



Second Session - Thirty-Sixth Legislature

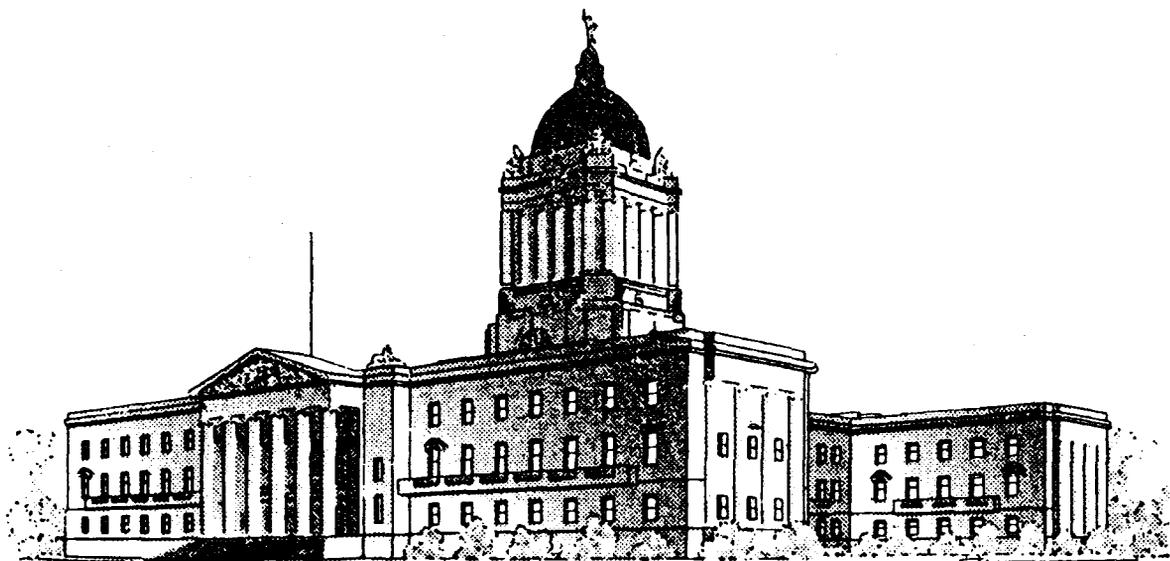
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**(Hansard)**

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The Honourable Louise M. Dacquay  
Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

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CERILLI, Marianne	Radisson	N.D.P.
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WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 24, 1996

The House met at 9 a.m.

### ORDERS OF THE DAY (Continued)

### COMMITTEE OF SUPPLY (Concurrent Sections)

#### AGRICULTURE

**Mr. Deputy Chairperson (Ben Sveinson):** Good morning. Will the Committee of Supply please come to order. The committee will be resuming consideration of the Estimates of the Department of Agriculture. When the committee recessed yesterday afternoon, it had been considering item 1.(b)(1) on page 13. Shall the item pass?

**Ms. Rosann Wowchuk (Swan River):** Mr. Chairman, when we ended our day yesterday, we were having a discussion on the new plans that this government has made with respect to the hog industry, and I was expressing concern with what I feel will be a negative impact on producers in Manitoba, hog producers.

One of the concerns that has been raised is that farmers are worried about getting into contracts. As we move into this vertical integration and farmers get into contracts with feed companies, they will have no avenue of appeal, no avenue of support, and I am told that there have been cases, at the present time, when contracts have been signed, but then the company, although having written the contract, as they get into it the company will pull away and not fulfill its part of the contract.

The suggestion has been made that—I would like to ask the minister if he has heard of this or whether he would consider expanding the role of the Farm Mediation Board so people who have contracts with feed companies will have an avenue of appeal or support if they get into difficulties. Has any consideration been given to that, and will the minister consider expanding that role so farmers can have an avenue of appeal?

**Hon. Harry Enns (Minister of Agriculture):** Mr. Chairman, I welcome the opportunity to have a general

discussion about the issue, the development within the hog industry, issues such as vertical integration, which is of concern I know, in various parts of the farm community and obviously to this member of the committee. Allow me to deal just with the last issue that she raised first.

Certainly the Farm Mediation Board that has operated with some considerable success over the past decade, fortunately also its workload has decreased considerably, as the member would expect, in the last few years with things just looking a little brighter economically on the farms, but certainly that is a board, a committee established to assist, as mandated, farmers, farm families over difficult times that still occur. Regrettably we have some specific cases involving livestock farmers in the cattle industry, as the member would also understand, because of the current pricing situation, that are experiencing some serious difficulties.

The Farm Mediation Board does precisely what it is mandated to do. It will work directly with the farm families involved, will work with the various lending institutions with which they have become involved, both private and our own public institution, the Manitoba Agricultural Credit Corporation, and will, with the assistance of some dollars and resources available to them, in many instances find the difficult path through to avoid total collapse of the farm venture, or in some instances passing it on from the father to a younger generation.

