself had a grandmother who was from Poland. Her type of communication to her grandchild was what he talked about. It was tough for her to communicate with myself. She could not write, never mind speak, the English language or handle it, but she was a very wise lady and we could learn a lot from her.

As a result—I will give you an example—I visited the White Flower House that was run by Sister Jobin who runs a house off Selkirk Avenue. She has classes that come in, classes of seniors, grandparents from all over the place. What they do is they come in and they learn about everything that is standard that is going on. A lot of them just learn the simple identification of picking up the telephone and speaking to people. She even goes through the route of the teachers talking to the pupils over the telephone, because that communication, that information is tough for them to do because they do not speak that language.

I talked to several of them, and they told me the reason why: They worked hard all their lives to put their own children through university who were the second generations. They were busy all their lives,

and they did not have time to learn the English language. Now they have the time and they cannot communicate with their grandchildren, so the specific reason to go back to learn the basic communication skills and the English languages and what is going on in Canada is so they could communicate with their grandchildren.

Through this information we have communicated with them. I know we have helped throughout on certain small requirements that she needed, and we have worked with her. I will tell you she put through—I think it was running three or four classes. She was running a full five days a week, and I think her budget was something in the neighbourhood of \$30,000 maximum, and she was running the house, supplying the teachers, supplying the whole thing.

I am just saying to the member that my Seniors Directorate will work with her, and they have been continually working with her to try and help her out where she has those problems. Basically, my whole job will be maybe down the road when she needs more specific—that I would go to a department and pass that information on, but my job will take the policy of what we think she will require and we send it on to a department, and then the department would set the program.

I just wanted to show you a very small example. This is what we continually do in the Seniors Directorate.

Mr. Gaudry: The minister, in his opening remarks, discussed housing. What role does the directorate play in housing for seniors?

Mr. Ducharme: To the member for St. Boniface, we do sit on the advisory committee for housing, and we have worked with people on a registry trying to look at maybe a registry being available because, as you know, there are senior homes and we know how many there are and the vacancies, et cetera, but there are other seniors accommodation for which there is no registry available.

An Honourable Member: Like what?

Mr. Ducharme: To find out, for instance, if you had an apartment that you wanted to rent specifically for seniors because maybe you had two or three that are already there. As you know, seniors work better if they are together. They seem to do more things.

* (1520)

We are looking and we have studied and we have people coming back with information on what we can do when we are building houses that are more adaptable to seniors, what is better for seniors. We also are looking at any renovations that are being carried out in a home that will be better for seniors, and because seniors seem to like videos, et cetera, maybe we might look at different, another method of getting the message across, but we do look and we do sit on these committees and we do give recommendations because we are addressing seniors' situations and what would be better for seniors. There is a lot in the way you have the entrances, the doors, the light switches, the sinks. If you take a look, if you have been to Arcor, take a look at Arcor, some of the adaptations they have done for the furnishings could also be done for the houses themselves.

Mr. Santos: Mr. Deputy Chairperson, following the member for St. Boniface's (Mr. Gaudry) question, it follows that there are certain activity program areas traditionally performed by regular departments that need some kind of a second look, whether they can be transferred under the direct authority of the Seniors Directorate.

This is a constructive program, so the minister will be in power to be able to undertake substantial programs. For example, housing for seniors should really be under the direction of the Seniors Directorate, matters of health affecting senior citizens, even language classes.

If the Minister of Culture (Mrs. Mitchelson), for example, cuts any appropriation for English as a Second Language, affecting the teaching of English to seniors, the Minister responsible for Seniors is powerless even if he heads the cabinet committee on senior citizens. He can not countermand or stop such assault to senior citizens. When the government cuts or increases the fees for personal care housing, the Minister responsible for Seniors is helpless. When they raise Pharmacare deductibles in the sense that they have to pay more or receive less and things affecting particularly seniors, he cannot do anything.

It is because of the organizational structure and distribution of jurisdiction along the traditional department. This is a very constructive criticism, saying that the minister responsible for senior citizens, if he is to be held accountable for anything, should be given appropriate authority and

appropriate resources to undertake the program that is needed in order to make the lives of our senior citizens worthwhile in this province.

Mr. Ducharme: Well, to the member for Broadway, I accept the criticism, but when things that we might want—it is the same as any other party in government, we do not have the say all the time, but I must say to the member, remember that when you have health, you have health for seniors, you have health for children, you have health for everyone. So that means that we take health, and we divide it up into multi little departments of health. You would say the same thing for education when you start splitting it up into three or four sections.

I think that as Seniors Directorate, when we do have their advice, our staff, looking at it from an outside point of view, not the Health department's, will give and we do give criticism to Health. We do give criticism to Education, or we will give it to Family Services or down the road.

That is what our job is—and I think as a directorate, you have a better chance when you are not giving the program—is to suggest policy, and we have continued and we do set policy. Just to give you an example, a small item was the card that the Minister of Health (Mr. Orchard) keeps talking about. That was the idea of the Seniors Directorate, to make sure that—and they are talking about a Pharmacard. That was our idea from the Seniors Directorate, just a small example of what has been handed down.

We do criticize them. I mean, we are not going to tell you that members of the cabinet sit around and agree because someone brings in a paper. My job as Seniors Directorate is to probably bring forward policy, and I do argue some of the seniors concerns, but I cannot win all the battles. I cannot claim to win all the battles, but I know one battle I am winning and that is the battle of the Seniors Directorate under my responsibility, and that is to look at policy and send forth information. My staff has been doing that.

Mr. Gaudry: Yes, my last question, since we said we would be brief so that we can go to other departments. You talked about the aboriginal seniors. What does your department do for the aboriginal community in regard to housing? In your comments, you mentioned that you do work with them.

Mr. Ducharme: I just wanted to get the name correct of the group that we work through. We work through different native, aboriginal groups come forward, and we helped one particular group Araine Keegenan [phonetic] obtain some funding. We do work with the—

Mr. Gaudry: Where does the funding come from?

Mr. Ducharme: Federal funding, so we also work with the seniors in Thompson, and in the northern areas we have worked with seniors. As you know, we have an outreach office in Thompson, and they work with the aboriginal seniors.

As a matter of fact, I met them about a year ago—I guess you would call them the fathers—and they sat down with me. They were very honoured that we sat down, that the Seniors minister would sit down just on their problems that they felt, without anyone else being around. A couple of hours of good—

Mr. Gaudry: Yes, the outreach office out of Thompson, what does it do? Is it directly connected to the Seniors Directorate?

Mr. Ducharme: The outreach office there is shared between the Women's Directorate and the Seniors Directorate. We work directly with the same office that the Women's Directorate and the seniors work in Winnipeg. Then they work together. Then we work also with the one in Portage.

Mr. Santos: A question: At present what does the Seniors Directorate do for ethnic seniors?

Mr. Ducharme: I have met with and worked with Ethos, which, as the member is aware of and appreciates—the member for Broadway (Mr. Santos) knows of the multicultural—you have to remember that you can continue to work with them. There is multicultural—I have worked with the Philippine community a little bit. As he knows, information goes back and forth with them.

But Ethos would be the one that, if you asked if we have got a direct contact with any multicultural, that would be the one. But also we do have a close contact with other multicultural people through MSOS, and Creative Retirement has multicultural people that do come and work with our Seniors Directorate.

Mr. Santos: I do not deny that they have contact. What I am asking: If they are doing anything of a

substantive nature to help them adjust to their difficulties in life?

Mr. Ducharme: Well, what we do—and you have to remember, again, what we do is that we work with the multicultural department setting policy and helping them with their work with the seniors. We have developed some policy to work with them, and that is the role that we do play.

We have also developed our book that is developed for seniors in six languages, and we work with the cultural groups to make sure that information booklet that we do give out is not just in the English language, but it is in six languages.

Mr. Santos: Before we pass the Estimates, this is the ultimate question I would like to ask because there on page 11 under Activity Identification/Operational Overview it says it is the function of Seniors Directorate to facilitate and implement new initiatives to benefit seniors in Manitoba.

If this is the official purpose and professed objective, how can, by any stretch of the imagination, a governmental unit with an organizational structure of three people and practically no operating budget initiate any new initiative for seniors?

* (1530)

Mr. Ducharme: I did not want to end it this way, but I have to make comments to the individual for Broadway (Mr. Santos), and if he wants me to take five or ten minutes—I will not do that, but I want to explain to him.

Where has he been with the elderly abuse? Where has he been with our pamphlets and our information that we established? Where has he been with the two meetings that we had with the caregivers throughout the province? One was 325 service providers, police, et cetera. Where was he when 150 would be provided in Winnipeg to the service providers?

We have continually worked on the elderly abuse. As a matter of fact, to the member, we were complimented so much from our department on the elderly abuse situation that we were asked to make the presentation to Parliament in Ottawa about six months ago.

I will tell you what I will do. I will supply the member with our approximately 30-minute presentation on what we have done with the elderly abuse situation. You know, it was through the

Seniors Directorate, for instance, that probably helped along having the Family Court, which is now dealing with the abuse situation.

So, for the member to say—I know that it is hard for him to imagine that we could do so much with just three people; however we have continued to work, and we have provided a lot of information for just that one alone, the elderly abuse situation.

Mr. Santos: Let me conclude, Mr. Deputy Chairperson, by saying if there are 30 percent of Manitobans who are senior citizens, are they not entitled to at least 30 percent of the resources of the government? Of the personnel in government?

All I am saying is that the Seniors Directorate should have more personnel and more resources if it is able to do its new initiative and function.

Mr. Ducharme: What I explained to the member earlier that the Seniors Directorate is policy and information. All departments deal with seniors, whether they be Health, whether they be Education, whether they be Family Services. Continually down the line, they are all spending money that benefits seniors.

Again, ours is only an information, policy-setting directorate. I would never ask for a third of the money of the total budget because they are going out to Health, Education, et cetera anyway.

One comment just to close. We had quite a long speech from the member for Broadway. He said that through recognition of seniors we can understand how governments are. I want to note to the member that next year probably, if I am the Seniors minister, I will be 55, and I expect that he remembers how he treats a senior minister.

Mr. Deputy Chairperson: 1.(b) Other Expenditures \$123,800—pass.

Resolution 24.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$257,200 for the Seniors Directorate for the fiscal year ending the 31st day of March, 1994.

CONSUMER AND CORPORATE AFFAIRS

Mr. Deputy Chairperson (Marcel Laurendeau): The next set of Estimates that will be considered by this section of the Committee of Supply are the Estimates of the Department of Consumer and Corporate Affairs. At this time we will ask the minister to come forward.

It is on page 23 of the Estimates book.

As, under Manitoba practice, debate of the Minister's Salary is traditionally the last item considered for the Estimates of a department, accordingly we shall defer consideration of this item and now proceed with consideration of the next line. We will be skipping by, as the committee has agreed, (b) Executive Support (1) Salaries and moving on to (c)(1) Salaries. We will come back to those previous lines.

Would the minister have an opening statement at this time?

Hon. Linda McIntosh (Minister of Consumer and Corporate Affairs): Just a very brief statement, Mr. Deputy Chairperson. I do not want to take too much time with preliminary remarks. I would prefer that we get to questions as quickly as we could.

I would just like to say that I am very pleased with the work the department has done this year. We have some 29 acts in our department. One of the new things that we were doing this year was to set up the new Residential Tenancies, and the housing court is working extremely well. I am very, very pleased with the feedback we have received from both tenants and landlords on that particular aspect of our work.

We are bringing in amendments, as the members know, for other aspects of the act which we found we needed to enhance and improve somewhat. The Consumers Bureau, Corporations Branch, Securities Commission, all of those branches of the department that deal with the public in a wide variety of ways, that appeal to both consumers and to corporations have done, I feel, an exemplary job this year, and I commend the staff for their hard work.

Mr. Deputy Chairperson: I thank the honourable minister for those statements.

Does the critic for the official opposition the member for Elmwood have an opening statement?

Mr. Jim Maloway (Elmwood): Mr. Deputy Chairperson, I have a few comments to put on the record. Since we, I believe, have only about an hour to spend in Estimates, we are going to have to be probably briefer than we normally would be, especially if we want to get some questions answered.

My view of this minister, this department, this government really has not changed over the last year. I still see it as a government that is run by

interest groups. I see legislation being brought forward to the House here that, in our view, has clearly been influenced by and practically drafted by friends of the Conservative Party and the government, and we will take great pains to point that out as we progress. We feel that the rental bill that the minister has brought in certainly is there to protect and serve—

Mr. Deputy Chairperson: Order, please. Could I ask the member to just back away from the mike? Hansard has a problem with your speaking that close to it.

Mr. Maloway: Thank you, Mr. Deputy Chairperson.

The bill that the minister has brought in on rentals and the rentals act, in our view, clearly benefits people such as Arni Thorsteinson and other people who have close ties to the Conservative government. The safety legislation for car safety certainly is another bill that the car dealers of this province have lobbied for, and Bob Kozminski, who is another fundraiser for this government's party, stands to benefit heavily by that.

* (1540)

Well, the minister says it is not her department, but she is part of the government, part of the cabinet that has made decisions on these bills. It looks to me as though the government is, at this point, simply clearing the decks for an election now, pulling in all of the different bills and so on that they perhaps would not have dealt with in such a quick fashion, but they are doing it right now.

But, anyway, we are going to take pains over the next while to tie the direction of this government to the interest groups that they serve. With particular reference to this minister and her conduct in the department, we see constant examples where she is not on top of things in her department. In fact, it is the newspapers in this town and the media who are found normally to be bringing forth the issues of the day.

We have the issue of the regulation of loan brokers. We have loan brokers in this province running amok. The minister and her department not being aware of what is going on in that area, and it has been up to the media in this province and the critics of the opposition to bring these issues public. Had it not been for that action on the part of the media and the critics, these issues would not be made public at all. I have no hesitation in saying

that. As a matter of the fact, the minister and her department seem quite surprised when issues are brought forward and quite resentful of the fact that they have been.

Last year, she said there was no problem with the car dealers rolling off miles off odometers, and we proved that that was, in fact, not correct, that it was a major, major problem, and once again, the government was seen to be out of touch and in no way in control of the agenda on what was a very important consumer issue.

Mr. Deputy Chairperson, I could go on and on for hours pointing out the deficiencies of this government, this minister in the area of consumer affairs. We have no initiative on the part of this minister to look into your whole area of lemon laws which we have talked about now for several years, and the minister is not showing any inclination towards looking at that area.

We have a whole range of issues, and the minister could refer to my comments last year, in last year's Estimates, where we went through the whole area of the negative option offers and other areas where legislation is required and where nothing has been done by this minister.

So I see this minister, this government's term, as fortunately coming to a close within the next year. I see a new broom sweeping clean, and I predict very decisive action on the part of that new broom after the next election.

With that, I defer to the member of the Liberal Party for his comments.

Mr. Deputy Chairperson: Would the critic for the second opposition party, the honourable member for St. Boniface (Mr. Gaudry), have an opening statement?

Mr. Nell Gaudry (St. Boniface): Yes, Mr. Deputy Chairperson, I will be very brief and I will not be negative. If I can say anything, I will be positive because I am not the type to be negative.

I would like to thank the minister. I took over the critic for this department, just two or three weeks ago, when my good colleague for The Maples decided to leave and move to B.C. As I say, I would like to ask questions to the department.

I know we have a very short time for this department—not only this one, there are a few others to go through. I think there was a lot of time spent on other departments; they are not giving us

enough time for these departments, as we would like to do. It is part of the Estimates process, I guess, and we have to accept that.

With these comments, I would like to pass on too, so that we can go to questions to the minister. Again, as I say, she has made her staff available, and I am sure we will be able to contact this staff when we have questions and work with them co-operatively. Thank you very much.

Mr. Deputy Chairperson: At this time we will pass the lines accordingly, and then we will leave 1.(b) Executive Support (1) Salaries until the end so that all the questions can be asked under that line. We will move on to—

Mr. Gaudry: Yes, but did we not agree that we would go direct to the—pass everything and then go to the Minister's Salary and ask questions after?

Mr. Deputy Chairperson: I will explain to the member what we are going to do. We are going to leave 1.(b) and the Minister's Salary open to ask all the questions relevant to the entire department under those lines. So we will move everything beyond that.

Item 1.(c) Administrative Services (1) Salaries \$446,200—pass; (2) Other Expenditures \$280,100—pass; (3) Less: Recoverable from Legislative Assembly (\$186,900).

1.(d) Research and Planning (1) Salaries \$121,200—pass; (2) Other Expenditures \$35,400—pass.

Item 2. Consumer Affairs (a) Consumers' Bureau (1) Salaries \$829,400—pass; (2) Other Expenditures \$212,600—pass.

2.(b) Residential Tenancies (1) Salaries \$2,092,200—pass; (2) Other Expenditures \$740,800—pass.

2.(c) Grants \$91,500—pass.

Resolution 5.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,966,500 for Consumer and Corporate Affairs for the fiscal year ending the 31st day of March, 1994.

Item 3. Corporate Affairs (a) Corporations Branch (1) Salaries \$837,200—pass; (2) Other Expenditures \$579,600—pass.

3.(b) Insurance Branch (1) Salaries \$309,400—pass; (2) Other Expenditures \$110,600—pass.

3.(c) Manitoba Securities Commission (1) Salaries \$1,116,700—pass; (2) Other Expenditures \$268,500—pass.

3.(d) Public Utilities Board (1) Salaries \$679,800—pass; (2) Other Expenditures \$1,558,300—pass.

3.(e) Trust, Loan and External Financial Services (1) Salaries \$266,300—pass; (2) Other Expenditures \$111,900—pass.

3.(f) Cooperative and Credit Union Regulation (1) Salaries \$422,900—pass; (2) Other Expenditures \$79,500—pass.

Resolution 5.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$6,340,700 for Consumer and Corporate Affairs for the fiscal year ending the 31st day of March, 1994.

At this time, we would ask the minister to introduce the staff present.

Mrs. McIntosh: Mr. Deputy Chairperson, I am pleased to introduce to you the Deputy Minister of Consumer and Corporate Affairs, Dr. Don Zasada; the Director of Administration and Finance, Mr. Fred Bryans; the Director of Residential Tenancies, Mr. Roger Barsy.

Just before we begin, I would like to respond, if I may, Mr. Deputy Chairperson, very briefly to the opening comments of my two critics. I would like to indicate first of all that I am expressing thanks to the member for The Maples, who has moved to the West Coast. He was a very constructive and helpful critic.

I would like to express as well my thanks to his replacement, the member for St. Boniface (Mr. Gaudry), who has been my critic in the past, who has always taken the time to come to the department to learn about the issues and educate himself as to the pros and cons of what is going on, has made his criticisms in a very constructive and helpful way. Those comments that have been negative have always been supported by suggestions for assistance and where he has seen positive things he has not hesitated to say them.

The member for Elmwood (Mr. Maloway) who has been my critic since I became minister, has a slightly different approach, which is typical of his party, I suppose. I do prefer, quite honestly, the constructive approach rather than the destructive approach. I do not think that just because you are in opposition you are entitled to be rude and

insulting as well as inaccurate, but that may be why he is in opposition and not in government.

I would like to respond, Mr. Deputy Chairperson, as we go through the issues that the member for Elmwood identified—I presume that he will bring them up again—address the inaccuracies which he put on the record in his opening comments and clarify some of those mistakes that he has deliberately put upon the record.

* (1550)

Mr. Maloway: Mr. Deputy Chairperson, I do have some questions for the minister. Just before I start asking them, I do want to make a comment about the minister's comments about the Liberal critic being constructive. I have never once believed that being the doormat for the government was a particularly good way for the public to be served. I have seen other critics in this environment try to give the government its due and end up in that position.

We are here as critics to point out inconsistencies of the government. We are here as critics to point out areas where the government is wrong, and we are here to point out alternatives. I believe that we have done a job in all three and will continue to do so.

I can point out to the minister very clearly that during The Business Practices Act debates and discussions, while the Liberal Party was prepared to accept The Business Practices Act as it was brought in in its final watered-down form, we were not prepared to do so. We made it very clear that we would not support her watering down or the government watering down the act and taking out the unconscionable acts. We further say that upon election we will toughen up that act, that we will revisit the whole area and we will bring in tough new regulations that this minister and her cohorts either took out or watered down in the process. We will not tolerate that.

In all the other areas that I have mentioned, you are going to see a much, much tougher approach by an NDP government than you ever saw by the Conservatives over the last five years.

Mr. Deputy Chairperson, my first questions of this minister involve the business of the business names registration part of her department in which they okayed or passed The Wine Shop of Winnipeg and allowed them to register that business name, when in fact the purpose for that registration was to

engage in an activity which is not yet lawful in the province.

The minister, in fact, her department accepted the application for the name on May 9—I believe that the application was made on May 19 and well over a month before the minister introduced the legislation in the House. I wonder out loud how advisable it was for her department to be accepting a registration whose purpose is clearly to involve in something that is not yet legal. It will become legal when the bill is passed; I have no doubt about that. What is the propriety in the minister accepting a registration of a business name where the purpose is to involve itself in something that is not currently legal?

Could the minister answer that question?

Mrs. McIntosh: I will be pleased to answer that question. I would like to respond to a bit of the preamble that led up to the question before I do that, however.

I would first of all say that do not I wish with all my heart and soul that I had a critic someplace that was a doormat. I am not here to be a promoter of the Liberal Party, heaven forbid, but the contrast between the people who offer constructive criticism, and I am saying criticism because it has to be noted. The member for The Maples was extremely good at that, at saying what he felt was good and what he felt was bad, and where he indicated what he felt was bad, he offered constructive criticism. The member for St. Boniface (Mr. Gaudry) has adopted the same attitude. We do not always agree, but there is a desire to serve the people of Manitoba there. I do appreciate that. I have stated that I appreciate that.

Would that God would give me a doormat for a critic someplace, God has not seen fit to do that. I should indicate that the member's colleague the member for Point Douglas (Mr. Hicke) also has adopted the constructive criticism attitude, which has been most helpful in coming to solutions, such as the cooking wine legislation, which that member was instrumental in helping me bring forward. I have given him due credit for that. That was very good constructive criticism.

The member for Elmwood (Mr. Maloway) would do well to follow those two examples. He might be of better use to the people of Manitoba if he did. I hear that the member is saying that we have watered down the BPA because we responded to

the marketplace advisory committee, made up of multi organizations who recommended to us they did not want an extensive list on that particular clause that he is referring to. They were concerned that it would be seen as an all-inclusive list, and that anything not on that list might be seen as being outside the act.

So they wanted an inclusive clause, which they recommended, which we accepted, which was not watering down the BPA, but rather responding to the needs of consumers and corporations out there in the marketplace. Something for which I do not apologize, but rather take credit that we made that response.

I should also indicate that he may not like the BPA, and I say to him, where was he during the six years that his party was in power when they could have brought in a business practices act, when they could have made amendments to The Consumer Protection Act, when they could have done a number of the things that they did not do that we did? But, when he belongs to a member of the would-have, could-have, should-have-but-did-not government, I find his criticism of action that is finally being taken, really quite amazing, quite astounding, quite indicative of the gall that exists from people who do nothing, and then sit back and complain that the things that are being done, they would have done better given the chance. They had the chance; they did nothing. Nothing, Mr. Deputy Chairperson.

So I think that is important to indicate that he is going to toughen up an act that he did not have the guts to bring in when he was a member. He is going to toughen up an act that he could not persuade his party to bring in when he sat as a backbencher in government. He has made much ado about lemon laws; he was there six years, and never did a lemon law pass the books. Six years, no lemon laws. We are looking at alternatives to lemon laws. We have looked at lemon laws, contrary to what the member says. He puts on the record, and he is not interested in my response, because he is chippering away into the microphone to somebody else, saying he wants these answers but not willing to listen to them when they are being given.

But we have looked at alternatives to lemon laws, because we have seen where they do not work, and we are looking at things—the UMVAC [phonetic] program, a number of other programs.

We are in the midst of working with every province in the country, including those NDP governments, which the member should stand up and take notice of—those NDP governments, the Liberal governments, the Conservative governments across this country are looking at an alternative jointly to the lemon laws that the member wants to bring in. Those lemon laws are not necessarily the answer the constituents wants, which is probably why his government would not bring them in, when I presume he was pleading for them, in those many years he sat in government.

The member also indicates that I had said that there was no problem with odometers. I did not say that. I said that my department, at the time he asked his question, had not received any formal complaints. There is a big difference, and he knows that, but he is playing semantics. He is playing games with words. He is like the silly unicorns out in the rain in the flood, and they all drowned.

I also have to say, because I think it is a very important thing to say, that when he says there was no action taken on loan brokers, he is way off the mark on that. Again, he knows this. This troubles me that, knowing the facts, he would put statements on the record that appear to be in contravention to those facts, because he knows what we know, and that is that we had our investigative officers working in conjunction with the police to investigate loan brokers and their activities and, indeed, to press and bring charges.

By his repeatedly trying to interject into that investigation public comments about the investigation, he ran the risk, if not the reality, of jeopardizing those very investigations. He knows full well that much of my department is involved in investigative work that we cannot make public comment on during the middle of the investigations, and he persists in trying to make those issues public.

* (1600)

As for Residential Tenancies and his statements that we wrote this bill for Arni Thorsteinson, or he wrote—well, whatever it was you said in terms that the landlords wrote the bill, I have to absolutely disagree. I have here with me, the director of Residential Tenancies, who made a recommendation to me based upon the workload that they were experiencing. That director sitting beside me

indicated the increase 300 percent in the workload in terms of handling security deposits, indicated to me that we would have to be hiring extra staff, increasing the cost and size of government in order to handle the security deposits, and asked for an amendment based upon the experience of the branch. That experience was supported by landlords, supported by property managers, supported by tenants, but initiated by the staff at the branch who responsibly did not want to see a massive increase to the cost and size of government to chase a \$2,000 a year problem.

I ask the member, does he seriously want me—and I presume the answer is going to have to be yes, but I would like to hear it on the record—to increase the cost and size of government by some 10 staff members, by many, many thousands of dollars, to return to people \$2,000 which we can return through a compensation fund which they prefer to the other method?

If he wants that, it explains clearly why the debt burden in Manitoba doubled. The debt that they had when they entered office in '81 doubled by the time they left office in '88, and it is exactly for that kind of reason, that kind of thinking and that kind of rationale to increase the cost of the size of government, create a new bureaucratic empire in order to satisfy the need to have government grow and grow.

I will never accept that rationale that he puts forward that landlords wrote this section when I know absolutely that it was staff who brought forward that recommendation because all the security deposits were being turned in to them.

I feel that needs to be put on the record because the member continues to make insinuations and make these implications which are wrong. I will not allow them to stand unchallenged.

As to the specific question that he raised at the end of his preamble, which was the question of the business names registration, I have to indicate to the member that the Corporations Branch registers thousands of names during the course of a year. Anybody can register a business name. They bring it forward to the branch; it costs a very small amount of money. The particular individuals that he is talking about who registered a name—what was it called? The wine store or the wine shop or, you know, something of that nature that was registered, was put forward to the director of the

Corporations Branch, I presume, in the normal fashion. I do not know anything about why they put it forward. I can only speculate as to why they put it forward, because I was not in communication with those individuals on this topic about registering a business name, as the member knows.

The Corporations Branch director is authorized to make those decisions. I do not make those decisions. It would be most inappropriate for the minister to go over to the Corporations Branch and sit beside the staff there and do their work for them. They are paid to do their job. They do their job extremely well. I am paid to be the minister and set the act and administer the department from my perspective. I am not paid to go and be the staff, and it is not appropriate for me to go and be the staff because they are the ones with expertise to make those decisions, not I.

So you asked, why did I approve the registering of that name? I say to you, I did not approve the registering of that name. If the director approved the registering of that name, I assume he did it because he felt the criteria for whatever it was they put forward was appropriate, and he does not report to me at the end of every day. He does not phone me up at five o'clock, at the end of every day, and say: Good evening, Minister, today I registered 65 names. Here they are. Do you approve of them?

I mean, if every director in my department did that, I would not have time to do any of my own work. I would be sitting there listening to daily reports of every detail of every branch. I trust that we have hired capable people. The director there has been director for many, many years. I believe the director of that branch became director during the NDP administration. Surely you cannot imply that he is not doing his job?

Mr. Maloway: No, on the contrary, Mr. Deputy Chairperson, we are not implying that the director is not doing the job. We are implying that the minister is not doing her job.

I would like to ask the minister whether she had conversations with Daryl Silver, Don Binda or Keith Martin, because my information is that there has been communication between the minister and these people over the last few months. Now, would she expand on that a bit?

Mrs. McIntosh: Mr. Deputy Chairperson, there has been no communication with those three

gentlemen over the last few months, but I am familiar with those three gentlemen because when I became minister in 1991, and I do not remember the exact date, but at some point early in my tenure as minister those three gentlemen, whom I had never met in my life before, phoned and requested an appointment with the minister. I granted that appointment because I normally do grant appointments to Manitobans who ask to see me. They had to wait some weeks to get in, but I always will see Manitobans who ask to see me. They came in to see me. I met them for the first time when they showed up for that appointment sometime in the spring of '91. I cannot remember the exact date, but I could look it up if the member wants to know. At that point, they came in and indicated to me that they had been doing a study on specialty wine boutiques and were we ever going to have any in Manitoba.

(Mr. Jack Reimer, Acting Deputy Chairperson, in the Chair)

My reply to them was that we did not have such a thing in Manitoba but that I was constantly reviewing The Liquor Control Act. If we ever decided to have any such item, I would let them know. I retained their name on a list with phone numbers, because I had been getting numerous calls from a wide variety of people who were interested in purchasing wines from specialty wine stores, members of wine groups, et cetera, and also from entrepreneurs who were interested in setting up such a system.

As you know, there are these specialty wine stores in other parts of Canada and people who have been to these other parts of Canada expressed a great interest in them. That group of three people came in and made that presentation which I retained on file along with others.

I am not sure about this, but I think about a year later they recontacted my office to see if I had done anything at all on private wine stores. Again, I indicated to them that I was constantly reviewing the act; that that was an interesting idea; we did not have them in Manitoba; but if I ever did have them, I would be sure to let them know. That is the last contact that I had with those three people.

Mr. Maloway: Mr. Acting Deputy Chairperson, she references having met with other groups of individuals and individuals. Could you tell me how many others there were and who they were?

Mrs. McIntosh: I presume, because these gentlemen have spoken to the Free Press, that they have no problem with my using their names, because their names are public. We had about, I would say, 10 or 12 letters or expressions of interest through phone calls over the course of that first period that I was minister. I can recall one name in my mind right now.

I would have to look the others up, but without those people's permission, I will not use their names. If I get permission from them to use their names, then I will, but I am certainly not going to, nor would I ever, ever reveal the contents of correspondence sent to me by citizens of Manitoba or phone calls made to me by citizens of Manitoba on matters of personal interest to them without their express permission. I believe they have the right to be able to phone their minister and not feel that their names are going to be broadcast all over Manitoba. With their permission, I will give you their names. If they wish to remain private, I will respect their privacy.

* (1610)

Mr. Maloway: Could the minister tell us how many people have applied or groups of people have applied for the right to set up wine stores in the province and whether The Wine Shop of Winnipeg, Messrs. Silver, Binda and Martin, is one of those?

Mrs. McIntosh: We are off topic a little bit, I believe. Because he is tying it into the Corporations branch, I will answer the question, even though I think it is more properly asked by the liquor critic. The question was—

Mr. Maloway: The question was, Mr. Acting Deputy Chair, have Messrs. Silver, Binda and Martin, The Wine Shop of Winnipeg, applied for one of these licences to open and operate a privately owned wine store, and how many other groups of individuals or companies have applied for a similar licence?

Mrs. McIntosh: I cannot answer for certain as to whether those three have made application. I would imagine that they have because when they first came to see me, as I told the member, I indicated that I would keep their name and address on file, as I did all of those who made similar requests, and that I would get back to them, if such legislation came in, to inform them. So I presume, given that it is staff that follows through on those kinds of requests, that they have put their names

down as an expression of interest in receiving an application.

How many groups and individuals have applied? I cannot answer that because I am not keeping track of them personally. I can tell you that there are pages and pages and pages and pages of names and addresses, because I have seen the pages, although I have not read through them. Those pages started coming in the day the announcement was made in June, the day the press release was sent out, that the wine stores were indeed going to become a reality. We became flooded with calls, and we have continued to receive dozens and dozens of phone calls every day.

Understand that prior to the announcement being made, we already had quite a list gathered over the last two years of people who had phoned unsolicited to ask about that, because they had come across them in other jurisdictions and were interested in the topic.

Mr. Maloway: Mr. Acting Deputy Chairperson, the minister made reference to the fact that she would get back to people when the legislation came in. Whom did she get back to? Did she get back to the Wine Shop of Winnipeg, Silver, Binda and Martin?

Mrs. McIntosh: Mr. Acting Deputy Chairperson, we are off topic. This has nothing to do with Consumer and Corporate Affairs, but I will answer, and I presume then that the liquor critic from the opposition NDP will not have any need to ask these questions.

Whom did we notify that the legislation was coming down? When we put out the press release indicating that the announcement was coming down, I instructed my special assistant to go to the files and draw out the list of all of those people who had expressed interest over the course of the past couple of years in special wine stores, either as consumers or as entrepreneurs—and pleased to let them know that legislation was being introduced and that information as to how to receive an application would become available within a very short period of time.

Who they were exactly, I do not know, because I do not recall all the names on the list, but it was a fairly good-sized list.

Mr. Maloway: Could she tell us who will be deciding who gets these four or five licences?—because I think she references perhaps not in the

advertisement here, but she certainly referenced that there would be four or five given out. Who is going to make the decision?

Mrs. McIntosh: I would really like the record to show how vitally interested the member for Elmwood is in the details of the Department of Consumer and Corporate Affairs. It is clear how keen his interest in residential tenancy is by the number of questions he is asking about residential tenancies. It is clear how keen his interest is in some of the other facets of my department by the numerous questions he is asking on these particular topics.

Let the record show, he is asking nothing about Consumer and Corporate Affairs, and I will answer the questions that his liquor critic will now not have to ask me by virtue of his being mixed up in which portfolio he is asking questions on today.

The question I believe was—

Mr. Maloway: Let me, for the minister, clear her mind as to what the question is. The question is: Who will be making the decisions as to which four or five insiders get these appointments?

Mrs. McIntosh: I resent and reject the term "insider." The member has a particularly nauseating way of trying to twist everything to make it sound like it has come from under a rock, but I suppose I should not be surprised at that.

What I will say is that the government has decided there will be a limited number of wine stores. The system of decision making is still in the process of being drawn up. It will be similar, but not exactly the same as the agreements that are in place for the private liquor vendors which currently exist in the province.

There is one major difference between the wine stores that we are talking about and the private liquor vendors in that the private liquor vendors can only carry the products that the MLCC carries, and the wine stores will be able to carry other products as well as those that the MLCC carries.

So the agreements will be drawn up to be similar to those. We are anticipating close to a thousand applications. Staff will sift through those applications; criteria is currently being finalized. They will determine which of those applications fit the criteria and narrow it down to a smaller group which will then be asked for business proposals.

Those business proposals, then, will be examined, and in the final analysis, a short list with a recommendation will be proceed to cabinet. Cabinet will examine the recommendations put forward on the short list to ascertain if the business plans are indeed viable and good, and that process has to be in place because it is not proper for the MLCC to be put in the position of selecting what in a sense will be its own competition.

I trust, now, we can get on with the business of Consumer and Corporate Affairs, which is why we have gathered here today.

The Acting Deputy Chairperson (Mr. Reimer): Just before we continue, I would like to point out to members of the sharpness of questions and replies of members. I would ask both members that we are in the process of questioning and answering in a dignified and decorous way, so the member for Elmwood to continue with his questioning, please.

Mr. Maloway: Mr. Acting Deputy Chairperson, well, that is the most bizarre answer that I have heard coming from the minister today, saying that somehow the cabinet of Manitoba does not have anything better to do than to decide as to who, which four or five insiders, gets plum appointments to operate wine stores.

Why would this government not adopt a less political approach and develop a criteria and let anyone who fills their criteria operate a wine store similar to the way hotels are set up right now? That would depoliticize the system.

Regardless of who the cabinet decides will get these plums, there will be some suggestion of political insiders being given favouritism. Now, I would ask the minister why—and I say that because one of her own backbenchers—

The Acting Deputy Chairperson (Mr. Reimer): Order, please. I would caution the member in the wording and the implication of motive, of imputing motive regarding the questioning. I would caution the member to direct questions in a more orderly fashion, as they are bordering on imputing motive, but I will ask the member to continue asking his questions in an orderly manner.