Certainly with the Farm Mediation Board, we will continue doing that in any manner of disputes that farm families get themselves into, including the ones that the honourable member refers to, with respect to contractual arrangements that lead to financial difficulty for a farm family. I have no difficulty in seeing or, in fact, directing the Farm Mediation Board to include those kind of activities, and if need be, if we find that it requires some amendment to their administrative manual or how they operate that that could well be done.

But let me just respond very briefly on the overall issue. Before we rose the last time this committee met, the honourable member made mention about her concern

about the development of the hog industry in the province, that she was watching the kind of developments that were taking place in other jurisdictions, notably South Carolina in the United States. As Minister of Agriculture, I do not hold out the model of hog production that has to a significant degree taken place in the United States. That form of integration is not one that is particularly appealing to me and, quite frankly, as the member correctly points out has created its own set of some very serious problems in that industry in that part of the world, both from an environmental point of view and from my point of view, and I think I share this with the member from a social point of view. I would prefer a more ongoing direct involvement of the independent family farm-type operation in farming, generally speaking, in the province.

I want to assure the honourable members that, certainly from the Department of Agriculture's point of view, from this government's point of view, we are not pointing or pushing production of hogs in any specific direction. I must report to you we have three very distinct types of hog operations in the province of Manitoba which you could classify in fairly definitive terms. We have, of course, the ongoing—and these are the largest number, although not producing the largest number of hogs—what you would call the traditional, independent family farm. Some are small, some are modest in size, some are pretty significant operations.

We have then, of course, what is somewhat unique to the province of Manitoba. We have a considerable concentration of hogs being produced upwards to 35, 37 percent of the total production by one identifiable group, the Hutterian brethren, which I am very familiar with having the privilege of having a goodly number of the colonies within the constituency of Lakeside, and they are kind of a distinct group. They operate somewhat differently, but they certainly refer to themselves as very independent and private and farm families. The fact that 15 or 20 families work co-operatively on these operations and building and running very sophisticated capital-intensive farm operations is a plus to the agricultural scene for the province of Manitoba.

We then have two other groups that are sometimes referred to as the integrators. They are groups of producers that have associated themselves with feed companies, and we only have the one group, the Puratone

group, which comes under the description as an integrated operation, where the hogs, the people working in the barns are, in fact, employees of this company and they provide hog production, utilizing the feed that the company produces and utilizing the marketing skills of that company in an integrated way.

The other major group which often, regrettably, has been targeted by some producers as having the unfair ear of the government or of this minister is, of course, the group that refers to themselves as the Elite Swine growers, and my colleague, the chairman of this committee, is very familiar with them and has a number of those producers in his constituency. This is not an integrated operation, although they are associated with a feed company. They are a group of upwards to 100, 120, 140 independent private hog producers who have chosen to work together collectively to enhance their opportunities of accessing feed and other input costs at the lowest possible level, purchasing in bulk. They have chosen to use the management that is made available to them under that kind of an organization, and they have chosen to avail themselves of all the assists that modern hog production requires.

Mr. Chairman, I am being momentarily distracted from my otherwise brilliant dissertation on the hog industry by the appearance of our House leader in such colourful garb this morning. It dawns well for agriculture that, when I look outside, I see the sun shining and I see my House leader coming here and he virtually looks like a sunflower about to burst.

\* (0910)

But I conclude my comments about the hog industry. That generally describes the hog industry, and so we do not foresee and, in fact, there is solid reason to believe and we hear this from some of our American contacts—I have visited some of these super-integrated operations in Missouri and in Iowa, and the one group particularly is in serious financial problems, despite the fact that hog prices are at an all-time level. They have created for themselves some very difficult environmental issues when they congregate upwards to 100,000 hogs in one relatively small area. We do not see that as a model for Manitoba, and surprisingly the Americans are beginning to recognize that hogs, unlike the poultry industry, do not quite lend themselves to that kind of factory production.

There is a greater requirement for management, a greater requirement for care involved with the production of hogs, which is often better achieved in smaller units.

**Ms. Wowchuk:** Mr. Chairman, I am sure that the farmers will be pleased that the minister will take into consideration to make amendments to the Farm Mediation Board if that would be necessary and meet the needs of farmers because, as I said, there is some concern that they may not have an avenue. If the minister would look at that, I would appreciate it.

The other concern that the producers have is that this is a new system that is being implemented, and there has to be some form of gauging whether this new system is working, some evaluation done, whether it is workable or not. I would ask the minister how his department intends to monitor since it has been his decision to move from single-desk selling to dual marketing and there is concern within the pork industry that this is not the best move. Will the department be monitoring the changes, and will there be any ability for producers to have a role in the monitoring? As the minister knows, there have been some producers who have been very active, first opposing the change and then, when there was no chance to stop the change to dual marketing, then the producers—there is a group of them that have been working hard to see that this will work in the best interest of the producers—want assurances that they will have some say that there will be monitoring and some comparisons to what is happening in other provinces as well.

So I ask the minister, are there any plans to put in place a system of monitoring to ensure that the new system is working well in the best interests of farmers, producers, and that these producers will have an opportunity to be involved along with government in the monitoring of the new system?