Mr. Maloway: Mr. Acting Deputy Chairperson, I really do not know what better way to rephrase the question. I can tell you that at the outset we opposed the whole concept of having private wine stores, but it seems to me that what she is saying she is going to do is she is going to take the short

list to cabinet, and cabinet is going to decide whether or not The Wine Shop of Winnipeg or whether other people get this appointment.

I would say to you that, given the history of this government and its kowtowing to its political friends, that I could almost predict to you right now who the finalists are going to be.

Mrs. McIntosh: You do not even know who has applied.

Mr. Maloway: Well, the minister says I do not know who has applied. I already have a pretty fair idea of who has applied, and who will be applying and who the final successful applicants will be.

I simply asked the minister whether it would have been better to depoliticize this somewhat and take it away from the cabinet. I really do not see where the cabinet of this province has—I mean, the cabinet of this province should have better things to do than deciding which one of four or five its friends get appointments to run liquor stores.

* (1620)

Mrs. McIntosh: Mr. Acting Deputy Chairperson, I do hope that we will get to Consumer and Corporate Affairs before these Estimates are over. I do hope as well, given the intense interest that this gentleman plus his critics seem to have in this issue, that—[interjection] Well, I will take away the gentleman, I will just say member because I think maybe you are right, maybe I should not be using the term gentleman, I should be saying member.

I presume that given the intense interest this member and his colleague the Liquor Control critic seem to express in this topic, but they do not have the courage to refer it to committee where it could be discussed in full, I do not know why they are stalling on the bill or why they do not have the courage to refer it to committee and why they consistently try to bring it up in other arenas that really do not have anything to do with this topic.

For clarification, it is important for the record to note, and if the member chooses to ignore the comment I am about to make in future comments, it will say more about his credibility than anything I could say or do here. I have indicated to him that the process for making the decision is still being finalized, and it may well be that cabinet decides to designate that authority to some other body.

The point I am making is that cabinet will be the ones, in the final analysis, who take a look at these

plans for the reason that I mentioned, which was pretty clear. I also want to indicate that if the member truly believes that he must—because he has said it, he has put it on the record, so he must mean it, and it must be the position of his party or he would not have come here and put it in Hansard—that he feels that anybody who meets the criteria should automatically be given the ability to open a specialty wine store, he is asking to have a tremendous number of wine stores in this province, something that he says he does not want.

It is like voting against a secondary amendment when if the primary amendment passes amended, he could achieve closer his goal. It is called cutting off your nose to spite your face.

My point here is that the final process for selection has not been detailed as yet. We are in the process of establishing criteria. We are in the process of deciding exactly how the selection process will take place, of determining exactly how the agreements will be drawn up. We are doing that in conjunction with our staff.

This is an opportunity that countless Manitobans have said they want, both as consumers and entrepreneurs, and I am sorry that the member and his party are so out of touch with what the people of Manitoba want.

And, Mr. Acting Deputy Chairperson, with all due respect, we have about 40 minutes left, the member has refused to get onto the Consumer and Corporate Affairs agenda. The member for St. Boniface (Mr. Gaudry) is willing. I have my staff sitting here. I am prepared to talk about the residential tenancies that the member says he cares so much about, and I would like to get on with our Estimates.

Mr. Maloway: Well, perhaps we can deal with the regulation of loan brokers then. It is an area that this minister clearly has been out of touch on. We have seen loan brokers running amuck in this province over the last few months, and the minister not really knowing what is going on.

As a matter of fact we had a situation where a lady from Flin Flon phoned me, and the minister made a big ruckus about putting her department on alert. It sounded like a big NORAD meeting putting this department on alert, and then we find out later that the lady from Flin Flon had actually talked to a member of her department and gave me the name of the person a couple of weeks earlier.

So that is another example of the minister not knowing what is going on in her own department, where somebody from her department was dealing with the situation with the lady in Flin Flon, and she still was not happy with what he had done or not done.

(Mr. Deputy Chairperson in the Chair)

Then the minister makes a big production about putting her department on alert and so on and still has done nothing to deal with loan brokers in this province.

I want to know, when are we going to see regulations for loan brokers, or are we going to have to come forward with a bill, as usually is the case? Are we going to have to come forward with our own opposition bill to deal with the problem that she will not come to grips with?

Mrs. McIntosh: As usual the member has become very theatrical, very dramatic and has overstated his position in a way that is typical of his performance in the past. I really feel it is quite unnecessary for me to indicate that during his six years of the would-have, should-have, could-have-but-did-not government that he did not do one blessed thing to deal with loan brokers.

He did not do it himself from his position on the backbenches of government, nor could he persuade his ministers to do anything about it. I presume he must have been harassing them daily to bring in loan broker legislation, and they responded "not." They said we will not listen to you, Mr. Maloway, because we do not agree with you. We do not want to do anything about loan brokers—and they did nothing about loan brokers.

On the other hand, we have brought in The Business Practices Act which this member also did not bring in but which he is going to toughen up if he ever gets back in power, by golly. But we brought that in.

Under that particular situation, in this case that he refers to, we seized assets, we seized records, we got a search warrant. We sent in, with police co-operation, investigative officers. We did any number of things that we were empowered to do by virtue of legislation that we brought in that they did not bring in.

Quite frankly, if the member for Elmwood (Mr. Maloway) had been a little more discreet in his comments in the House, we might have been able to arrest those people.

I would indicate he says, I made much to do about a case that he raised in the House. I have to indicate, Mr. Deputy Chairperson, when you expect a minister to accomplish work in areas that involve investigative work, that is police work, that is work that requires extremely sensitive, discreet maneuvering in order to accomplish its goals of protecting the public, and when you have a member of the Legislative Assembly stand up in the House and say, I know a woman who has been defrauded by loan brokers in Flin Flon, and then sit down and say nothing more except what are you going to do about it—which is the situation that he has brought up, so I am responding to what he said.

He stands in the House and says, there is a woman in Flin Flon being taken by loan brokers, and what are you going to do about it? I stand up and say, please provide me with the specifics so that we can look into it. He says, I cannot do that. How can we proceed to investigate a specific case when we do not know the specific case?

Fortunately, that lady then did call us, and we were able to offer her advice and assistance in her particular situation, which was not entirely as the member for Elmwood had described it so dramatically in the House.

Mr. Gaudry: Mr. Deputy Chairperson—

Point of Order

Mr. Deputy Chairperson: Order, please.

Mr. Maloway: I still had my hand up.

Mr. Deputy Chairperson: I recognized the honourable member for St. Boniface.

* (1630)

* * *

Mr. Gaudry: Mr. Deputy Chairperson, first I think I would just like to comment on the honourable member for Elmwood (Mr. Maloway), who mentioned that I was a doormat. I have never felt that I was a doormat and never intend to be. I have worked co-operatively with all departments here in the Legislature. I think I have pleased my constituents by working very co-operatively, and I intend to keep on doing that.

I have worked with the ministers, and I think the Minister of Rural Development (Mr. Derkach) will confirm that. I think rather than go publicly with issues I have gone to the department, and I have worked with the ministers. I have done that with

most of the ministers, and they have been very co-operative in my concerns, my issues with my constituents. I intend to work in that respect, and I will continue.

Anyway, I just wanted to comment on that comment that was made, being positive and criticizing the government, and I intend to continue doing that.

My question now has to do with Consumer and Corporate Affairs. Maybe it has to do with the Manitoba Liquor Control Commission.

I have a letter here from someone that had some interest on having an onsite manufacturing of beer and wine. They have permits like that in Ontario and Alberta. He has contacted the Liquor Control Commission. The process of starting a new business offers onsite expertise and equipment for clients to make their own beer and wine for personal consumption.

I was wondering, what is the status or what is the minister's view on this? I know it is not permissible according to The Liquor Control Act, but with the changes would it be possible for them to obtain a licence to do that?

Mrs. McIntosh: With apologies, I wonder if the member would be good enough to repeat the type of business that he is describing.

Mr. Gaudry: Onsite manufacturing of beer and wine. The process of starting this business is offering onsite expertise and equipment for clients to make their own beer and wine for personal consumption.

Mrs. McIntosh: Mr. Deputy Chairperson, again this is off topic. It is into The Liquor Control Act, but is a very simple answer so I will provide it to you.

We have different licences available now. It is possible for a person to have a business that sells wine- and beer-making kits, which I am sure you have seen. We have the ability to have a microbrewery, which is to have a small brewery where they sell beer. The you-brew or brew-on-premises, which is what I think you are describing, there is no licence for that in Manitoba and nothing in the current legislation that would bring it in.

Mr. Maloway: Mr. Deputy Chairperson, just to follow up on my previous question, the case of the lady from Flin Flon and her problems with the loan broker came about because she contacted the minister's department, she spoke to somebody at

the department and she got nowhere. That is why she contacted me. So why would I be interested in turning her back to the department from whence she came?

I ask the minister directly the question and I have the name of the person that she dealt with in the department. It is just another clear example of the minister not being in touch with what is really going on in her department.

Let me tell you in the case of Tower Funding, the minister is apologizing here for going through her Keystone Kop routine and coming up with nothing and trying to blame it on me or someone else. The fact of the matter is that she knew about this a month in advance.

My question is: Why did she not move quicker and try to get the money out of the bank account and get these people, rather than allowing them to escape, because that is what happened?

Once the month had passed, once the story appeared in the paper, these people simply packed up and left town, and the minister was left holding the bag when she should have moved earlier and more decisively and done something and come out of this with something, as opposed to coming out of it with nothing and then trying to go blame it on the first available person that she could find.

Mrs. McIntosh: Mr. Deputy Chairperson, the member knows full well, because it has been explained to him many times, and I will explain it again. We had five complaints. The first couple of complaints that we received did not set a pattern. Those complaints came spaced apart.

At about the third or fourth complaint, a pattern was determined and the director of the Consumers Bureau swung into action and did all of the things that he is empowered to do. He applied for a court order which you can only get if you have evidentiary material. He gathered the evidentiary material. That involved bringing in those three or four people who had complained to see if they would be willing to put their signatures down on signed, sworn statements.

The director applied to court. He got the search warrant. He was able to effect and invoke the search warrant. He was able to seize the records, seize the bank account, do all of those things in close co-operation with the police. The police and the Consumers Bureau moved as rapidly as they could, but unlike the member for Elmwood (Mr.

Maloway), they have to move on the basis of sworn evidence. Unlike the member for Elmwood, they cannot jerk up and make public statements based on hearsay, and that takes a matter of three or four weeks.

Mr. Maloway: Well, obviously, one of the things that we could learn from this exercise is that the movements were not fast enough. The people involved in Tower Funding are now laughing at the government and are ensconced in some other jurisdiction, I would imagine, with all of the monies that they took from consumers in Manitoba. Clearly, something is not working in this situation, and clearly we have to bring in some kind of regulation for loan brokers so at least we know who these people are from the beginning and put some sort of regulations in place, so we do not have, essentially, fly-by-night companies setting up, creaming the business and leaving town before her bureaucracy gets launched and goes through the processes that she has talked about.

Mr. Deputy Chairperson, I wanted to ask about the nine other convictions, I believe, or experiences she has had with The Business Practices Act. While she is answering this question, could she give me some examples where The Business Practices Act has worked to the benefit of Manitobans, which I assume it has done in some of the nine other convictions or whatever that she has gotten under the act?

Mrs. McIntosh: I would like to point out something that the member should be cognizant of before he begins the kind of questioning that he has let himself get trapped into doing. Under the NDP administration, which existed before we took office in 1988, the actions of Tower Funding were legal. Tower Funding under the NDP did nothing illegal under legislation that they had under their jurisdiction. I hope the member is listening, because he has raised the issue and this needs to be made clear to him. When you were in power sitting in the back benches of government, your minister of Consumer and Corporate Affairs would have had no ability to deal with Tower Funding because you and your government allowed their activity to exist.

What they did was legal under your administration. We brought in an act that enabled us to take the steps that we did, and the minute we took the steps we did, they left. They are no longer operating in Manitoba. Under your administration,

they still would have been here operating merrily away, but they are not here. They are gone because we had an act that in a few weeks managed to get them out of town. I have to indicate to the member that, contrary to what he is saying here, that investigation is not finished. It is still under police investigation, it is still under full investigation. Now the member is implying that they have left and it is done and over with. It is not done and over with.

We have more legislation in place to deal with this type of thing than existed under the NDP, which in fact had no legislation to deal with this type of thing. Again, I repeat, the member is a member of the would-have, could-have, should-have-but-did-not government.

* (1640)

Mr. Deputy Chairperson: The honourable member for Elmwood.

Mrs. McIntosh: Oh, pardon me, I am not finished yet.

Mr. Maloway: Thank you—

Mrs. McIntosh: The second part of his question, which was, he asked me what things have happened under the BPA that have been to the benefit of Manitobans.

I do not know how long he is willing to sit here. I see the Minister of Education (Mrs. Vodrey) is here, and I do not think I want to sit here as long as she had to sit here, but I have to say that we have had incidences of false advertising that have been addressed.

We have misleading and deceptive acts that have been addressed. We have misleading statements made to consumers about specific products that have been addressed. We are using the BPA daily. We are able to mediate most of those things that are brought to our attention; in many cases, drawing to the business' attention is enough to invoke a cease and desist. Many times it is a question of education, where the business did not realize that they could no longer do whatever it was they were doing, and they are forced to cease and desist.

The consumers have been extremely good about bringing forward their concerns, and we are sending out people on a regular basis to inform and educate people as to how to use the act properly.

We have had nine, I believe, charges taken to the courts with the BPA.

Mr. Maloway: Mr. Deputy Chairperson, perhaps the minister could endeavour to provide us with a list of the nine cases and what the results were, perhaps on a spreadsheet sort of form, and indicate what the course of action was that was taken and what was the result, so we can more clearly—I remember being on some radio show last year. I think we resolved that after six months into the BPA, we would attempt to assess as to how relevant it was and how effective it was.

A year has gone by now, and I have seen no evidence of it being relevant or irrelevant, because I have not run into any cases. Now perhaps this disclosure of these nine results will put us in a better position to be able to judge whether this act is being used properly and effectively.

The minister can justify and explain away in whatever fashion she wants. The fact of the matter is that I see very little action from her, and I see more of a reactive response in almost all occasions. It is not as if we are after the minister every day in Question Period on different issues. In fact, I think, of three-quarters of the questions I have asked this session, only a couple have been to this minister; the rest of them to other ministers.

So it is not as if we are chasing her every day, but the facts of the matter are, there are enough examples brought out through the press that indicate that she is completely out of the picture, that she is involved in things far after they have progressed and at a point where her effectiveness would be somewhat open to question, because the horses are out of the barn and well on their way out of province in some of these cases.

Now, Mr. Deputy Chairperson, I did want to get into the landlord-tenant stuff, but I note the minister wants to respond. So perhaps she could respond, and then I will ask about the landlord-tenant question.

Mrs. McIntosh: The member is quite correct in saying he has not had to raise too many issues with me in the House, the reason being that there are not that many issues that have to come to the public's attention. Because on a day-by-day basis the Consumers Bureau, which takes 50,000 phone calls a year, on average, deals with them in an extremely effective way, deals with it in such a way that the member, scrounging as he does

desperately every day of the week to try to find issues to raise in the House has only been able to find about two issues to raise during this whole session because he cannot find anything. Rest assured, if he could find, he scratches, he will find, he will bring them forward. He cannot find very much to bring forward because the branch is doing a very good job.

I hasten to add that many of the people who are in that branch are people who have been there for many, many years and were employees of the former administration as well as this administration. When he insults them, as he does, and questions their competence, he questions the competence of the people who were their employers before us as well as us, namely, his own administration. I would like to say, these issues should not be partisan issues. He is trying to make them partisan issues. He is also trying to say that unless you have a prosecution, you are not doing your job, and I beg to differ. If every time you had a complaint, if every one of those 50,000 phone calls had to end up in court so the member could have the satisfaction of saying, hurray, hurray, there is a prosecution, I would say the Consumers Bureau would be failing in its job.

The fact is 80 percent of the cases that come before them are successfully mediated. When we draw to the attention of a business that it is in violation of the law or that it is not treating consumers fairly, and the business immediately responds by ceasing and desisting and correcting its behaviour and moving to be a more responsible corporation, so that we do not have to go to the cost and the expense and the time of appearing in court, then I would say the Consumers Bureau has done its job and that ending up in court is an admission of the few places where we have not succeeded in being able to mediate and we have had to, in the final analysis, end up prosecuting. So he and I have a very different view of success. Ending up in court is not necessarily a success.

Now, we will get onto landlord and tenant affairs.

Mr. Maloway: Mr. Deputy Chairperson, the minister does explain in a striking way our different approaches to the department. I mean, one wonders whether she would have been in favour of a Business Practices Act, watered-down version or not, because her attitude seems to be that a mediation approach that was covered by The Consumer Protection Act for the last 20 years was

sufficient. Well, we proved that was not the case, that could not work, and so as a result we forced this government to bring in a Business Practices Act. Unfortunately, the act that we gave them during the minority government situation, the act that we originally introduced, was a lot tougher than what they eventually introduced and passed, and it was withdrawn because of the business lobby, the Chamber of Commerce lobby, in this province.

That is just indicative of the way this government operates. It has the landlords writing landlord-tenant laws. It has the car dealers writing the car safety laws. It has other people working on ways to get into the liquor business and that, we are going to show, Mr. Deputy Chairperson, over the next few months, is the way this government has developed, is developing and will continue to develop. Its major initiatives are those that are being sponsored by their friends, the people who write those cheques in the election period to get them re-elected.

So I do not have any illusions about it, this government is not going to act in the interests of consumers. It is going to act in the interests of the people that put them there.

I want to get on to the question of The Landlord and Tenant Act because that is a bill we have some serious questions about, and this whole question about the minister's argument does make some sense.

Mr. Deputy Chairperson: Order, please. I would like to remind the honourable member, before he moves on to his next area of questioning, that he is starting to move a little bit away from the decorum that I appreciate having within my committee.

The Speaker ruled today on Rule 484, and I do not think I will have to refer the member to the exact quotation that the Speaker made in the House today, but I would ask him to choose his words and his motives that he is putting towards any particular minister within the committee.

The honourable member for Elmwood, to continue his line of questioning.

* (1650)

Mr. Maloway: Mr. Deputy Chairperson, I certainly would not argue with the Chair and question the Chair in any way, shape or form, but I do want to get to an area that the minister has made reference to a couple of times and suggested that we get into, and that is the fundamental question that I guess I

would have about the advisability of having trust funds.

I understand the department's concern that having small amounts of anything, whether it be deposits on small purchases put in trust or the rents, what you have is quite a bit of bookwork involved and so on. I think what the minister has done here though may in fact prove to be somewhat flawed, and I will tell you why.

Trust funds are meant to be kept in trust for a purpose so that the people do not run off. I guess history has taught us that. The reason trust funds have developed over the years in Canada in the travel industry, with lawyers, with real estate agents and so on—what we found is that because people eventually sometimes are less than honest and run away with the trust funds, that we require trust funds to be kept in trust.

Now the real estate people and the member for Riel (Mr. Ducharme) will know this very well. The Real Estate Board, in their wisdom, set up a self-insurance pool and that is probably the way to go, probably a reasonable way to go—[interjection] The minister says under this government, and he is correct, it was under this government. But what the minister here is doing is she is saying that somehow, because there has not been much of a call on the trust funds over the past, we are not going to need to set a self-insurance pool up. We are going to rely on these landlords to be operating aboveboard.

Now, I ask the minister, when she looks at major landlords in this province, and one recent example is Arni Thorsteinson and Shelter Corporation, where for two years he was taking the rents of \$55,000-plus a month, putting them in his pocket and was not paying his mortgage payments, is this not a bill that is going to help someone like him, especially if he is allowed to dip into his trust funds and at some point gets to a point, because of a bad economy and collapsing commercial real estate markets, that somebody like him, a big landlord, starts to rob from Peter to pay Paul and uses large amounts of trust funds to keep their operations afloat.

At some point, if the whole operation goes under, then tell me who is going to pick up the pieces with a big landlord. I can understand a small landlord because our exposure is not going to be very high with a small landlord, with one small apartment

block or two small apartment blocks, but if you are dealing with something as big as Shelter Corporation, or there may be others around town that have multitudes of blocks, and you allow them to keep the trust funds and use them as they wish—and we are going to be talking about a lot of money here with the bigger operators—history has shown us that large operators can run into trouble as well. We have seen that with Donald Trump and others. What are you going to do then, Madam Minister? What are you going to do then if the province is caught holding the bag on a major default of trust funds?

Mrs. McIntosh: Mr. Deputy Chairperson, the last comment is one that I particularly relish because I cannot believe the member would throw me a soft lob as nicely as he has just done. What are we going to do? Well, of course, we will use the compensation fund which we are now bringing in which landlords and tenants both requested many years ago. In fact, they requested it in 1985 during the NDP administration and never got it from them. They are now getting it from us.

I would like to ask the member why he thinks that landlords would act any differently in the future than they have in the past. I would like to ask the member why, during the six years that they were in office, they never thought to bring in a new act that would assist the marketplace in any way, shape or form. I would like to ask the member why, when he was in government, they never put in measures that would build in the disincentives that we have built in for landlords.

I want to indicate, Mr. Deputy Chairperson, because I think it is very important that the misconceptions that the member has attempted to put on the record in the House and in this committee be clarified. The fact is this. The trust deposit that the member is referring to—the member is now listening so I will start again maybe because I am sure he might have missed the first part of my comments. Let us run back through the history of this. Let us run back through the history.

Let us run back through the years 1981 to 1988 when these provisions were not in place to protect tenants and assist landlords. Let us take a look at the new act which put into place several options that landlords would have to put in place.

Well, Mr. Deputy Chairperson, I find the member's comments insulting. I would ask him to withdraw and apologize.

Mr. Maloway: Withdraw what?

Mrs. McIntosh: Withdraw the comment that you just made and apologize for imputing motives.

Mr. Deputy Chairperson: Order, please. The chairperson did not hear anything that the honourable member said, and I do not believe it was picked up by Hansard. The honourable minister to continue.

Mrs. McIntosh: Mr. Deputy Chairperson, we brought in provisions in this new act—we brought them in—that had several provisos that landlords are going to have to do. They had to have a trust account. They had to have some form of financial instrument that was acceptable to the director. They had to send the security deposit in to the director and they had these options that were made available to them.

What happened, Mr. Deputy Chairperson, is that the landlords of the province opted for the option of sending in their security deposits to the branch. Just to make an indication of what that has meant, that has meant that the branch has opened 4,300 security deposit files compared to 1,370 security deposit files opened during the same time in the previous year. That is an increase of more than 300 percent.

That large increase in the number of security deposit files is causing two major problems identified to us by staff with a recommendation by staff.

An Honourable Member: Do you want to answer the question?

Mrs. McIntosh: I am answering your question. I am doing the preamble. You can do a preamble, I can do a preamble. I can make my preamble as long as your preamble, and I can make it just as entertaining as yours.

It is creating a large backlog of files that will not be cleared without the addition of extra staff. It is resulting in much staff time being spent on unnecessary determinations. That is not serving the tenant well. That is not serving the landlord well. That is certainly not saving the taxpayer who has to pay for the increased cost and size of government well. Many taxpayers are tenants and landlords, and understand that—you asked about

big landlords. We have the ability—I do not know about Arni Thorsteinson's situation.

An Honourable Member: How about Donald Trump?

Mrs. McIntosh: Okay, you keep referring to that name, and I do not know about his situation. I am talking about the law as it stands and applies to the entire marketplace. If you wish to personalize it, I can bring you in personal examples, but I do not think that you would like me to do that. I know you would not like me to do that, but if you want me to start hauling in the names of landlords who have your political persuasion, believe me, sir, I can do it, but I would not do it because it would be unethical and it would be inappropriate. It would be unethical and inappropriate to do that, so I will not do that.

Behind every security deposit stands billions of dollars of assets. Landlords who do not return security deposits are subject to the following penalties: They can have their rents redirected; they can have their assets seized; they can have a lien put against their building. They can have a number of things done that were not in place when your party was in power.

Let me say this. Why would landlords act differently in the future than they have in the past? We have \$25 million worth of security deposits.

An Honourable Member: You missed the point.

Mrs. McIntosh: I have not missed the point, and we have a \$1,000- to \$2,000-a-year problem for which we have put in place a much better solution than ever was in existence before. It is better for tenants; it is better for landlords; and it is certainly better for government and the taxpayers who have to fund government.

* (1700)

Mr. Deputy Chairperson: Order, please. The time being 5 p.m., time for private members' hour. This committee will reconvene at eight o'clock.

ABORIGINAL JUSTICE INITIATIVES

Madam Chairperson (Louise Dacquay): Order, please. Will the Committee of Supply please come to order. This section of the Committee of Supply is dealing with the Department of Aboriginal Justice Initiatives. We are on page 140, Resolution 36.1.

Shall the resolution pass?

Mr. Oscar Lathlin (The Pas): Last time we were in Estimates dealing with AJI we did not get very

much time to get into specifics after some general remarks were put on record.

Today if I could, just for a few minutes I would like to get into a few specific areas such as to ask the minister what the Aboriginal Justice Initiatives budget—how much money it has for this coming fiscal year?

Hon. James McCrae (Minister of Justice and Attorney General): Madam Chairperson, \$1 million.

Mr. Lathlin: A million dollars?

Mr. McCrae: That is according to the line in the Estimates. There is \$1 million set aside and a number of projects are either approved or being reviewed for approval, approval not yet made, et cetera.

So we have not got the whole \$1 million dollars spent to this point and decisions have not been finalized on the spending of the total \$1 million, but we have \$1 million set down in the Estimates.

Mr. Lathlin: Could I ask the minister then what the final utilization of the last fiscal year's budget was in terms of Aboriginal Justice Initiatives?

Mr. McCrae: According to the document I have in front of me—and I do not have the benefit of staff. Staff has not been invited in to this point, Madam Chair.

Madam Chairperson: I am sorry, I apologize. I wondered why there was no staff.

Would the minister's staff please enter the Chamber.

Does the honourable minister wish to introduce his staff?

Mr. McCrae: That would be Ken Gray, Administration and Finance Branch, Mr. Greg Yost of our Policy and Planning Branch, and they have brought me some up-to-date information about actual expenditures for 1992-93. They include: the Human Justice Training Program \$50,300; the Hollow Water Healing Circle, \$60,000; the Island Lake Tribal Council Family Violence Project, \$18,000; the National Aboriginal Youth Conference, \$20,000; the Aboriginal Spousal Abuse Program, \$15,400; the Reintegration of Agassiz Offenders, \$7,500; the next one, the Southeast Tribal Council Workshop for \$6,600; Cultural Awareness Training for \$3,000; Intensive Supervision of Judicial Release, \$51,000; Winnipeg High-Risk Offenders, \$53,000; the St.

Theresa Point Aboriginal Youth Justice Court, \$50,000.

* (1430)

So far, on our Aboriginal Court model, the work that is being done to prepare ourselves for that, \$27,800; for Northern Distance Bail Hearings, \$171,500. That is for the Justice department.

For the Family Services department: for the First Nations Task Force on Child Welfare, \$216,000; and in the Department of Natural Resources for Co-Management Projects, \$3,500; for a total of \$753,600.

These are transferred directly from the Aboriginal Justice Initiatives Fund but does not take in account, obviously, our contribution to the Dakota-Ojibway Tribal Council Police Department of \$150,000 and the Dakota-Ojibway Probation Services for \$90,000, in addition to whatever other aboriginal projects have been undertaken by the government and taken out of regular expenditures as opposed to the Aboriginal Justice Initiative Fund.

Mr. Lathlin: Could I ask the minister, Madam Chair, to maybe elaborate a little bit about the types of programs that are being carried out by—for example, I am familiar with the Aboriginal Youth Conference that was held here in Winnipeg, but other programs like something about the Reintegration Program, the Cultural Awareness programs, the Aboriginal Spousal Programs, the small budget figures, like \$3,600; \$6,000, \$7,000 and so on. Could I ask the minister to elaborate a little bit on those projects and perhaps share with us what those projects are all about?

Mr. McCrae: Yes, Madam Chairperson, from time to time, there are various workshops that deal with problems being encountered by people in this system. I include in that term aboriginal people who work in our communities and in their communities, and it is to deal with specific issues that are of concern to the aboriginal leadership. For example, the National Aboriginal Youth Conference is one of the bigger expenditures for our conference. I was able to attend there. There were representatives from police agencies and this was a cost-shared conference. We did not put up all the money that was required. It helped, I suggest—and it was not the first time they had done this—bringing together youthful aboriginal Canadians and nonaboriginal Canadians, along

with police forces and other justice personnel, to bring about a better understanding.

I guess one of the main problems, one of the main hurdles that we need to overcome is to set aside any feelings of mistrust that we might have left over from past working relationships that did not turn out the way we all would like them to do. I think there is a sense amongst all of us that we would like to develop a better understanding.

This attitude was part of the national royal commission on aboriginal affairs that put on an aboriginal justice symposium in Ottawa which I attended and people from all across Canada attended that including Ovide Mercredi. We got into an interesting discussion at that conference.

It was also an opportunity for aboriginal people from across the country to come forward and tell the other people at the conference the kinds of projects they have going in the various jurisdictions. It was very educational and very interesting to note just how much is going on in this country, when compared with just a few years ago; there are a lot of moves being made. This goes back to some of the comments I was making in response to the honourable member last week that, you know, not everything is so bleak. Sure, it is acknowledged that we all have a lot of work to do to improve not only our relationship but also to improve the cultural sensitivity of justice programs running right across the country.

I give credit to the royal commission for putting on such a conference because it really was an opportunity to share information and ideas. I wish that many, many more Canadians could have been there because it was a real eye opener in terms of proof positive that working together can make a difference. I did get into a discussion with Grand Chief Ovide Mercredi of the Assembly of First Nations on the issue of separate systems. He, of course, advocating for such things and me saying, well, while I did not think that was going to happen in the foreseeable future, but while we are debating that, let us get some real work done.

I outlined that some things were happening in Manitoba including our aboriginal court model that we are attempting to build. Mr. Mercredi acknowledged that, indeed, the debate will go on, but he also acknowledged that ideas like that one are a good one and ought to be proceeded with. We found some common ground and yet at the

political level we can carry on and keep debating. In the meantime, he is in favour of getting on with projects that will make a difference at the local level.

The honourable member wants to know about some of these smaller things. Cultural awareness training, for example, is relatively a small expenditure of \$3,000 and we have approximately 25 percent of the 350 probation supervision clients in Brandon who are aboriginal people. A high proportion of these aboriginal clients do not have an acute or positive sense of their own cultural background. This lack of positive cultural identity is widely claimed to have a direct relationship to the high proportion of aboriginal offenders. Hamilton and Sinclair told us that, and we recognize that.

The Brandon community corrections office has two voluntary probation officers who are prepared to develop and implement a cultural awareness program for aboriginal probation clients in Brandon. Upon development of this program, it is expected to become the standard format for probation supervision of aboriginal offenders in Brandon. Routine needs and risk clarification will select certain of these offenders for further specific needs-based programming.

I could give the honourable member an outline of the various costs, but they are all relatively small and amount to \$3,000 and deal with things like pilot sessions and travel expenses and elder expenses. This whole program falls within the purview of the Aboriginal Justice Initiatives Fund. That is the fund we are talking about today. This project brings in a culturally relevant dimension to probation supervision of aboriginal offenders in Brandon by introducing cultural awareness training as a central component in probation intervention.

That is an example of what could be called a small program. We expect to help some 25 percent of these 350 probation supervision clients in the Brandon area. You see with staff that we have working for us now we can use a little bit of dollars to develop them and develop the volunteers with whom they work. It seems like a small amount, but you see if you measure everything by the number of dollars you spend you are going to get mixed up pretty quick, because you are going to lose track of the real human dimension of some of the things we try to do.

I have deliberately picked, I guess, the smallest one on the list to discuss with the honourable member. There is another one that he may be interested in, and this is the one dealing with the reintegration for Agassiz offenders. That is a \$7,500 expenditure.

In 1990, the sentenced Winnipeg youth custody population was assigned to the Manitoba Youth Centre, while those from outside Winnipeg were assigned to the Agassiz Youth Centre in Portage la Prairie. As a result, 78 percent of the Agassiz Youth Centre's population are aboriginal youth, and the majority of those are from northern Manitoba.

* (1440)

Many of the home communities of these northern aboriginal youth in custody at the Agassiz Youth Centre are isolated, and transportation costs for parents to visit their children in custody are high. The lack of access results in these parents not having an adequate understanding of the experiences and programs these youth are involved in or of the physical setting of the institution, so we have proposed that videos be developed which would provide information on the physical setting of the Agassiz Youth Centre and the description of the various programs. These videos would also have the youths in question narrate to their parents their involvements in specific programs and describe their efforts at changing their behaviour. The videos would then be provided to the assigned probation officer who would share it with the youth's parents. A video with supportive messages from the family could then be returned to the Agassiz Youth Centre.

This type of communication is important, because often youth from the North are sentenced to long periods of custody and do not have contact with their families for several months. We are just trying to help maintain some kind of contact with support groups like families. The project will facilitate the reintegration of these aboriginal youth. Parents will have gained a better understanding of the programs at Agassiz Youth Centre, and they will be more supportive to the changes which their youth are attempting to maintain upon their release.

Now, in order to spend \$7,500, this project requires five video cameras, five video cassette recorders, both with carrying cases, and 30 video cassettes which would be distributed to probation officers in the North.

This initiative also falls within the purview of the Aboriginal Justice Initiatives Fund. This project brings a culturally relevant dimension to programming for aboriginal young offenders by enabling a continuation of family contact and involvement which would otherwise not be possible. So I think a program—again, a relatively small amount of money being spent, but these kids are in Agassiz, and their families, many, many of them are way, way up North, and communication is the next best thing to impossible.

So with the use of a bit of technology that is available nowadays, and without spending a large amount—I speak in relative terms here, because every amount is an amount—I say that here I think we are maybe helping prepare these young offenders for a smoother transition back to their home communities at the time of their release. This will help, I assume and expect and hope, to reduce the recidivism rate.

Now, the honourable member asked me to expand and elaborate on these, but I will turn it over to him and let him ask the next question rather than let me ramble on all day.

Mr. Paul Edwards (Leader of the Second Opposition): Madam Chairperson, I want to ask very briefly, we do not have much time in this area, we have very limited time left for all of the Estimates processes, but the minister will recall that one of the recommendations of the report was an implementation strategy which was put forward by the commissioners.

That approach was rejected by the minister in the wake of the report. The minister then went to the various aboriginal groups, and I believe proposed a working-group type model, which was sidetracked further by, as I recall, an indication from the aboriginal groups that they wanted some financial assistance to participate in those working groups. We went through that last year in the Estimates, some of the caustic debate which surrounded that.

Now, I wonder, can the minister give us an update on who currently is in the working groups specifically dedicated to reviewing the proposals put forward in the Aboriginal Justice Inquiry report?

Mr. McCrae: Yes, Madam Chairperson, I appreciate the honourable member's reference to a caustic discussion last year, which we really do not need to have this year because so much progress has been made in the intervening year. I will not

take very long to answer because I know the honourable member for The Pas (Mr. Lathlin) had another question.

We, as very recently as about three weeks ago, had another meeting with Phil Fontaine who expressed an interest in finding some way yet to work together, and that may yet be possible. But the Assembly of Chiefs is represented on the Aboriginal Court Worker Program advisory council, which has been helping us to set up, for example, our aboriginal court model.

Some of the other programs that I have referred to have had significant input from the community through various mechanisms. We are very pleased to have Brian Henderson on our staff. Brian Henderson is the regional director of court services and that is the person who is responsible for all the court services everywhere outside the city of Winnipeg. Mr. Henderson has unique attachment to the aboriginal community by virtue of his being an aboriginal person himself. We are very pleased because the work that he has been doing in his consultations with the many, many communities that he has been working with has been very positive.

We still have our working groups in government. It is just that there is no representation on there formally from the Assembly of Manitoba Chiefs, the Manitoba Metis Federation, the Indigenous Women's Collective because they decided they did not want to be part of that. They wanted a whole bunch of money which we said that if we are going to spend money, we are going to spend it on programs if we can, because we spent \$3 million on the inquiry itself. Really, we have studied this enough, and it is time to do something. So we have been doing something.

I just say that if they have some ideas that they want to share with us, we would be pleased to hear them, but we are doing our consulting with the communities affected by the programs we are putting into place.

Mr. Edwards: Madam Chairperson, do I take it then just to synthesize what the minister has said, there are working groups in government dedicated to continuing to dedicate their efforts to reviewing and with a view to implementing some of the Aboriginal Justice Inquiry report recommendations, but that there are no dedicated representatives from the aboriginal groups on those working groups

as yet. I gather from the minister's comments that there are, like the Aboriginal Court Worker project or other projects. Maybe the minister could indicate what projects there are that would qualify as government activity in this area and that have aboriginal representation.