**Mr. Enns:** Mr. Chairman, I can assure the honourable member that certainly the kind of services that the Department of Agriculture, through its various specialties, will continue working with any farm production group in Manitoba. The swine industry, the hog industry, being one of the more important activities in the province, receives a great deal of attention from our department. We are working with the hog producers, working with the industry as a whole, to bring about a higher level of

safety in the health of this very important food commodity.

We had a brief discussion the other day about the importance of ensuring, not only Manitoban and Canadian consumers, but our foreign customers about the fact that our pork is not only the best quality, but it also meets the very highest standards with respect to health. So, just now as we speak, through the work of our Animal Industry Branch, we are introducing what we call the PRE-HACCP program. It is a program of a great deal of producer involvement, education, designed to eliminate any problems of the inappropriate use of feed additives or drugs in the treatment of hogs and pork. These issues become very, very important to the overall well-being of the hog industry.

Now, the other issue, of course, that I want to keep pointing out—and I say this with a great deal of hope and conviction—Manitoba Pork as an organization will continue in its role of being a leader in the ongoing issues that are of concern to the producers that the honourable member refers to. Manitoba Pork, in my opinion, is a most appropriate vehicle through which producer Department of Agriculture when necessary concerns can continue to be discussed and resolved among themselves, and of course, come to the for further assistance in these areas.

As I indicated, Manitoba Pork is hopefully going to actively engage and be actively engaged in pursuing and meeting the challenges, trying to resolve some of the difficulties that perhaps are down the road for some of the producers; but, certainly, it will be business as usual from Manitoba Pork's point of view in these matters.

As I also indicated, I am pressing the department right now to conclude the necessary arrangements for such things as the universal levy to be applied to all hogs marketed in the province, whether they are marketed directly through Manitoba Pork or not. This would ensure that the financial resources are maintained for Manitoba Pork to carry on these services to their producers.

But, you know, in the final analysis, these are changes that are occurring. Hog producers, like any other producers in agriculture, are all facing the reality of the fact that they have to fine-tune their production, that they

have to produce the kind of products on their farms for which they can find markets. Less and less will there be a reliance on government programs to support them.

I know that the member sits in the House with me, and we are often reminded of the very significant reductions in transfer payments from Ottawa in the areas of health, education and social services, upwards to \$200 million. I remind this committee and the member that in that same period of time there has been an equally dramatic downsizing of Ottawa's contribution to Manitoba's agricultural economy in the order of \$180 million, and what that means to our producers, whether it is in grain production or whether it is in specialty crop production or whether it is in livestock production, is that we have to develop in such a manner that most, if not all, of the income generated off of farm production does in fact come from the market.

**Ms. Wowchuk:** Mr. Chairman, the minister must realize that the proposal that is being made by pork producers and the request that is being made does not ask for funds. What they are asking for is that there be a process that they could have appeal if they are having difficulty with contracts through the Farm Mediation Board. They are also asking that there be some kind of criteria or gauging of the new system that is put in place and monitoring it and that they have the opportunity to be involved in this. Now, if the minister says that is the role of Manitoba Pork, I am sure Manitoba Pork will do some of it, but I do feel that there probably is a role also for government in this since the government is changing the system, the system that pork producers did not want changed.

\* (0920)

The government has taken the initiative to change that. There should be a role to ensure that what the government is doing here is working well, and I do not see that it will end up costing government money. It is an avenue for producers to be involved, to see that the monitoring is done properly, that the system is working, that perhaps there can be some evaluation charts set up for the first while to give the producers the assurances that they need, that they will be able to survive.

I throw out an example that has also been put in place in other places, that farmers can use and get supports. In North Carolina, for example, it is my understanding that

they have a 1-800 number set up so that producers can call in when they are having difficulties, and resources or staff can help them through them or direct them or put them in contact with people that can help them. In particular, this is, as I referred to, a new system of contracting with large feed companies; that is an issue.

Here in Manitoba the suggestion has been made that we have a rural stress line. Hopefully, it will continue to operate, and it is a suggestion that has been made by producers that there are avenues that the government should be looking at. They should be looking at criteria to gauge the new system, to see that it is working, that producers who are doubtful right now are not put at a disadvantage with large feed companies, that we have a rural stress line. Perhaps, that could be put into consideration. Our rural stress line now deals with only health issues, but perhaps it is a way that farmers can have a tap into that line for other services.

These are issues that producers have raised with the new system, and I put these suggestions forward. I hope that the minister will consider them in ways, as we make the adjustment to the new system, that there can be safeguards in there, some avenues for producers to get information that they need, and avenues, if they run into difficulty, that they will not be left at the mercy of the larger corporations, the feed companies. That is where the fears are. Not so much the feed companies—I am sorry, Mr. Chairman, it is the contracts with the packing companies that are also a concern. Feed companies, packing companies, those are the kinds of things. I put those suggestions forward to the minister, and as we go through this process I hope that he will consider him.