Mr. McCrae: Madam Chairperson, the honourable member said that some of the recommendations we have rejected, and he is correct. That is true, we have, and many, many others the intent of which we want to address. We may not pursue precisely the same thing that is being proposed, but we are hoping to get at the problems that have been identified by the inquiry in dealing with, for example, culturally sensitive local sorts of initiatives like St. Theresa Point Youth Court, for example.

We do not have a whole lot to do with that. We fund it. We took over from the Law Foundation. We have had consultations with the people behind that program in order to secure our commitment, and our commitment is there. So in a sense, we are not doing anything new there. We just think they have been doing a good job for a number of years and want to assist in making sure their program continues.

The aboriginal court model involves probably the most consultation with aboriginal people themselves in their communities of all of the programs that we are into, but how do you set up a human justice training program without some discussions with the people involved in providing the training, people involved in understanding what kinds of components the training should have. Hollow Water Healing Circle—how do you fund something like that without working with the community that wants to put on the program? Well, you do work with those communities and the people in them. On and on all through, all the things that we are involved in require consultation with our government and the aboriginal people.

* (1450)

I think where we were missing the point was that to consult strictly with the provincial or national leadership of the people in a place like St. Theresa Point, for example, does not always work, because, well, Phil Fontaine, for all his good intentions, does not know any better than I do, or not much better than I do. I should not say no better, but he is in no better position than I to negotiate for the people at St. Theresa Point.

The people at St. Theresa Point know what their problems are and know who is who in the community and the problems they have. So we have had some difficulties, obviously, getting provincial organizations to be there and to speak for individual communities. That did not work very well anyway, so we found that working with the individual communities, we seem to be getting somewhere.

Mr. Edwards: Would the minister be prepared to provide the critics with a list of the government working groups, who is on them, and what their designation is or title, and how often they met in the last year?

Mr. McCrae: I can make available to the honourable member a list of the meetings that have been had. I really do not know what good it will do the honourable member, what he will learn from it, but I will undertake to make a list of meetings available to the honourable member.

Mr. Edwards: Well, that is part of the question. I also asked the minister if he would indicate the title of the working groups, how many there are and what their title is, what they are dedicated to and who is on it? Who is on each of the working groups? Who is a member of each of the working groups? If possible, of course, it would help to have their designation, what brings them, qualifies them to be on that working group.

Mr. McCrae: My staff are here, have taken note of the question. We will get that information for the honourable member.

Mr. Edwards: Can the minister indicate now, of those working groups, to his knowledge, how many individuals sit on them currently, whether they represent the national or provincial organizations or not, how many of aboriginal descent in those working groups currently?

Mr. McCrae: I would not expect that very many would. The aboriginal people have boycotted these working groups.

Mr. Edwards: With exception, Madam Chairperson, the minister indicated that the provincial and national organizations boycotted, and he has drawn a distinction between those organizations and other aboriginal people who he says may or may not be well-represented by those organizations. My question for the minister quite simply—and if he does not want to answer it, that is

fine, let him say so—how many sitting on those working groups currently are of aboriginal descent?

Mr. McCrae: It depends, Madam Chairperson, the issue we are talking about. If we are sitting down with people to try to continue the life of the Dakota Ojibway probation service, you can bet there will be a number of aboriginal people sitting at the table. Formally a member of the committee?—no. But members of DOTC, yes, and sitting down with people from our departments trying to work out problems, the same with DOTC police, the same with all the others.

They do not have a formal membership on our committees, with the exception of the Aboriginal Court Worker advisory committee, which as the honourable member knows, has representation on it from the Assembly of Manitoba Chiefs, from the MMF, from the Indigenous Women's Collective.

Mr. Edwards: I am just trying to get a structure of this thing. I understand the Aboriginal Court Worker project is a dedicated committee. I also understood that that was not strictly speaking one of the so-called working groups. I also understand that what the minister is saying is that in the consultation process, those working groups bring in the appropriate interested parties.

My question—and the answer may be quite simple, but the minister just has not said it yet. I am just wondering how many of the formal ongoing members of those working groups are of aboriginal descent currently.

Mr. McCrae: The only one I know of, Madam Chairperson, I have already mentioned, Brian Henderson. You see, the problem with formal membership on these things, just going back a year, the leadership of the major aboriginal groups in Manitoba refused to take part. We offered them co-chairs on these committees. They still refused.

Even when things got a little hot over the Roseau River issue, Phil Fontaine withdrew his support or talked about withdrawing his support for the aboriginal court model, which we found very unhelpful indeed at the time, but we are going ahead anyway because, interestingly, the Assembly of Manitoba Chiefs is represented on the Aboriginal Court Worker Program advisory committee anyway.

So, in a sense, they are sitting there on a committee and on the other hand saying they are

not interested. It is really hard to read signals like that.

Mr. Edwards: I appreciate that we have very little time, and I do not want to take up any more time. I do want to say, Madam Chair, the reason that my very few questions that we have in this area have been dedicated towards the process is that I think the process is the key to effective implementation of this report and the key to a future together, a working relationship with the aboriginal people in this area and indeed other areas.

I think the government very much dropped the ball when they did not take up the report's recommendation on a process for implementation. I think that had they gone to the aboriginal people in good faith at the outset with their main representatives to the commission, which was proposed by the commissioners, it would not have cost them anything to come forward with those individuals. They could have simply said, put these aboriginal groups to the test and said, here are our representatives; we eagerly await yours.

I think that was the first sign of good faith that could have been shown and was not, and regardless of whether or not the request for monies was appropriate, regardless of whether or not the groups themselves are the appropriate representatives on these committees, the whole process was commenced in an atmosphere of bad faith as opposed to good faith, because the government did not, in my view, take what I think was a pretty well-thought-out offer from the commissioners as a means of implementation and could have meant that there was a start in good faith towards assessment, first, of those recommendations and then costing and then implementation.

The commissioners put forward proposals, some which were relatively minor, some which were very, very broad, sweeping proposals, some which may have cost nothing to implement, some which may have been outside of the jurisdiction of the provincial government, some which may have cost a lot of money and were structural reform of the most fundamental kind. There was a whole realm of proposals. I think they knew that. They knew that no government should be expected to say, I accept this, I do not accept this, in the first look at this report. What they proposed was an implementation mechanism. That mechanism was, I think, a very well-thought-out and good idea.

If that process had been started with the government accepting that and putting forward its representatives, I do not think at that outset, within the context of that report, they would have had to come up with dollars to get participation from the aboriginal communities, if they had followed the report, but they chose not to. That was the fateful press conference which was a nonevent that the minister held to release the report and say nothing.

* (1500)

I think it was very badly handled. I hope that, though I doubt, the minister sees that in retrospect it was a recipe for friction and for dissension between the government and aboriginal people. I think that ultimately, perhaps, the government's desire to not deal in a substantive way with this report was helped and that appears in my estimation to be the agenda. It was not dealt with seriously, and it will not be dealt with seriously. I am led to the belief after these years of watching the government deal with this that there was not an intent to work co-operatively with aboriginal people toward an assessment and implementation of this report in whole or in part.

I believe that the very outset was the failure to recognize the proposal for implementation that was there and the merits that it had. I do not believe it would have cost the government anything. I believe it would have put it all in the context of a good faith effort to deal with that report seriously.

Mr. Jim Maloway (Elmwood): Madam Chairperson, the deputy minister of Justice joined us only recently; Bruce MacFarlane, Q.C., has joined us here today, and I introduce him to the members of the committee.

The honourable member made some rather scathing criticisms of the government of Manitoba on this important matter. I do not know how best to deal with it except to say that he seems to be proposing the Aboriginal Justice Commission recommended in the Aboriginal Justice Inquiry report. That commission was recommended in conjunction with the whole concept of separate systems, separate criminal codes, separate courts of appeal, everything separate and quite apart from the rest of society.

If you do not accept the separate systems, which we do not, then you would be foolish to get into an Aboriginal Justice Commission to put one into place when you do not believe in it in the first place.

That is what the honourable member is saying. He is saying he believes in separate systems. He believes in separate courts of appeal. The Leader of the Liberal Party (Mr. Edwards) of Manitoba believes in a separate criminal code for aboriginal people, separate civil codes, all of those things. He must because he is pressing for an Aboriginal Justice Commission.

After spending \$3 million over three years in inquiring into virtually every aspect of aboriginal affairs in Manitoba, the honourable member suggests we spend huge amounts of money to finance an Aboriginal Justice Commission to set up more bureaucracy. So I say, who is it that is dropping the ball? Who is it proposes to do nothing and continue to allow the justice system to become even more a stranger to aboriginal people but the Leader of the Liberal Party of Manitoba? I really am quite shocked that that would be the position he would be taking, and I hope that the members of his caucus will encourage him to retreat from that position because it really gets nothing done.

It allows us, as government, to spend millions and millions of dollars treading water for another 125 years in our history. I suggest that is the wrong approach. That is the approach that has been tried and has failed so miserably for so long and left aboriginal people desperately wanting for a better deal. So as for dropping the ball, I will not accept that criticism, Madam Chairperson.

Speaking about a recipe for friction, doing nothing creates friction and creates unhappiness and despair amongst aboriginal people in this country. That is what doing nothing has done for 125 years, while surely we should all be collectively sick and tired of seeing governments doing nothing, so that I do not accept what the honourable member the Leader of the Liberal Party of Manitoba has said.

Just to respond briefly to part of a question he was raising earlier, I wish he could hear my voice because he did ask the question, I will say that every two weeks the deputy minister and the assistant deputy ministers of Justice for Public Prosecutions, courts, Corrections and Justice and the executive director of Policy and Planning meet to discuss issues involved with aboriginal justice and review progress and problems of the very highest level of the Department of Justice meets every couple of weeks.

I have asked the executive of the department to make aboriginal justice an important priority for our government and our department, and I have asked them to do everything they can to facilitate the aboriginal court model which we keep working on. I am very hopeful about the future of that. When it comes time to deal with legislation that will facilitate this, legislation dealing with Crown attorneys and Legal Aid counsel, I can only assume that the honourable Leader of the Liberal Party would not want to drop the ball and stand in the way of the kind of progress that we need.

So I can assume we can expect his support for that bill that is presently before the House dealing with paralegals working for the Public Prosecutions branch of the Department of Justice as well as the Legal Aid society of Manitoba. Going by what the honourable member for St. James (Mr. Edwards) has said today, I feel quite assured that we will have plenty of Liberal support for those particular amendments to those particular acts. I just assume we will have NDP support because they are in favour of moving on projects like this, I am sure.

Mr. Lathlin: Madam Chairperson, I would just like to close off this part of the Estimates by saying to the members here and to the minister that it is extremely frustrating for me to sit here and listen to the minister talk about all of these wonderful things that he is doing towards the implementation of the AJI.

I do not know where he has been for the last two or three years, but I have been talking with aboriginal people, chiefs and councils and mayors and councils, tribal councils, staff and so on and as well with the Assembly of Manitoba Chiefs, and I know for a fact that those people are willing to work with the Minister of Justice to see if they can convince or work in partnership with the minister to implement those items that are recommendations that are contained in the AJI, those recommendations that would improve the situation of aboriginal people in their relationship with the justice system.

Every time I sit here and have to listen to the minister tell us or tell the House or committee about the government's pilot projects that are going on, like I am not afraid to say in this House, Madam Chair, that a lot of those initiatives that he talks about are merely tinkering with the system. And that is the truth.

The Minister of Justice is tinkering with the system, trying to project the view that he is indeed serious in doing something about the situation that faces aboriginal people in their relationship with the justice system. He is trying to project that image that he is indeed serious in trying to do something. But as I go around and I talk to aboriginal people, that is not what they are saying. They are not satisfied with that kind of tinkering that the Minister of Justice has so far done while refusing to look at the more major items that were recommended by the AJI.

So, I am sorry, I cannot jump up and down here, you know, with joy and satisfaction when I listen to the minister talk about the tinkering that he has done since a year and a half ago, two years ago. If he wants me to pat him on the back I will, but the minister has got to show us, show the aboriginal people, that he is indeed genuinely interested, committed towards the AJI and its recommendations and towards aboriginal people and the relationship that aboriginal people have with the justice system.

I know that every time he gets up to speak in the House to talk about the AJI, he mentions Phil Fontaine. Phil Fontaine is the bad guy; Phil Fontaine is the obstacle; Phil Fontaine is all the reason, according to the minister, why the government is not able to do anything.

* (1510)

Well, I am sorry, Madam Chair, as far as I am concerned, this government is the main obstacle. This government is the main reason why those substantial recommendations have not been worked on. This government is the major reason why aboriginal people are still out there not satisfied with the progress that this government has made on the AJI. This government is the reason why aboriginal people, as I go around, as I travel around the North, are still asking me about what happened to their project proposal that they submitted a long, long time ago.

So, as I said, I cannot celebrate with the minister. I cannot jump up and down with joy, as I have said before, because as far as I am concerned he has done virtually nothing towards the implementation of the AJI.

Mr. McCrae: You know, Madam Chairperson, the honourable Leader of the Liberal Party was hoping this would not be a caustic discussion this

afternoon, then the honourable member for The Pas gets a chance to talk and look what happens.

You know, Madam Chairperson, to speak about some of the things we are doing, ask the people in St. Theresa Point if they think what they are doing there in St. Theresa Point is tinkering.

I mean, really, to talk to those aboriginal City of Winnipeg Police officers who are now out there looking after our security and our safety and to tell them that their jobs are just the result of some tinkering on the part of the government of Manitoba and the other partners in that, I mean, let us get serious. You know the perpetual state of depression in which the honourable member for The Pas lives is really upsetting. It is upsetting to me because aboriginal people are depressed because they hang around with members like the honourable member for The Pas and make them their leaders. I mean, let us—

Mr. Gary Doer (Leader of the Opposition): Let us take a week on concurrence on this if he wants to filibuster his own Estimates.

Mr. McCrae: Let us get serious, Madam Chairperson. The honourable member takes 15 minutes to ask a question and I speak for two and the Leader of the New Democratic Party starts to make threats. I will stop because I do not want to be responsible for the honourable Leader of the NDP carrying out his threats.

Madam Chairperson: Resolution 36.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1 million for Aboriginal Justice Initiatives for the fiscal year ending the 31st day of March, 1994.

This concludes the Estimates for the Aboriginal Justice Initiatives.

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Madam Chairperson: I assume that we have to go through the motion, so at this time, could I ask your staff to just step outside the Chamber, or are you dispensing with opening statements, et cetera? What is the will of the committee?

An Honourable Member: I think we should have a quick opening statement.

Madam Chairperson: Okay.

JUSTICE

Madam Chairperson (Louise Dacquay): We will now commence the Estimates for the Department

of Justice on page 104. Does the minister wish to make an opening statement?

Hon. James McCrae (Minister of Justice and Attorney General): Would it be all right with the Leader of the New Democratic Party if I make an opening statement? I will be very brief, Madam Chairperson.

Again, this year, the Department of Justice has been extremely busy and preoccupied with some pretty important issues to all Manitobans and basically to all Canadians. I am pleased with the progress we have made in the area of domestic violence, in the area of aboriginal justice. I am never satisfied that we have done enough. I always think we could do more and often think we could do better, and that is why we have the opposition to remind us about those times when we should be doing better.

I think if you look at what is happening in Manitoba, I believe no one could argue that the government of Manitoba, assisted in many ways by the opposition in this House, is motivated toward making our province a safer place for people to live. There are times when we differ on one thing and another, but basically the thrust is something shared by all of us and that is to make our province safer.

I guess I should not make any opening comments without at least saying how much I appreciate the work done by the people in our department. Traditionally, I think, the Department of Justice has a tradition of having employees who are quite proud to work for the department. I remember when I worked for it, I was always quite proud to be an employee, in those days, of the Department of Attorney General, because we do important things. We are dealing with very human issues that come along, and issues about law and order and justice, obviously, are extremely interesting issues, too. The people in our department just do a tremendous job in my view, day in, day out, year in and year out, and I just wanted to commend them.

Madam Chairperson: Does the critic for the official opposition, the honourable member for Wellington, wish to make an opening statement?

Ms. Becky Barrett (Wellington): Yes, Madam Chair.

I too will be very brief because we are getting down to the end of Estimates, and I think I would like to spend most of the time discussing specific

issues. I just would like to alert the minister that while there are a number of questions that I would like to ask, there are three main areas that I will be spending my time in dealing with Estimates. In no particular order, the issues around maintenance enforcement, the Family Violence Court and, most particularly, the Pedlar commission report. I think these are three areas that need to be looked at very closely, because they do impact, particularly on what the minister stated was his intention of the department, which is to make Manitoba a safer place for people to live.

I would suggest that these three areas and others as well need to be looked at in the context of making Manitoba a fairer place to live, not just a safer place to live. While there have been some positive moves in the Department of Justice, I think there are still areas that we need to look at in more depth. So while I will be asking maybe a small number of questions on specific lines in the budget, the department's Estimates, I will be spending most of my time on these issues that deal not only with safety but with fairness.

Ms. Avis Gray (Crescentwood): Madam Chairperson, I will certainly defer any opening statements. I think it is important that we get into the main Estimates of this department and discuss issues and ask questions. Thank you.

Madam Chairperson: Would the minister's staff please enter the Chamber.

Mr. McCrae: I am pleased to introduce again the Deputy Minister of Justice, Bruce MacFarlane, who was with us this afternoon.

Madam Chairperson: 1.(b) Executive Support.

Mr. Gary Doer (Leader of the Opposition): I would like to say a few things and raise a few questions. First of all, I would like to welcome the new deputy minister and wish him well with the staff. It has been traditional that this department, I suppose, and Finance, the two departments, have been operated with nonpartisan public employees, and I know he has a very positive reputation. We wish him very well in his very challenging job. Administering the Department of Justice is a very challenging job in terms of the rights of individuals and the rights of society and the collective concerns that we have in our society.

* (1520)

I have raised questions about youth violence previously, and I know that the question was taken

as notice—youth not necessarily being defined as only people covered under the Young Offenders' Act, youth period—and cited statistics about growth in the 1993 year in the city of Winnipeg, et cetera. The minister responded with working groups and some other youth justice committees across the province, and I have to say that the issue of safety is a very important one for members of this Chamber. Nobody has an absolute lockup on that as an issue. I think we are all concerned as all 57 members of this Legislature on the issue of safety.

I have raised macro issues before in this Chamber. The member for St. James (Mr. Edwards) has raised the issue of the one-sixth time versus the one-third time in terms of release into the community, the whole issue of rehabilitation versus consequences for crime. The minister has responded to that. These are important issues for members of the public, there is no question about it, and I know the minister knows that. I know the staff know that.

I had the occasion to meet with a person from East Kildonan recently, a Mr. Bob Hatch [phonetic], a person whom I am sure is well known to the minister and the department. I have tended to not get involved in specific matters before the courts. As a member of the Legislature, I mean, what are you going to do, phone the judge? When the matter is before the courts you cannot, of course, that is illegal, grounds for resignation. So it is a bit frustrating when people have legitimate concerns of the justice system.

I was rather reticent to meet with the individual to begin with, and he was critical because his concerns of me and actually the minister—and I think rightly so after having met him on a couple of occasions where he was raising issues that I think were on a specific case. But he raised a number of concerns that I think are germane to the justice system itself and are issues that are out there in the public of Manitoba. I think he has got a number of concerns about the justice system dealing with his specific contact with it and what that means as a system responding to citizens.

He raised some concerns about an individual who is an adult so I can mention his name, a person named Daryl Sylvester [phonetic] that was charged in December 1990. He was convicted about six months thereafter. He received a suspended sentence calling for restitution, and he did not meet the conditions of restitution, and there

was no warrant issued at all for this individual—no follow-up at all from his perception by the Crown and the justice system. These points of view are all points of view that he has raised with me, and I raise them with the government.

Later that same year he was released. He was charged with armed robbery of a Domo station. He was in custody for a short period of time. He had a prohibition allegedly from calling members of the family of Mr. Hatch, and according to Mr. Hatch there were 33 calls received by his family from the remand centre itself before this individual was released from custody.

Again, he felt that there was no follow-up of the instructions from the court in the justice system. He was quite concerned about his daughter who had been involved or had known the individual who was accused of the crime. He was told that the Crown would oppose bail, and at the time the individual was given bail, it was not opposed. He was told by the justice system that his family would be informed, and his family was not informed of the release.

A later charge of assault was dropped without any discussion with the family, and it did impact on his family. When he questioned the Department of Justice about the issue of bail and the Crown not opposing it, he was told that "it was a bureaucratic oversight."

This individual has felt that the justice system has not been sensitive to the victims, as it was his house originally that was burglarized and the individual was convicted on it, his family that was potentially involved with some safety issues later on. He has come to the conclusion that the system, through the case he has been dealing with, has not considered the balance between the protection of society, the follow-up with the victim, the follow-up with the other part of the system, not just the accused.

I think he is right on the case that he has brought to my attention. Having listened to him on two occasions, I think Mr. Hatch has been completely correct. He has made some suggestions to the justice system. He has made some suggestions about notification and follow-up. He has even suggested to me that the Crown handbook be revised to deal with the whole issue of potential victims, with victims' families, with the protection of victims' families. He has suggested that the

protection of citizens be a pre-eminent concern in the Crown Attorneys' handbook and that we be much more sensitive to the other side of the equation.

I do not know whether the minister has met with this individual or his staff. I understand some members of the justice system have met with the individual. As I say, he has been critical of both myself and the government, so I do not find that offensive when he is right. I think he is right. I think his concerns about the justice system on an individual basis, when I went through it, he was correct. I should have been more involved earlier, because I think that he was raising issues of follow-up, of sensitivity, of the Crown protecting the public and always protecting the public and being perceived to be protecting the public, and the Crown letting the people know.

So I would like to know whether the Minister of Justice—he has responded to me before on the macro issue. Does he perceive there to be an increase in youth crime, youth being defended? I know his answer has always been, we want to change the Young Offenders Act. Well, I am not talking about just youth under the Young Offenders Act. I am talking about youth, period, which would be from ages perhaps of 14 to 24. I know that is not the complete definition of this.

Does he hear what is going on outside of this building in terms of the public concern of safety which we hear, I am sure, from our constituents? Has he reviewed the case of Mr. Sylvester who has been convicted and is now in custody but shortly to be released? Are there lessons to be learned, in the minister's opinion, for all of us in terms of follow-up, in terms of the Crown's role, in terms of opposing bail, the Crown's role of following up with the families, the Crown's role in making sure that restitution has delivered, the Crown's role in terms of protecting the family from calls from another Department of Justice facility, the Remand Centre, et cetera?

These are the issues that have been raised with me, and I think there are lots of lessons to be learned. I would like to know whether the Minister of Justice shares those. Has he followed up with this specific case? What can he advise me here this afternoon dealing with his Estimates?

* (1530)

Mr. McCrae: Madam Chairperson, the honourable Leader of the Opposition appropriately identifies the issue of youth violence as being a growing problem in our society. It is certainly not just in Manitoba; it is elsewhere as well.

I guess, to some extent, through changes that have been happening in society generally, sometimes I get the feeling that young people feel brutalized. They, like the rest of us, are treated to a daily diet of violence on television, videos, something you can rent now. There is all manner of violence that is available to young and old alike. The movies are like that. Somehow I have a sense that the mindset today is different from what it used to be, and so we do see levels of violence that are disturbing to us.

In fact, there are a lot of young people nowadays—the very first offence they commit is an extremely violent one. This is different from what it used to be. They start with something less dangerous, less serious by way of crime and sort of work their way up. The honourable member himself, I think, his own background is such that he would understand some of these things that I am talking about. He has raised them indeed himself.

I am very mindful of that problem in our society. I do not place changes to the Young Offenders Act before you, Madam Chairperson, or anybody else as the be-all and the end-all and the panacea to all of those problems. I think it is that way in the minds of a lot of members of the public. All this is happening so therefore the Young Offenders Act is not working. Well, you can say the Criminal Code is not working either, because we still have crime. I am the first one to accept that the Young Offenders Act all by itself is only one piece in the puzzle, and there is a lot more we have to do.

Yes, I have talked about youth justice committees. Certainly in the smaller communities that I have become acquainted with, they are a very, very positive force in those communities. In the larger ones, if we can get a sense of community going the way we do in some communities in Winnipeg and in places like Brandon and some of the larger towns in our province, we can look forward to some positive results.

With respect to youth, the violence, I hope what we are seeing lately is something that will subside. Hoping it, alone, will not make it happen, I recognize that. We have a very dedicated group in

our Community and Youth Correctional Services area of my department who try very hard to keep abreast of developments in probation circles. We have beefed up our assessment of young offenders who come into our system. We try to tailor programs for kids that we think can be best helped by them. In other words, we try not to waste money, but we also try to spend it well. Through our assessments, we are able to do a better job of tailoring programs to certain types of kids.

The national strategy is what I am looking forward to, the national strategy that will include us and every other province. I believe that flowing from Dr. Bob Horner's report—Dr. Bob Horner is a Member of Parliament from the Toronto area, and he is the chair of the national Standing Committee on Justice and the Solicitor General. His committee put out an all-party report on crime prevention generally.

I recommend it to the reading of all honourable members and hope that we can see some leadership soon from the federal level. I expect we will, no matter which government happens to be in power after the next election. That report enjoys the support of all the parties that I know of, and I think we will see something on a national scale. Then we have to bring it into the local and provincial scale as well, so I hope to see progress there.

With respect to the case the honourable member referred to, it does disturb me when I hear that there was no follow-up with respect to the case the honourable member referred to, it does disturb me when I hear that there was no follow-up with respect to the making of restitution, when I hear that restraining orders are being breached right out of justice facilities, when I hear that there seems to be an insensitivity.

I say to the honourable member I will treat these today as allegations. Staff of my department are listening, and, yes, they are familiar with this case.

But the honourable member made some pretty serious allegations. It sounds to me today like it is the one side of the story. Unless we have some confirmation from people in my department who have been working with Mr. Hatch or talking to Mr. Hatch that, yes, indeed we did say that we would oppose bail, but then we turned around and changed our minds. And if that really happened I would be extremely concerned that staff in my department would do that.

But for now I will treat this as an allegation and have that specific thing looked at as well as the others that the honourable member referred to and give some answers.

If some of those allegations are true those are extremely serious things because my department knows that the position of our government is that we do not go and say one thing and do another. I mean that is not the way we are supposed to work, and if we do that then I want to know about it so I can deal with it.

Mr. Doer: Besides the specific examples, and I have got my notes and I want to make sure if I have made any errors or the government department wants to come back to me, I am certainly willing to talk to Mr. Hatch about the specifics.

But more than just the specifics, and the specifics are important, as the minister noted, and I would appreciate his answer on the macro, the federal report. I believe Mr. Waller [phonetic] was involved as a researcher person. All of us in this House know, he was the chief who has spoken before at the crime prevention breakfast that both the minister and I have attended, and he is certainly an eminent researcher in this item and dealing with it.

But you got the feeling talking to Mr. Hatch—I certainly had the feeling with talking to him—that every time he wanted to follow up and be—I found first of all his stuff very accurate about me; when he phoned me, when I did not return his calls, et cetera. Because we were trying to deal with it as a case and not necessarily have follow-up because it was before the courts. So I found him to be very precise on some of the issues that I have raised here with the minister.

Secondly, you got the feeling that he felt he was getting the runaround. You know, this was a company dealing with a customer. You know, you would go to one division of a company, and then go to another division of a company and everybody says yes I care, but nothing happens. Everything falls between the cracks.

I think it is essential that people who are involved from the victims' side of crime have just as much confidence that the Crown and the Department of Justice will be following up on their concerns as a person who is alleged to have committed the crime feels that their individual lawyer will be following up on theirs.

I believe that Mr. Hatch has certainly documented—and maybe the new deputy minister could meet with this individual—on a number of occasions where things seem to have fallen through the cracks.

It is just a whole series of events—and I appreciate they are only allegations—that would indicate that the balance of the justice system between the follow-up of the victim and the safety of the public versus the rights of the individuals who are before the courts, that the scales of justice were this way instead of this way—it will not be recorded in Hansard—but they were not fully even, as they should be between the community and the alleged person involved in the crime.

I would ask the minister to look at all of these concerns, but not just from just a specific basis, but please review these concerns from a system-wide basis. We have got to find a way to ensure that citizens feel that if they are victims or alleged victims in anything, or if their family—and this is a person who is worried about a young member of his family, and very worried about it.

You know, I think of myself when my family is going to be a little older, and I will be scared stiff if I was going through the same situation as this individual was, you know, where adolescents and post-adolescents are involved with adults, young adults, getting involved in crime. You try like crazy as a parent—I am sure everybody in this Chamber feels the same way.

I have talked to friends of mine who feel the same way about trying to get kids through to adulthood without getting involved in too serious a way or damage themselves for their total life. He felt that he was going the extra mile, always on behalf of his family, and he was not able to get a reciprocal response and follow-up from the Department of Justice.

I would ask the minister not just to look at the specifics of the case, but the whole issue of the sensitivity to the individual who is on the other side of that scale. Because our job, surely, in this Legislature, is, yes, to ensure that everybody gets a fair trial, but to also ensure that those people that are on the other side of the equation, the victims and people whose families may be on both sides, of both the victim and involved with the person alleged to be committing the crime, the families can help be part of the solution.

* (1540)

This family, I believe, and this individual wanted to be part of the solution, wanted to be part of the follow-up, wanted to be part of the consequences and felt that the system was not sensitive. When he goes to this office or that office or the other office, he felt he was let down, including my office.

I am including myself in this criticism. I am starting right with myself. Because our office said it was criminal matter, a matter before the courts, you as an MLA should not get involved in it. So I start with myself in terms of this case.

I just think that if we can learn from examples, if we can learn and change our own systems to be more sensitive, I think it is crucial. I think it is going to be even more crucial as we continue to see the public perception that youth crime, crimes of violence and crimes of property is on the increase. People are feeling more and more insecure, and people that want to feel secure by the justice system, I think will want to have that reassurance that we have an open-door policy in the Department of Justice to be sensitive to the victims and victims' families, as well as a very fair system at the trial level for people alleged to have committed crimes.

So I just leave that with the minister. I look forward to the specific response, but I do not want us to get to lose the forest for the trees. The forest is, we have got to have a sensitive justice system for the victims and the victims' families as well as the tree, which says that all allegations are correctly dealt with.

I believe that the forest needs some work as well as the tree that I raised today. I thank the minister for looking at that, and I look forward to the response of the department.

I certainly learned from this case, and I would want all of us to learn from it, because he has been very persistent on it. I thank him that he has been.

Mr. McCrae: I would just like to give the Leader of the Opposition some comfort about the way I feel about what he has said. Every single thing he said is what I keep trying to work on in this department. He wants me not to get lost in the specifics, and I do not blame him, because I think every time we—let us say that what the honourable member is talking about has some merit as a case, okay, or as complaint. Well, then we should learn something from that. It seems like in the justice area there are

some tragic circumstances that we need to learn from. We learned from the tragedy surrounding the death of Teri-Lynn Babb. We learned from the The Pas case, and we learned from many, many other cases as we go through the system, the Grenier matter in southern Manitoba.

Those things are so, so tragic, and yet in some of those cases, we can learn something from them and improve the system. I say, from time to time, I am not always here just to defend the justice system, because there are some things that are not defensible, and so if you cannot defend it, you had better be ready to reform it or get out.

I am trying really hard to, for example, lead in Canada in respect to the preliminary inquiry. Victims have to put up with so much runaround, to use the honourable member's expression and Mr. Hatch's expression. They have to put up with so much runaround in our justice system that it is inexcusable in my view. I mean, we do need not to have, as the focus of our justice system, the offender any more.

The offender has lots of rights. We have a Charter of Rights and Freedoms; we have a Criminal Code, and we have a whole body of common law that has developed over many, many, many years, time to shift the attention of government and of the system itself to the victims. After all, they are the victims.

So I agree with everything the honourable member said. The message is not lost that we need to look at in a systemic way as opposed to a case-specific way.

Ms. Barrett: I have a couple of questions on executive support, but first I have a general question. I would like to ask the minister if he can tell me where the most appropriate place in the Estimates would be to discuss the update on the Pedlar report.

Mr. McCrae: Madam Chairperson, nobody has told me how long we are going to be at this. So as far as I am concerned, we have been general in our discussion so far. Unless later on it serves my purposes to get technical and rely on the line that we are on, I really do not see why we cannot, if the honourable member wants to ask some questions now, do it, and we will move through later. I have always had this problem, where is the best time; I do not know where is the best time.

The honourable member should ask her questions, and I will try to answer them.

Ms. Barrett: Then I will, if I may, ask a number of questions very quickly, I hope, on the Domestic Violence Review, using as my background the information that the minister just recently gave me, for which I thank him, the March 16 status of recommendations. The first one that I would like to ask is (b)(1) The Community Advocacy Response Team, CART. I am wondering if the minister can explain or give an update perhaps, from March till now, what additional resources have been made available to deal with this recommendation. It says: Existing services, include Women's Advocacy, Victims Assistance, and police victim assistance programs.

Is there additional money in the Estimates this year for additional implementation of the CART?

Mr. McCrae: Madam Chairperson, I think that the honourable member has just mentioned Women's Advocacy, Victims Assistance units. CART, as I understand it, is a community approach, and we have all of the makings of a CART, I think, throughout Manitoba as it is except the formal structure that this recommendation seems to call for. The honourable member wants to put a number to a CART or attach to the CART a number. I do not think I can do that for her, if you do not mind my choice of words here.

Ms. Barrett: Madam Chair, the last paragraph in the status on this part of the Pedlar report says: with the above-noted programs in place—which I have just mentioned—which provide for some advocacy for support of women, the provision of the full service would require significant additional resources.

I guess my next question would be, I do not see in this year's Estimates a lot of additional resources placed in those areas for—and I am not going to say whether that is a bad thing or a good thing—but can the minister give us some sense when we can expect additional resources to be in place to provide for the full implementation of this recommendation?

Mr. McCrae: On the point of resources, I just want to try to discourage the honourable member from judging progress by the number of zeros after the dollar sign or the number of numbers after the dollar sign. We have done some very, very significant things right here in the province of

Manitoba, and I think if you look at the budgets in the last few years during which these very significant things have been done, yet you do not see the big number changes. You do not see great big shifts except for, to the credit of my colleagues in government, the shelter system, which really is not part of the Justice Estimates. I think you will see a very, very significant increase in the amount of dollars going to support the shelter system for abused women in this province.

However, when it comes to resources in corrections, for example, you will see shifts in the way resources are spent. You will see training going on within government that you really at the end of the year, you cannot really see a dollar sign and see a great big increase in that. You will see increases in dollars being spent for judicial education, for example. You will see some increases in dollars in the operation of our Family Violence Court, but not big increases, because what we have done is taken cases that were already coming before the justice system and channelled them into the Domestic Violence Court.

In the process, of course, through the various things that have been done, we have created a greater demand which is what we have to do in order to break the cycle. Hopefully, that time will come in the near future. I am very hopeful about that, but we have created a pressure on our system, and we have had to take resources and move them around within the department. You will not see huge amounts of new dollars being spent, but you will see dollars being spent a lot differently and a lot better than we did before.

We, as I say, have done things that do not cost a lot of money, for example, the provision of a system whereby police authorities in Manitoba can be made aware almost immediately of what restraining orders are out against so-and-so and what provisions are in those restraining orders. As a result of a change in procedure and in policy, nobody gets a firearms acquisition certificate if they have a restraining order standing against their name. I do not know what that cost, but it did not cost very much, but it was the right thing to do and a good thing to do.

The changes that are going on in the Department of Justice Prosecutions Division, the ongoing updating and training of Crown prosecutors to deal with family violence cases differently and better, there is not a big price tag that I can attach to it. I

might be able to put before the honourable member \$5,000 here or \$10,000 there where there was a seminar or a symposium or some conference that somebody went to. I can do all that, but ultimately at the end of the Estimates you will not see a large percentage increase.

* (1550)

Ms. Barrett: I agree with the minister there are things that have been undertaken by the Department of Justice in response to Pedlar and in other areas that do not and have not required an expenditure of large amounts of money. In this particular recommendation under the status, it states that if it were to be fully implemented there would need to be significant additional resources. I think that we are both—

Mr. McCrae: Is this for CART?

Ms. Barrett: For CART, yes—that these programs, Women's Advocacy, Victims Assistance and police victims assistance Programs can only go so far with the resources that are in place. You can only have so many cases per person. There is just a limit to what can be done, and I am just asking the minister—because I do not see a lot of additional money this time or transfer of resources—when we can expect to see that. It is stated that it is being undertaken, but is there a plan to put additional resources in there?