Another issue that I want to raise that the minister raised briefly is when he talked about the large operations in the United States, that there are serious environmental issues. The minister is well aware that here in Manitoba there is a concern that as the hog operations become larger there will be problems with water tables and pollution. In the Interlake there have been some serious problems and people have been objecting to operations set up. Can the minister tell me what his department is doing or how you are addressing the concern about the possibilities of water pollution in some of the areas where there is a low water table that is very close to the surface and how that is being addressed, and, further, whether any consideration is being given by his department to

limit the size of operations in areas where there is water sensitivity or community sensitivity where the facility is being proposed in close proximity to residential areas?

**Mr. Enns:** Mr. Chairman, just to conclude the issue that the honourable member raises, some of the concerns that she has heard from different producers as a result of the imminent change in the marketing structure of hogs in the province of Manitoba, allow me to assure the honourable members and the hog producers that the Department of Agriculture will continue to provide quality service to the producers involved. We will certainly be monitoring the situation very carefully. As I said before, it is an extremely important part of the agriculture industry in the province of Manitoba. We will probably be even more actively involved.

I know that one of the concerns that the producers have is that there be accurate pricing disclosure on a regular weekly or daily basis. That is being examined right now with Manitoba Pork. It may well be that our own Department of Agriculture through its Economics branch may, in the first phase, play a role in establishing that. We, after all, gather daily and weekly pricing on all manners of agricultural goods throughout the province, and it has been suggested to me by my staff that, to get it started, we may be playing that kind of role. This is an issue of importance to producers. They want to know, even with the larger production units, the contractual production units, what was this week's benchmark price for a hundred-point-something index hog and the likes of that.

With respect to the other issue, I want to commend staff in the department. We have worked very diligently on the issue and the sensitivity and the awareness of the side-product that is generated in hog production. It is referred to by some as waste or as a pollutant. I prefer to refer to it as nature's wonderful organic fertilizer alternative to run in competition with the chemical fertilizer companies of Simplot or Esso or others, and if properly managed by our soil specialists, if properly handled by our producers, it can be a tremendous assist in offsetting some of the high input costs that grain producers are facing, and to that end, we ran a very successful manure symposium.

I mean, to get over 300 people here from all parts of the world, United States, from England and from all

across Canada to come and talk about such a politically sexy subject like hog manure is an accomplishment in itself, but it was an extremely successful symposium. I was regrettably—time only permitted a short visit on my part, but I was astounded by all what is happening and what is developing in that field. We have some of the best scientists, some of the best people in finding some very innovative ways of handling and extracting maximum benefits out of manure, and doing it in such a manner that it can be done safely, that it can be done without injuring the ground water supplies that are so important to all of us.

I think that with the combination of the things that we have done in the last relatively short period of time, we have introduced a Farm Practices Protection Act, we have specific guideline developments to would-be builders of hog operations—not just hog—or any livestock operations, we have, as I say, livestock waste legislation, we produce fact sheets, we have a technical review team that goes out and looks at operations and helps plan operations, and these kinds of measures are continually being strengthened.

My hope is that if we do this properly we will take some of the pressure off of local and municipal governments that often are the first to face this and who often respond in an understandable, although not always in the most informed way by simply denying an application for a project to proceed.

\* (0930)

This is a major part of the Department of Agriculture staff's undertaking, that is, from in the livestock area, and I can only tell the honourable member that when you come from different parts of the world where farming has been carried on in a much more intensive manner for a much longer period—and I refer of course specifically to my recent visit to China—I am amazed at how well they have learned to manage heavy applications of fertilizer, both chemical and organic, at the same time heavily dependent on ground water sources for irrigation, and taking three continuous crops off the same acre on a regular 12 month period. They have obviously got their nutrient requirements, soil, crop requirements down to a fine science that know exactly how much fertilizer they can apply for a given crop production so that those elements that could cause trouble by leaching into the

ground water—just that that does not occur. They have been doing it for years and years and years.

Now if it can be done in those jurisdictions, then we have equally talented professional staff in the department, talented researchers in our universities, and farmers and producers on the land that can do it here in Manitoba.

**Ms. Wowchuk:** I have no doubt that we do have the people to do the work and we do have the people with the skills. All it takes is the will to do it. I am sure that if other countries are doing it, we can do it too, but we have to take those steps to ensure that we have the guidelines in place, the regulations in place and the information out to the producers as to how this should be done, because as the minister says, our water is very important, and we are looking at expanding, at growth in the hog industry. When you get large numbers of animals in a small area you do stand a risk.

There is the public opinion right now that, with water tables close to the surface, we do run the risk of polluting those. I hope that the minister's department will continue to work on these issues and to give the producers the information that they need and put in place the guidelines, if there is need for stronger guidelines, particularly if we get to larger operations where there is a higher concentration of waste, that we have the guidelines to ensure that we do not, 10 or 20 years down the road, run into very serious problems. We have the ability, as the minister says. We have the skilled people. Let us ensure that it happens and put at ease the minds of those people who are right now having doubts about whether or not we can increase the population of the number of hogs in this province, the number of livestock.

As the minister has indicated, because of the Crow, we will have to make those changes. I hope that the minister will continue to ensure that there is staff within the Department of Agriculture that is working on that and pull the information together and make it available to people and ensure there are proper guidelines in place for this.

I want to move on to another area, Mr. Chairman. It is also a new policy that the government has taken on this year, so I believe this would probably be the appropriate area to ask these questions.

I believe that in January or December we had an announcement that this government was going to—after a lot of discussion on how farmers were going to be compensated for their crop losses, for their hay losses, and particularly in the Swan River area where there were serious problems with big game damage to fields of hay crops, the minister made an announcement that he was going to be introducing legislation that would allow for elk ranching in this province. I must say that came as quite a surprise because my understanding was that, if there was going to be elk ranching in this province, there would be public hearings, people would have a chance to have input into it.

In fact, I was also quite surprised because the minister himself had been quite opposed to elk ranching in the past. I believe that in 1992 he sent out a letter to a constituent of mine, indicating that he could not support elk ranching because of the risk of disease, because of just the risk to livestock. I want to ask the minister: What information had his department gathered that resulted in this policy change, that would see us moving toward elk ranching in this province? Whom did the minister have working on this issue, and what was the information that made it possible for the minister to change his mind so dramatically to go from opposing elk ranching to now bringing in legislation where we will have elk ranching in Manitoba?

**Mr. Enns:** Allow me to just further introduce some senior staff. We have with us at the table joining us Mr. Neil Hamilton, who is now the acting general manager of the Manitoba Crop Insurance Corporation. I should put on the record that it is with some regret that I announce to the committee that our former manager, Mr. Brian Manning, has left the corporation, has gone to continue to provide his talents and services to the farmers of Alberta. He received inducements to make that change.

As well, John Taylor, as the Director of the Animal Industry Branch, joins me. If we are going to be talking about elk ranching a little bit, it will be largely under the direction of Mr. Taylor's branch that the Department of Agriculture will entertain this new venture in agriculture.

Mr. Chairman, I well recall having responded to different Manitobans on earlier occasions that elk ranching was not in the cards at that particular time by the government.

I do not recall—I would have to see that letter—that I have in a more direct and a personal way been opposed to elk ranching. I may well have stated some of the reasons of the day why the government of the day had chosen not to enter into that form of livestock activity. Be that as it may, the simple straightforward truth of the matter is it has a great deal to do with the different challenges that Manitoba Agriculture producers face generally with the loss of the Crow. The greater emphasis for allowing opportunities for various forms of farm diversification, in this case, the greater activity into the nontraditional use of nontraditional livestock as an alternative, became attractive to me.

I did not require too much convincing it would be a worthwhile initiative for Manitoba Agriculture to be engaged in. I think it was during a meeting at Portage la Prairie, a Manitoba pool meeting, that you indicated at that point in time that you thought the time had probably come where these kind of alternative forms of economic opportunities for Manitoba producers ought to be made available. So that is the short and sweet of it.

I consider this as an excellent opportunity, not for thousands but for a number of producers, not unlike the very significant and steady growth that we have seen in the bison livestock industry. We have now in excess of 50-55 bison farmers. Our herds are building up to the 6,000-7,000 level and these producers are finding this an excellent opportunity, both from the sale of breeding stock and in the increasing sale of the meat stock, as a ready market for it, particularly in Europe. I view the movement into elk ranching in much the same way.

\* (0940)

The other issue, and I say this with some understanding and empathy for the difficulties that my colleague, the Minister of Natural Resources (Mr. Driedger) was beginning to have and I, of course, having had the privilege of being involved in that department, had some appreciation for it. It was becoming increasingly more difficult for Manitoba to be the jurisdiction not permitting this kind of activity. Elk ranching is permitted in all the provinces to the west of us, Saskatchewan, Alberta, British Columbia. Elk ranching is permitted in Ontario. The only other jurisdiction that does not permit game farming of this kind is Newfoundland and yet by accident of geography, genetically we have the best elk. When a

Manitoba elk is sold at an auction mart in Regina or Lloydminster or something like that, it commands a premium price. That must make it very difficult for the officers in the Department of Natural Resources to keep a lid on illegal poaching of the animals, illegal movement of the animals, for all of these reasons but triggered, if you like, because of the extra challenge put on Agriculture for diversification when the loss of that major support program, the Crow, was announced. That was when I—

**Ms. Wowchuk:** You caved in.

**Mr. Enns:** Well, the honourable member says that I caved in. They tell me of another great man. He was on the road to Damascus, I believe, where he made a significant change in his position and attitude that he had, but that was when I—and then, of course, it is amazing when you make that transition from the third floor where you are minister of wildlife, down to the first floor where you are Minister of Agriculture, you tend to look at things differently. You tend to look at opportunities that have significance and opportunity for primary producers.

These were the reasons that the changes were made.