Mr. McCrae: Madam Chairperson, when you are looking at responding to an important and comprehensive report like the Pedlar review, you do have to look at what can be done immediately, medium term, longer term.

The honourable member wants to know when there will be money available for CART. I do not even know how much will be needed, but I assume lots will be needed to implement the CART recommendation.

Frankly, for the information of the honourable member, I will tell her that I think some of the things that we have been doing in the time that we have had have been the appropriate things to do. We have many caring agencies, many community organizations and they have all been consulted by Pedlar in the course of the review. Those with whom we need to consult in carrying out our purposes are being consulted now. We have victims assistance groups in Brandon, in Winnipeg and in many of our RCMP detachment areas. We have shelters in various places in the province.

We really have quite a system and it seems to me from my work with all of these groups that everybody seems to be better plugged into each other than they were prior to Pedlar. That is because together we have raised awareness of this whole issue throughout Manitoba.

I recently had occasion to be a guest speaker at a function attended by the honourable member and you could see by the audience the wide spectrum of interests reflected in that particular audience and that tells me that we are pulling together in the same direction far better than pre-Pedlar.

In brief, in answer to the honourable member's question about CART, the answer is I do not have any immediate plans to place a whole bunch of resources in a pot so that we can get a CART system operating because in many ways we have that operating now although not in the formal sense that the honourable member might be referring to.

Ms. Barrett: I would like to go on to the second one which is Ongoing Support Services in the status report and it talks mainly about services through Family Services that are available, the shelters in the second stage and the crisis offices and committees. I would just like clarification on the last sentence in this status report which is: The ongoing need for such programs must be monitored. I am wondering if the minister can state, is that a Family Services' monitoring that will be ongoing or if it is the Department of Justice or a collaboration. Is "monitored" the need, monitoring to what end?

Mr. McCrae: Madam Chairperson, the honourable member refers to an ongoing need for such programs being monitored. That makes very good sense to me. There is no point having a program that is not useful anymore so you better quit such a program if you have one. I do not know of any such program right now in this particular area.

Every program whether it be under Family Services or Justice ought to be monitored extremely carefully to make sure it is carrying out the function that is intended. A perfect case in point is the Women's Advocacy Program and the Domestic Violence Court operation. The honourable member knows, I think I have shared with her Jane Ussel's evaluations and that implementation committee when we have had demonstrated to us that yes your court is working, but you have an awful lot of pressure on the

prosecution end of it or a lot of pressure on the Women's Advocacy end of it. You will see that we have provided resources to deal with those.

I think we are at a stage right now where we have attention being focused on the functions surrounding the Domestic Violence Court right now. I think it was last week we added another prosecutor to that. We are also looking at the Women's Advocacy function. We are committed to that.

So if that is what the honourable member is referring to in addition to shelters or whatever other victims' services are being provided, obviously programs need to be monitored in the sense of evaluating how well they are working. If we can improve them, we should. If they need to be changed, we should do that too, in order that we provide the best protection possible.

Ms. Barrett: My question with this particular statement was that all of these programs are Family Services programs. They are delivered out of the Department of Family Services.

My question is, is the monitoring going to be done in a joint fashion by Justice and Family Services or who will be monitoring these programs to determine their utility or the need for change, if any?

Mr. McCrae: Madam Chairperson, as a person within the government itself, the honourable member will maybe know that the Women's Advocacy Program, for example, moved from the Department of Family Services to the Department of Justice, and we are taking quite an active interest in the operation of that program. Those programs that are operated by the Department of Family Services, my colleague would have to answer about how those programs are monitored. Where it is appropriate that there be a joint review, then that happens too.

* (1600)

Ms. Barrett: I would like to move onto the Recommendation C.1. Response to Abusers, educational program for abusers. I do not know if the minister remembers, but I have raised some concerns about this program when it was first initiated or mentioned in Pedlar. It is about one of the few things that I disagree with Ms. Pedlar on, which is the length of the program for partner abusers. I believe that it is too short, but be that as it may, it says: This program will be fully

operational by the end of March, partner abuser program 12 weeks.

Can the minister tell us if this program has been made fully operational? If not, what is its current status and who delivers it?

Madam Chairperson: Order, please. I wonder if I just might get clarification of the committee, what the will of the committee is relative to reviewing these Estimates because right now the Chair is terribly confused. I am trying to find out what section the questioning is on, and I think maybe the minister is experiencing a little bit of difficulty in ensuring he has the appropriate staff.

Is it the will of the committee that we just go all over the place and try to deal with it, or shall we follow the normal process and line by line, group it by section?

Point of Order

Mr. Paul Edwards (Leader of the Second Opposition): A point of order, Madam Chair. We have serious time constraints; I do not want to intrude, but one of the things that has been done in prior Estimates processes is that we simply move to the Minister's Salary, and pass all before, and then get the agreement of the minister that we can ask questions on any issue on that topic and have leave to have the minister's main staff stay. If that is appropriate, that might be something—

Mr. McCrae: Madam Chairperson, I think maybe we have done it that way in the past, too. If it works for the members of the opposition, it is okay with me. The only thing is there is going to be the odd occasion and it might be inconvenient. It might take a little time to get someone here to get the information.

If honourable members will accept undertakings from me to provide information, then I am prepared to do it that way as well. I just want to be as facilitating as I possibly can.

Madam Chairperson: Is that the will of the committee?

Ms. Barrett: Just for my own clarification. So we will pass the Estimates line by line now, go into Minister's Salary with the agreement that we will have staff here. Correct?

Madam Chairperson: That is my understanding. Is it the will of the committee that we proceed now and pass all lines and resolutions, except one up to the Administration and Finance and the Minister's

Salary and, also, that there is leave to allow the minister's staff to remain to answer specific questions being dealt with under that clause? Agreed? [agreed]

* * *

Madam Chairperson: Item 1.(b) Executive Support (1) Salaries \$332,400—pass; (2) Other Expenditures \$88,300—pass.

1.(c) Policy, Planning and Special Projects (1) Salaries \$286,600—pass; (2) Other Expenditures \$173,900—pass.

1.(d) Financial and Administrative Services (1) Salaries \$1,051,700—pass; (2) Other Expenditures \$233,300—pass.

1.(e) Human Resource Services (1) Salaries \$577,400—pass; (2) Other Expenditures \$135,800—pass.

1.(f) Computer Services (1) Salaries \$669,400—pass; (2) Other Expenditures \$450,500—pass.

I apologize to the committee. I have just been duly informed by the Clerk that what we have unanimous consent for is procedurally incorrect, because the rules explicitly state that the minister's staff is not to be present when we give that item consideration, and we would need unanimous consent of the House, not the committee.

An Honourable Member: We do not have unanimous consent of the committee to keep the staff here?

Madam Chairperson: Not on Minister's Salary.

An Honourable Member: How far have we gone through the list?

Madam Chairperson: I have just passed line by line 1. Administration and Finance.

An Honourable Member: We will have to stay here and then run through it later. Fair enough.

Madam Chairperson: We would have to proceed to item 2 because we are now moving to the next resolution which is Public Prosecutions.

Mr. McCrae: I think it would fit with the agreement, subject to the honourable member for Wellington (Ms. Barrett) checking, if we got just to the next line, carried on, and then at the end of it all, passed everything. Would that not fit with the honourable member's understanding? Then if we could get someone just to clear that with the members of the Liberal Party who cannot seem to hear my voice right now, if we could do it that way, then maybe the

Minister of Natural Resources (Mr. Enns) could do it for them.

I think that fits with the spirit, Madam Chairperson, and if we could proceed until we find out otherwise if that is going to be the case, then let us just proceed.

Ms. Barrett: Madam Chairperson, I will just continue and ask my questions, and if we can just hold the ones where staff is not available at this point, then once we get the parliamentary procedure explained—okay, my question was originally on the educational program for abusers, the 12-week program. The status said it will be fully operational by the end of March. Is it? If not—and if we need to put this off that is fine.

Mr. McCrae: I do not think we need to put it off, Madam Chairperson. I can agree with the honourable member that for some offenders a 12-week program is not good enough because they are really, really bad people and need a whole lot of counselling and a whole lot of work needs to be done with them. Others it may be that such a program would be just fine. But I can see the honourable member's point. Perfection is a very, very hard thing to achieve, as the honourable member will know, in human affairs.

There are other things as well with respect to counselling and education in the corrections area of my department. We have the educational group program. The Corrections Division is committed to the delivery of educational group programs to domestic abuse offenders in response to the Pedlar report. This program is being delivered across the province by probation officers in Winnipeg and in rural locations, and also by the staff of adult correctional institutions.

Each group, composed of approximately 20 men, is cofacilitated by a team of corrections staff. The program is designed to provide 40 hours of educational format presentation supplemented by discussions of domestic violence topics. It is anticipated that all offenders convicted of partner-abuse offences will participate in the educational program, and each man is expected to develop a control plan to provide constructive options to the offending behaviour and further prevent violent episodes.

To date, and when I am saying to date I mean as of a couple of months ago, 17 education groups are completed or underway in the Winnipeg area by

collaboration between Adult Corrections and Community Corrections and Youth Centres. Between the adult institutions and rural offices, approximately 15 additional education groups were at that time nearing completion or completed. An estimated 650 men had received the educational group program. Five men had been breached for failure to comply, one in the Winnipeg area. The division will continue to schedule educational groups for the foreseeable future to address the high numbers sentenced in court to attend and complete the program.

* (1610)

We have additional program strategies, Madam Chairperson. In addition, individual intervention and a long term group program are being developed for offenders requiring extensive supervision. These programs, scheduled for implementation later this year, will provide a more intensive and personalized treatment approach to groups of domestic abuse offenders. I think this will deal with the honourable member's criticism which I share. It is something more intensive and more personalized, and it is also for individuals in situations or locations where it is not feasible or practicable to deliver a group program.

As part of the division's domestic violence initiative, a six-month pilot project to adapt and deliver the educational group model to selected cultural groups with a significant representation on probation was and did begin on May 1 of this year. Since January, the project co-ordinator has been involved in training nine resource people with English as a Second Language to deliver the program in their mother tongue. The program will be available in Filipino, Polish, Vietnamese, Laotian, Portuguese and Chilean. The program is cosponsored by Multiculturalism and Citizenship Canada, Manitoba Culture, Heritage and Citizenship and Manitoba Justice, and it is the first of its kind in Canada. It is being looked at with interest by other jurisdictions across Canada.

We are also looking at another thing that we are not ready to move on quite yet, but we think that it will help us with the large number of people who require some counselling. I will be able to tell the honourable member more about that, but not today.

Ms. Barrett: Yes, the minister has given me information on several of the recommendations which are found throughout the report. The

minister stated that there were approximately 650 men who had gone through the 12-week program, 17 groups in Winnipeg and 15 groups outside Winnipeg.

It states in another place that in January of 1993 there were 930 men partner-abuse offenders in Winnipeg—960 men in January of 1993. So I am assuming that this program, this 12-week program, is not yet mandatory for all abusers because the figures do not jibe, or is that incorrect on my part?

Mr. McCrae: Anybody who is sentenced to probation will get this programming. The challenge we have to address is doing it in the time that we have in a probation order. That was dealt with by Pédlar. That is the part that I was telling the honourable member I cannot tell her about yet. We do have plans to address that so-called backlog in this particular program. I expect to be able to make announcements about that in the extremely very near future.

Ms. Barrett: I will look forward to that announcement in the extremely very near future.

Could the minister give us an update on (e)(1) Police Education? The training modules have been developed, which is very good news. A Treasury Board submission has been developed and forwarded by the Law Enforcement Services branch to develop a training video on domestic violence, particularly available to smaller municipal forces, which I think is an excellent idea. I am wondering if the minister can, without breaching cabinet confidentiality, share with us the status of that Treasury Board submission.

Mr. McCrae: Madam Chairperson, this police education issue is an ongoing one. It is not only for recruit classes but also for police officers who are and have been in the field for some period of time.

I do not know, though I am sure the honourable member has been reading the newspapers of the last day or two, and I am certainly hoping I have an ally. I wanted to talk to her last week about this, because I knew this was coming and I wanted to forewarn her that the domestic violence zero-tolerance concept was about to come under attack again, and I was looking for an ally. I guess I did not really need to ask the honourable member to be an ally because I know she is. I appreciate that, because whether we think it is a foregone conclusion, the zero tolerance is going to be

completely acceptable or not—if we think that, we are wrong.

If you look at, I guess it is today's newspaper, we start out with a police officer saying, get ready for some serious arrest numbers here. That is one of our representatives of the police department, here, I believe in the city of Winnipeg. Then you go down a little farther, and then we hear from, I guess, certain members of the legal profession who have some concerns about zero tolerance.

I say all of this in the face of a policy developed by people who are knowledgeable in the law and who understand that you can have zero tolerance without taking away people's rights. Are we going to say that the presumption of innocence means that we can allow clearly innocent people to be victims? I say no. I mean, I do not need to preach to the honourable member about that.

We recently put out, the Department of Justice put out a domestic violence and partner abuse protocol, and some of the news today, even though it was the NDP government of 1983 who started the—[interjection] The honourable member for The Pas (Mr. Lathlin) does not want me to answer the questions. I am trying to talk openly—

An Honourable Member: Give an answer.

Mr. McCrae: The honourable member for Wellington and I are engaged in a discussion about some of the things this government is trying to do, and I wish other honourable members on her side of the House would give a listen here because this is important stuff.

When we are talking about domestic violence partner abuse protocol developed by the Department of Justice, accepted by the police departments of this province, and action taken on them, and we are subject to criticism, I am glad to have an ally like the honourable member for Wellington because I need her. We need support from other members of the House, too. I think that the domestic violence partner abuse protocol will indeed help.

The charging policy of 1983 brought in by, I guess, it was Roland Penner was the right thing to do, and they are writing about it today in 1993 as if it were something invented yesterday. It has been around for 10 years, and we are still hearing complaints. I can give figures to show that those complaints have absolutely no foundation, because I have figures that show that in the Domestic

Violence Court some 4 to 5 percent of the charges end up in acquittal. So we are talking 95, 96 percent of the cases going forward to the courts are appropriately going before the courts. I will be here to defend zero tolerance in spite of people who seem to want to disrupt the discussion here this afternoon.

Anyway, the honourable member was asking about—[interjection] Madam Chairperson, sometimes I think honourable members just do not want to hear the answers to the questions they ask.

Ms. Barrett: I was specifically asking the minister about the status of the Treasury Board submission on the training video on domestic violence, which, I think, is an excellent idea. I am wondering if it has gone through. This is (e)(1).

Mr. McCrae: Madam Chairperson, if I could give the honourable member the answer in clear terms today, I would. It is one of those ones I will have to undertake to give her.

Ms. Barrett: Maybe this is another one that will have to be—page 5, (f)(1) Crown Attorney Education. The status report says the report recommends that Crown attorneys receive training at orientation and during in-service sessions. There are three education courses per year. Each course has a family violence component. Are these courses voluntary or are they compulsory?

Mr. McCrae: My advice is that in our Public Prosecutions branch there is not a need for this to be mandatory. Whenever this is available, it is taken up immediately. Certainly, priority goes to those Crown prosecutors working in family-violence-type courts, whether it be here in Winnipeg or elsewhere in the province, but there is no problem with mandatory or otherwise. When it is available, it is taken up by the prosecutors.

* (1620)

Ms. Barrett: Clarification: Could a Crown attorney choose not to take this course when it becomes available?

Mr. McCrae: What we are going to do is the first time we see someone not wanting to take it, we will address the question at that time. We have not had this problem come up.

Ms. Barrett: Page 6, Court Response, (h)(1) Judicial Education. Going over to page 7, it says: Draft Legislation includes the establishment of a judicial education committee.

I am wondering if the minister can give me a status report on that draft legislation.

Mr. McCrae: There is work being done, both with the judiciary and with my department, respecting magistrates and justices of the peace, and that is what we are talking about here for judicial education. This would be looked at as we looked at that legislation. Probably more important, mind you, will be legislation—or I should not say more important, but equally as interesting—will be legislation we propose to bring in to amend The Provincial Court Act dealing with the way the Judicial Council works.

But as far as the judicial education for magistrates and justices of the peace, that will be part of that legislative package, dealing with them. It is also a response to a report by the Law Reform Commission that we have that will lead to changes or amendments to deal with the independence of magistrates and justices of the peace.

Ms. Barrett: So this legislation will be part of that other provincial court and the other legislation that is being drafted and looked at now.

Mr. McCrae: Magistrates and justices of the peace also come under The Provincial Court Act, so we expect that there will be quite a few amendments coming to that act.

Ms. Barrett: Under 3. in this section, page 7, dealing with the family violence court and the three month standard is achieved in Brandon and Dauphin and Winnipeg, I know we have seen that that actually is not the case, and there is considerable time lag, certainly in Winnipeg. It says here that in The Pas and Thompson there are general backlogs from six to seven months due to the lack of Crown attorneys and the infrequent sitting in certain circuit locations.

I am wondering if the minister can tell us today, what, if any, changes he is prepared to undertake to lessen the backlog in The Pas and Thompson, which have different kinds of problems obviously than the larger centres have?

Mr. McCrae: Well, we have not made any formal announcements, Madam Chairperson. The concept of the Domestic Violence Court is beginning now and has already begun to operate in Brandon. It is that concept that we hope to take to places like The Pas and Thompson. I do not know just what date this briefing the honourable member is looking at was printed, but I think, since that time,

we have filled a position for a prosecutor in The Pas.

There are some problems that are really, really hard to deal with outside the city of Winnipeg, where you have court sittings that do not happen as frequently as they do in the city. You cannot just decide to have sittings every day in some of the more remote places, because there is simply not the resources available for that kind of treatment, so that the concept of sensitive treatment of victims and timeliness, the two concepts, will be the same concepts wherever we do this, but for obvious reasons of location and geography and so on, it will work differently in different places, but the concept should remain the same, those being timeliness and sensitivity.

Yes, because of the generation of cases that zero tolerance has seemed to engender, we have to continue to look at the needs of these courts as we go through this. We just assigned another prosecutor to the Winnipeg court just very recently, and we continue to look at other methods as well. We have managed to eke out an extra sitting out of the system. Even though we have Fridays off this summer, we have one extra sitting, and those are the kinds of things we are going to have to continue to do. Actually, one of the biggest problems in Winnipeg is the issue of space, I understand from my department, not people.