**Ms. Wowchuk:** I believe it was back in '91-92, when the minister had indicated that he had concerns about disease and the transmission of disease from wildlife to domestic animals. At the time one of the concerns was tuberculosis and there was an outbreak of tuberculosis in elk in Alberta, and that was causing the concern about what would happen here in Manitoba.

Has that changed? Are those risks still there for disease outbreaks, as they were back in '91-92 or has that all been brought to an end, that causes the minister not to be as concerned about it as he was in the past?

**Mr. Enns:** Let us just separate the two issues with respect to the disease question that are often brought up when discussing domesticated elk or game farming. We have, of course, a situation that exists right now. We have in excess of 10,000 elk and white-tailed deer and other wildlife that are, as the member well knows coming from the area that she represents, freely roaming across the length and breadth of this province, freely intermingling with cattle herds that are now just being turned out to pasture.

We have no way of knowing what disease is being carried in these wild herds. Their argument can be made and is made by the people that are proposing the domestic elk ranching that there, in fact, will be a far higher level of control with respect to any disease that domestic elk may from time to time be in contact with or develop, as to how that would be passed onto our cattle herds for instance and our livestock herds. Lets understand that one picture.

The issue though in fairness to the honourable member's question, because it is a serious issue here and the director of the Animal Industry Branch is extremely well aware of it. We have taken a great deal of time in looking at how jurisdictions that are involved and in fact experiencing some of this difficulty, how they have coped with this matter. When the member sees the actual legislation and even more so further on in the regulations, she will see a great part of it is specifically directed to eliminate to the extent possible that all reasonable consideration can make these kind of dangers.

The issue really comes in when you are transferring animals from other jurisdictions and the risk of transferring in diseases in that manner, when animals are allowed to move from one province to another province, something like that. That is why there will be—and we do not have the legislation before us, we do not have the regulation before us, but certainly every consideration is given. If, for instance, we consider a jurisdiction that does not have its disease problem under control like the United States, we will simply not allow any transfer of animals from the United States into Manitoba. We will not allow a transfer of animals from other areas that we think there could be a problem, like Ontario, where there is reported some difficulties of some specific disease. Again, the director here could tell me the name of the disease—P. Tenuis, he says. If I say it fast, then you might believe me.

But these are the kinds of things that you will see throughout the act. No animal gets into the program without full range of testing, including not only the blood tests for different diseases but DNA testing. It will be a very sophisticated, very controlled program. I have the added confidence, and one of the advantages of being kind of the last jurisdiction to expand into this venture, we have been able to, and our officials have been able to, learn from some of the mistakes made when other

jurisdictions, when Alberta, when Saskatchewan, went into this program. The member is right. They did have problems with their initial start-up of the program. We have gained from that experience, and I am satisfied that is reflected in the proposed legislation that is going to be presented to the House and certainly will be carried on through the regulations that will be developed.

But let me leave no misunderstanding. Officials that know more about it than I do indicate that because of the premium quality of the stock that we have, because of the abundance that we have, we have entered into a program with the Department of Natural Resources to partly relieve some of the pressure on the farmers who are in some instances being eaten out of house and home and badly needed hay supplies and causing my Crop Insurance Corporation no end of trouble. I am looking at my acting general manager of Manitoba Crop Insurance, but I think we are going to be spending upwards to a million dollars for claims. A lot of that, a big portion of it, is in the big animal claim. Of course a good portion of that, not exclusively, but a good portion of that is elk.

So it seems to me to make eminent sense to take some of these oversurplus animals in the wild in a controlled and in an orderly way and in a way that will be fully accountable to the general public, because after all this is public property if you like, and kick-start and begin the elk industry which I believe within a very few years will be a \$60-million, \$70-million, \$80-million, \$100-million industry. It has become that in those few short years in Saskatchewan and Alberta, and we have better elk.

\* (0950)

**Ms. Wowchuk:** The minister indicated that the starting of the industry was one way to alleviate a problem that farmers were facing because of depredation from elk. Will this legislation that the minister is proposing allow for the farming of other animals and the capture of other animals that could cause problems for farmers? For example, deer that are now, as the minister is well aware, in the western part of the province, in the Russell area, causing serious problems—in many areas. Is the legislation going to be open enough to deal with other wildlife, or is it specifically to deal with elk?

**Mr. Enns:** The legislation that will be presented will be broad enough to include other livestock in the future. It is generic in that sense. It is a livestock diversification

act and as such could encompass other wildlife species as well. So that there is no misunderstanding, it is the intent and the direction, policy decision of the government at this time to deal specifically and exclusively with elk.

**Ms. Wowchuk:** We talked briefly about diseases, about tuberculosis and the problems that were in Alberta earlier on, and the minister indicates that those are under control. There has been another issue that has surfaced in the last little while, and I raised it briefly in the House with the minister the other day. That is the—is it BSE?—or mad cow disease that we are hearing about, and I want to ask the minister if his department has done research on that.

There was an article in the paper that there was a gag order on the Department of Agriculture in Manitoba, that people were not supposed to talk about the possibility of this disease. I think it is important that we do talk about it and just put clearly on the record what the implications are, if there are any risks or there are not any risks of this disease being in our wildlife and having any effect on our cattle herds. I think it is quite timely, since the minister is bringing in legislation to start elk ranching, that we get as much information as we can on the record and to the public as to whether there is any risk of this disease in Manitoba and whether there are any risks for our livestock industry.

**Mr. Enns:** Mr. Chairman, I suppose it is always difficult to eliminate with absolute certainty any risk. Life is a risk. We are all at risk. But I have to ask the honourable member—and she is aware of this—to look at the track record, to look at the mechanisms that both Agriculture Canada and the provincial veterinarian branches and health branches have set up and are in place to ensure that when a situation arises that it can be immediately responded to.

The honourable member will recall a fair bit of controversy some several years ago when there was an animal suspected, that had contact with a herd coming from England that is going through this difficulty now. Well, despite a great deal of pressure and local pressure and something like that, it was summarily handled. The animal was put down and any animals that he had come in contact with were put down.

We do not fool around with these issues. We have long memories. We remember when an embargo placed

against our entire beef industry took place back in the '50s when we had an outbreak of foot and mouth disease, and the embargo just was dropped across the border and prices collapsed. So we have a very strong response to these kinds of problems.

The issue that the honourable member brings up here with the elk again, in my opinion, I take comfort from how the situation was dealt with. Here an animal was brought in from the United States originally—not to Manitoba, to Saskatchewan, and was suspected of having a disease problem. The system immediately moved in. The animal was put down. The animal was diagnosed and did in fact have a disease problem, but the system correctly contained it, correctly handled the matter.

I am trying to indicate to the honourable member that we cannot with absolute assurance rule out the possible reoccurrence of some disease at some point in time cropping up wherever there are livestock produced. But I do want, in particular, to ask the honourable member, who is one of the few agricultural spokespersons in Her Majesty's official opposition these days, to be extremely careful about the kind of statements that she—I have every respect for her or her group. Indeed, if they wish to oppose the introduction of elk ranching into the province of Manitoba, if they wish to oppose that as an individual or as a party position—but do not carelessly inject the concern or anxiety of what is causing the British beef farmers, for instance, untold difficulties right now. Do not inject that into the debate here.

The animal in question, the elk animal that had the problem, was imported from North Dakota in '89 as a juvenile. It was put down; it did not have the mad cow disease, as is being irresponsibly reported in the press. It is a disease that is somewhat similar to it, but it was not that specific disease. But, more importantly, it was immediately contained, immediately handled in a way that I think we as Canadians can take some comfort and some confidence in.

I repeat, it is not just a question of working with the provincial authorities. Agriculture Canada, through their system of controls and checks and inspections, plays a very big role in it, and it will be Agriculture Canada that will have to issue a certificate every time an elk is moved from a Manitoba elk farm to another jurisdiction; or an elk coming into Manitoba from another jurisdiction will

have to not only pass our own provincial rules and regulations as to how they gain entry in the province, but the officials of Canada Health will be very directly involved.

**Ms. Wowchuk:** I would like to set the record straight. I am not using this as an excuse to oppose or support elk ranching. I am asking the minister for information to inquire as to what has been done in Manitoba and whether we are following this. I would hope the minister is not trying to say that I or one of my colleagues is trying to build this up into an issue. That is not my intent at all. I am looking for information to see how the department is handling this issue.

**Mr. Enns:** I accept that from the honourable member, whom I regard as an honourable member, and I appreciate her concerns for the agricultural industry as being precisely that.

**Ms. Wowchuk:** The minister talked about DNA testing of all animals. Can the minister indicate if that is going to be run by the Department of Agriculture, the federal government? Who is going to be doing the DNA testing, and what is the cost of setting up such a system?

**Mr. Enns:** Mr. Chairman, allow me just to further introduce Dr. Jim Neufeld, who has joined us; he is director of the Veterinary Branch and will be involved in the program. We will be hearing and seeing more of Dr. Neufeld too as we bring forward, as we introduce additional legislation with respect to animal care that Dr. Neufeld's branch specifically has been involved in drafting.

To the question about DNA testing, we will be using the lab facilities that are available to us in Saskatchewan, I understand. This is going to be part of the normal process for several reasons. First of all, we want to be absolutely certain that we maintain the integrity of the genetics of our herd. There have been instances where the elk, for instance, cross-breed with the red deer. That can happen, and that has happened in other jurisdictions. That produces smaller animals. That is why our elk are so prized because they are genetically superior

\* (1000)

But in the whole issue of the controls that the industry will require, we have to be able to, with integrity,

maintain the claim that animals are not indiscriminately or illegally being taken from the wild and added to the domestic elk herds, that that always and only be done in very controlled and regulated ways so that the whole issue of an accurate inventory of the elk is very much part of the process. That will be accomplished both by a more standard testing and banding with the more traditional forms of identification, but each animal will have its own DNA imprint for inventory purposes.