Ms. Barrett: I appreciate what the minister is saying. However, I do not believe he gave me specific information about The Pas and Thompson, the backlogs that are from six to seven months. These are situations that reflect the geographical and population differences between Winnipeg and the rest of the province, which need to be addressed in all service delivery systems in all of the departments.

I am wondering if the minister can say with any degree of certainty or specificity what additional resources or what changes to the existing resources are being undertaken to address the fact that if you live in The Pas or Thompson, you have not the three- or four-month time frame that you can look at in the large urban centres, but you are looking at from a third longer to half again as long a wait simply because you live outside a major urban centre.

What is the minister doing about addressing this unfair justice system?

Mr. McCrae: Madam Chairperson, the honourable member's concern is exactly the same as mine. We have not yet announced that we have a functioning Domestic Violence Court in Brandon or Thompson or The Pas. That is because we are still working on how to make those concepts work in places like that where there are different dynamics at work.

We certainly want to be able to provide the same kind of service to people wherever they happen to live in Manitoba. That is why we expanded the Family Division of the Court of Queen's Bench throughout Manitoba, with dual jurisdiction in some areas. The reason for dual jurisdiction is because that is what some areas wanted.

The best I can do for the honourable member today, not having yet announced this initiative, is to let her know just as soon as I can to give her a more definitive answer to her question.

* (1630)

Ms. Barrett: Will the minister be doing that in a short period of time?

Mr. McCrae: Extremely near future.

Ms. Barrett: Is work being undertaken right now as we speak? I am not talking about Dauphin or I am not talking about Brandon. I am talking about The Pas and Thompson and the other northern communities. Is this something that we can expect in the near future, or is this something that is in the preliminary stages? How much longer are these people going to have to get justice services that are not fair and equitably distributed?

Mr. McCrae: To answer the honourable member, all I can do is refer to the past and say that in the past, where we have come across unacceptable backlogs, we have dealt with them and dealt with them fairly, quite effectively and quickly as well. So my expectation is that within a reasonably short period of time, I will be able to announce to the honourable member or let her know that these problems have been successfully addressed.

We can take care of 20,000 cases in Winnipeg between July and December of one particular year and remove the backlog. I suggest that we have the ability as a department to deal with backlogs in places like Thompson and The Pas. We have demonstrated in the past that in smaller jurisdictions, we can deal with backlogs quicker than we can even in the city of Winnipeg, because a backlog in Thompson does not involve the large

numbers that a backlog in Winnipeg would involve. So all I can say to the honourable member is reasonably soon.

Ms. Barrett: Madam Chair, I would like to move to page 20 actually of the report. I have a lot of other questions in between, but I will hold on them and talk about the medical staff education. This is another area of Pedlar that was excellent, I thought, where she recognizes the need for cross-disciplined education in that domestic violence and other forms of abuse are not only the responsibility of justice or any other specific department, and the medical community is one of the front-line professions that deals with and sees these incidents.

The recommendation is that there be mandatory training in the social dynamics of violence, et cetera, and it says, at this point, it looks to me like the medical students are offered courses that touch upon domestic violence, but I am wondering if the minister can tell us if those courses are voluntary —not voluntary in this context, but if they are mandatory or if they are discretionary, if the student can choose to take them or not.

Again, it says that the practising physicians are able to optionally attend in-services and et cetera. General question, what is the status of the medical services training for, particularly, doctors and physicians in our province?

Mr. McCrae: Madam Chairperson, I cannot answer that question without consulting the Department of Health, but we feel that there has been enough interdepartmental discussion about issues like this, that when I do get a response for the honourable member, it will be as we expect.

I will undertake to contact Health and see if we can get an answer for the honourable member.

Ms. Barrett: I would appreciate it if the minister, when he talks to the Department of Health, let the Department of Health know that we, on this side of the House, feel that it is essential that those courses not be optional but be mandatory.

Mr. McCrae: I will pass that on.

Ms. Barrett: I would like to go to page 21, and there is a discussion of an interhospital committee on family abuse, and it says that discussions are underway to revive this committee. I am wondering if again this is an issue that the minister would have to discuss with the Department of Health, and if so,

if he would do that and bring back a status report on that as well.

Mr. McCrae: It is, I will, and I will.

Ms. Barrett: Page 22 again, this is the Department of Family Services, but we are talking in terms here of the stay-in shelter. The Minister of Justice, I am sure, knows my position on this that this recommendation should have been implemented immediately. I have certainly made that position quite forcefully to the Minister of Family Services (Mr. Gilleshammer).

It says here that the Family Dispute Services is conducting a study on the length of stay and associated issues. Does the minister know or can he get the information for us as to the status of this study?

Mr. McCrae: I will take the honourable member's question as notice and get an answer prepared for her.

Ms. Barrett: One final general question. Again, this will probably have to be notice, or the minister will have to find out. There is a whole series of education response recommendations, Q—not having anything to do with Star Trek The Next Generation—pages 23 through 25, and I would like to ask a general question. There appears to be, certainly, an increase in material available through the school system, but it does not seem to me in reading that this again is mandatory or that it is anything but available and schools have to find the resources from within to implement these programs.

I am wondering if the minister can bring back some information on this, in particular, the 13-lesson curriculum package for Grades 5 to 8 which has been prepared and awaits printing for the '93-94 budget year, if that has been implemented or what the status is of that.

Mr. McCrae: We are taking note of this, and we will take steps to inform the honourable member.

Mr. Edwards: I wanted to start by welcoming Mr. MacFarlane to the department. I am very pleased to see his appointment and wish him well in his future endeavours. I do not wish the minister well, of course, on all things, although I do on most, but I welcome his expertise to the department. I wanted to also say that, with respect to this department, because of the vagaries of this process, we are left with a very imperfect system and a very small amount of time to discuss very important issues.

I am always wary of recommending what I did just a short while ago, that we expedite this because it can sometimes come back to haunt you if you do not ask questions in all areas, those types of things come up in the political realm. I want to say at the outset that in other years we have gone through this department in great detail and that has been a big help. In some years, other departments get higher up the roster, and they get examined in great detail and the ones at the bottom do not. That is just part of the process. It is unfortunate that we do not have a lot of time this year, but I want to say at the outset that hopefully next year we can, as a trade-off, bump this up again for a more thorough look.

* (1640)

With respect to overall questions, I simply wanted to key in, and I had to pick and choose carefully, but one of the things which is of great concern to me because of the bills before the House, the current amendments to the Criminal Injuries Compensation, as well as the Victims Assistance Program, is what is happening to Victims Assistance generally. I wanted to ask the minister, what preparation work he did, what consultation he did leading up to those two bills?

I view them as they are different bills but they do cover the same general area, and they both give me some grave concern. I see a reduction in the amount that is payable to the victims of criminal injuries in the one, and in the other what I see is a politicization of the Victims Assistance funds by allowing them to fund government activities as opposed to strictly nongovernmental work. I do not say that governmental work is not necessarily in the best interests of victims but it does further politicize those monies.

I wonder if the minister could just indicate what process was gone through in the department that resulted in these bills.

Mr. McCrae: Madam Chairperson, the honourable member has focused on two bills which I guess reflect a couple of things. Certainly one of them clearly is the troubled state of our fiscal situation as a province, just like I guess almost every other if not all the other provinces. We are faced with that problem, but we also have under our belts some six years of experience with The Justice for Victims of Crime Act.

Under that legislation, which was brought in in 1987, and I guess began operation late that year or early '88, we have learned about what there is available in the community in terms of community-based delivery of victims services. We have learned about what is available at the law enforcement agencies level, and we have learned about what we do here in government. Far from trying to politicize Victims Assistance, we felt that our initial move, when we came into government in 1988, was to do the opposite and to try to make dollars available to places where it was felt it was needed the most.

I guess the problem with a number of applications for victims' monies from the Victims Assistance Fund is that if government is going to fund, or if those are the types of programs government ought to be funding, then we should not, on a long-term basis, take it out of this pot or this Victims Assistance Fund. So it was decided that we should do Victims Assistance funding on a special projects basis or on the basis that those who come forward looking for victims' finances are able, after a few years, to get on their feet and operate on their own.

So after six years of experience with the Victims Assistance Fund, we feel that, I guess, most of the applications coming forward now should more properly be going to other departments of government. If there is money, fine, and if not, then unfortunately there is not.

But there ought not to be another way of funding something that government ought to be funding anyway if it had the money. Also in government we have several victims' programs like the administration of the Criminal Injuries Compensation program, like the Victim/Witness Assistance program, like Women's Advocacy, and there is nothing political about those programs, by the way. They are very good programs, and I think the honourable member sort of said so, but I do not know how the word "politicization" comes into this when we are talking about running the Women's Advocacy Program. It is a good program, and however it gets funded, it should run. We have lots of pressure on the funds that we can raise from the taxpayers, so we are going to take some of these dollars through this bill that is before the House and use that to fund our government-run victims' programs.

The honourable member will say do not do that, use taxpayers' dollars, and use the fund to fund community groups who come forward asking for it. We have tried that for six years, and it is a difficult balancing act to try to carry out to decide which groups ought to get funding without being political. So it is exactly the reverse that I am trying to achieve. Criminal Injuries Compensation has resulted, unfortunately, in our having to cap the level of indexing for future recipients of pensions under Criminal Injuries Compensation. We have no choice. I do not enjoy doing that, but I have not any choice in that matter. There are only so many dollars.

The feds have been backing away from that, and they are the ones who got us going in the first place. It is like this in a number of areas. There is no more money coming into their coffers either, and so, ultimately, these are the kinds of very, very difficult choices we have to make. The other choice is to raise more taxes, and we have been over that daily in Question Period.

Mr. Edwards: Firstly, on the Criminal Injuries Compensation, what is the anticipated savings from the deindexation move?

Mr. McCrae: I can make that number available to the honourable member quite shortly.

Mr. Edwards: Will those who qualified for income replacement under the Criminal Injuries Compensation Board, prior to the passage of the bill, will their pensions continue to be indexed, or as they were given at the time, or those on the program, will their indexation be capped as at the time the bill passes?

Mr. McCrae: I am just taking a moment to check, because I am going to have to know the answer to this one when we get into committee anyway. I will just give the honourable member this response. The amendments that we have before us to the Criminal Injuries Compensation Amendment Act will separate the Criminal Injuries Compensation awards from those awarded under The Workers Compensation Act and ensure that the department can control the indexing of awards in the future. For example, if better times return, we may be able to bring them back in the future.

The amendment will ensure that the indexing, under The Workers Compensation Act, does not apply to victims of crime, and it will make this amendment retroactive to June 30 of this year,

1993. The bill will also allow cost recovery for the administration costs of the program to be provided out of the Victims Assistance Fund, as I said to the honourable member a few minutes ago.

Mr. Edwards: I am not sure I am clear on the answer to the question.

Mr. McCrae: Yes, I was not finished.

Mr. Edwards: Oh, I am sorry.

Mr. McCrae: Currently, the legislation provides that if a crime victim is determined to be entitled to receive benefits on an ongoing basis, he or she should be subject to a similar benefit scheme as an injured worker would be under The Workers Compensation Act. That is currently.

Workers Compensation benefits have been automatically indexed to the annual cost of living and, thus, so have benefits received by the injured victims of crime. As of June 30, this element of the compensation package will end, and therefore, benefits to injured crime victims will not be automatically indexed. That is as of June 30.

Mr. Edwards: I realize that. Perhaps it is a small point, and maybe the minister could bring it to the committee, just confirmation that there is a distinction between new applicants and existing applicants. I gather that existing applicants, as well, now their pensions will no longer be indexed from June 30 on. I gather that that is the case.

Mr. McCrae: This change is regrettable for current and future crime victims injured during the course of a crime.

* (1650)

Mr. Edwards: Yes, Madam Chair, regrettable indeed. What role will the Victims Assistance Committee continue to have. Is it continuing to exist and control those funds which come under its purview? Obviously, those are not the federal tariff funds. Only the provincial fine tariff funds flow into that account.

Now the province is saying that some of those monies will be dedicated to provincial government programs. What funds, is it anticipated, will be left for the Victims Assistance Committee to actually control? Secondly, will the government be going before the Victims Assistance Board to make application for funding out of those funds for its programs, or will the government simply be usurping the funds for the program that it wants funded?

Mr. McCrae: I do not want to accept my honourable friend's terminology because I do not think when you go to the Legislature and bring in an amendment and ask for legislative approval of such a thing that you are usurping anything. You are doing things in a democratically justifiable way. There will be a reduced number of dollars available in the fund to spend on community organizations. That decision comes to us now after six years of experience with the fund, and as I said earlier on, we are finding more and more groups coming forward and asking for funding from the Victims Assistance Fund when they really should be going somewhere else.

They really should be going to the Department of Family Services or the Department of Health or the Department of Education, and if they are able to fund them that is where they actually should be. Because they are talking about programs that they expect to run for years and years and years when we have been involved in financing things like studies, things like pilot projects.

You know what happens when you get a pilot project going? If it works well, you have got to get the money to keep it going from somewhere, and this fund was never designed for that in the first place. So then you have to go to the Department of Family Services, for example, and well, you know what the fiscal realities are right now. So we have got six years of experience, and there will be a reduced role for the members of the Victims Assistance Committee, there are no two ways about it.

Mr. Edwards: I understand that. What I would be interested to know is whether or not the government—assuming the government now sees a program that it wants to fund as a government, and let us take for example a program and they have a set dollar amount of \$20,000 or \$30,000, will the government go before the Victims Assistance Committee to ask for approval to fund that government project? The act allows those monies to go to government or nongovernmental agencies or purposes, I understand that. What I am asking is: Will the Victims Assistance Committee have a role in determining and in assessing the government's desire to fund government programs or when the government makes the decision, that is it and the money simply flows to that program?

Mr. McCrae: We do not have any big plans in terms of expansion of government programs, but

as we said earlier talking to the honourable member for Wellington (Ms. Barrett), the Women's Advocacy Program, for example, is a very, very important program of government. I do not know of any Victims Assistance Committee across this country that is going to have any problem with a program like that, and to that extent, if dollars were required for government to run that program, that is where those dollars would come from.

Mr. Edwards: I gather from that answer that it will be a governmental decision as to which of those funds are dedicated to which government programs.

Mr. McCrae: That is what the legislation allows.

Mr. Edwards: I realize it allows it. I just wanted to make sure that is the way it is going to work.

With respect to Corrections, very briefly. I see Mr. Demers is here and I wanted to have his expertise and knowledge available. I wanted to ask what the current population of Headingley jail is and what the target or goal is for this fiscal year for the population of Headingley jail.

Mr. McCrae: Apparently, Madam Chairperson, there is about 200 population at Headingley. I do not think it is a question of targets so much. The honourable member will recall raising questions about some people who are out on work releases and so on. There are some inmates you can do that with and some you cannot. It is really hard to target when the judges are going to send us X-number of people and only X-minus-so-many are going to be suitable for some of these programs, so it is very, very hard to make targets now. I do not know if projections is another word. If the department has such things and we can make them available to you, I will, but I do not know that we can be very accurate. It is worse than trying to guess what the deficit is going to be, I guess.

Mr. Edwards: I would appreciate any projections the minister may have. I think it is important to note that I agree there is certainly unpredictability involved in this in terms of predicting what they will or will not be, but that population number was over double the current 200 not so long ago, a couple of years ago, I believe, when I asked these questions, so there has been a pretty dramatic reduction at Headingley jail.

Now I understand that the new Remand Centre has meant that a lot fewer people needed to go to there, but all in all there has still been a substantial

reduction. I wonder if the minister could simply indicate, give a historical analysis in the last two years, taking current date as to what the population was a year ago and then the year before that, and as well, I wonder if, because we do not have much time, I could have those figures for the overall incarceration rate in the province.

Mr. McCrae: We would have to get that for the honourable member in writing and I think I can undertake to do that. I am looking for the nod from Mr. Demers, but I think that kind of information is available. Obviously the Remand Centre, Milner Ridge are going to have an impact on the population at Headingley. Other programs will too, work-release programs, those kinds of things will, but I suggest the major impact would be things like the Remand Centre and Milner Ridge.

While I am on my so-called feet, Madam Chairperson, just for the honourable member, he asked how much money we would save by the elimination of indexing at Criminal Injuries Compensation. This year, \$92,000; future, \$1,800,000.

Mr. Edwards: I guess the \$1,800,000 is over the long term. What period of time is that calculated over?

Mr. McCrae: I cannot give you over which number of years that would be right now, but it is \$92,000 this year.

Mr. Edwards: Does the minister anticipate diverting some of the funds from the Victims Assistance Fund to fund even partial indexation to assist or would he consider that, seeing as it is very definitely a victims of crime target? Is it anticipated that the Minister of Justice would use any funds available to him under the Victims Assistance Fund for that purpose, to bring back indexation, if not in whole, then at least in part?

Mr. McCrae: As I said a little earlier, we are not able to do that this year, but I cannot speak for future years. As I said, the way the legislation with respect to Criminal Injuries Compensation is set up, the option is there for the future.

Mr. McCrae: As I said a little earlier, we are not able to do that this year, but I cannot speak for future years. As I said, the way the legislation with respect to Criminal Injuries Compensation is set up, the option is there for the future.

Madam Chairperson: The honourable member for Wellington with one very quick question.

Ms. Barrett: Maybe not a question, Madam Chair, but just an announcement or a statement that when we come back at eight o'clock I would like to talk about maintenance enforcement.

* (1700)

Madam Chairperson: Order, please. The hour being 5 p.m., time for private members' hour. I am leaving the Chair with the understanding that this committee will resume at 8 p.m. this evening in this section of the Committee of Supply to deal with Justice. We are on 2.(a), page 105. Committee rise.

Call in the Speaker.

IN SESSION

Committee Change

Madam Deputy Speaker (Louise Dacquay): Order, please. The hour being 5 p.m., the

honourable member for Gimli, with committee changes.

Mr. Edward Helwer (Gimli): Madam Deputy Speaker, I move, seconded by the member for St. Vital (Mrs. Render), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Lac du Bonnet (Mr. Praznik) for the member for Sturgeon Creek (Mr. McAlpine).

Motion agreed to.

Madam Deputy Speaker: The hour being 5 p.m.—

Some Honourable Members: Six o'clock.

Madam Deputy Speaker: Is that the will of the House? [agreed]

The hour being 6 p.m., this House will reconvene at 8 p.m. this evening.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 12, 1993

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