(Mr. Peter Dyck, Acting Chairperson, in the Chair)

We have not totally explored all the opportunities in that area, but I believe very strongly that we have an opportunity of kind of running our domestic elk ranching as not unlike purebred cattle operations where if we accept the fact that genetically we have some of the finest elk on the continent, and we are going to the trouble of providing the blood tests and the blood proof of that through DNA testing and so forth, that we can in fact virtually have a certificate of genetic quality or purity travel with each animal and, in effect, establish much the same lines as a purebred cattle operation which would down the road continue to ensure that Manitoba elk ranchers, Manitoba elk, commanded premium prices in this business.

**Ms. Wowchuk:** The minister did not answer the question about the costs. I am wondering, what range of dollars we are looking at for this?

Also he mentioned keeping our stock pure here in this province like purebred stock. Will there be restrictions in place to prevent elk from coming in from other provinces? The minister indicated earlier they would not be allowed to come into the province—for disease purposes—but is he saying then that we will be raising Manitoba elk in Manitoba for export, but we will not be bringing in elk for crossbreeding? Also then what will happen with the elk that are already in captivity in Manitoba? Will they come under the testing that the minister is proposing that will be in this legislation? Will they be tested? How will those be handled?

**Mr. Enns:** Mr. Chairman, the honourable member should know me well enough by now that when I give a long-winded answer, it is usually because I do not want to answer the question that she asked, and usually it works, except that this time she has found me out.

My ever present and capable staff has informed me that in fact the total cost of these different test procedures, including the DNA testing and so forth, will be in the order of some \$85, \$88 per animal. So the honourable member can appreciate these are relatively sophisticated tests that are being undertaken, and these costs will be borne by the future elk farmer as these animals get registered into their program.

The other questions with respect to restrictions on the movement of elk, no, we intend to allow—and I want to be careful because this is at this point a conjecture, not all policy decisions have been arrived at. Of course, the act itself and the legislation itself has yet to be approved by the House. But the concern is the restriction of movement of elk is for care and concern about the potential disease problems, not to restrict the movement for trade problems. So in jurisdictions like Saskatchewan, Alberta, we will allow trade back and forth. We will allow trade into the United States, for instance. We will not allow imports from the United States, because we have concerns about the disease problems. I am looking at Dr. Taylor here to see whether I am reasonably on course but he seems to suggest that I am.

We, of course, certainly want to make it possible for Manitoba producers, when the industry is off and rolling, to maximize their returns in any manner they can. If selling offspring, selling some of the animals at some of the well-established sales, like the Regina Agribition generally conducts one every year, other ones in Alberta. I suspect that as our herd increases, Manitoba will be a favourite spot for Alberta ranchers and Saskatchewan ranchers and American ranchers to come to look for and to secure breeding stock from our genetically superior group of animals. Those are roughly some of the outlines of the program as I envisage it will develop.

The member raises the issue that is probably causing us some considerable concern about how we deal with some of the existing operations that are in place. We do not have that many but there are five or six operators that have, for one reason or other, been allowed to maintain elk in captivity under a permit by the Department of Natural Resources, and those issues are issues that have to be dealt with. I am extremely aware of the fact, particularly again in the honourable member's riding, that there is considerable concern about how they will be dealt with. I can only assure the honourable member that never

fear, Enns is near. It will be done in a fair and accountable manner.

**Ms. Wowchuk:** The minister says they will be dealt with in a fair and accountable manner. I look forward to watching in what manner they are dealt with.

Has a decision been made as to how the animals that are in captivity now will be allocated, what price they will be, whether they will be auctioned or how these animals will be dispersed and when does the minister anticipate making a decision on how this will be done? I know that the legislation is not in place. In fact, some people will question whether or not there should have even been a capture this year because there is no legislation to deal with that. However, they have been captured. They are being held and they will have to be disposed of. So what kind of plans are in place as to how they will be distributed and what price will be set on them?

**Mr. Enns:** Well, Mr. Chairman, again—and certainly not to avoid answering to the best of my capability the honourable member's questions—but these are issues that are currently being debated with the staff as we develop the program. The member correctly points out we have yet to pass the legislation, never mind all the regulations, although these kind of issues are not necessarily reflected in the legislation. These are policy issues that the government and the department will have to deal with, but I will share with the honourable member and the committee members the kind of general policy direction that will guide us in the decision making.

\* (1010)

We wish to start the industry in Manitoba. So how do we best accomplish this, particularly if we have what our wildlife biologists tell us, surplus elk, that we can comfortably engage in a capture program. I leave aside for a moment the issue of whether or not to what extent that helps alleviate some of the big game damage to the farmers. That is incidental, but we have the wildlife population as such that we should be trimming it down. Now some argue, and certainly opponents to domestic elk ranching and proponents of, say, the Manitoba Wildlife Federation who oppose this movement say, well, just let the department issue more hunting licences. From an agricultural point of view now, I ask myself does it really

make a great deal of sense for the Crown to get \$35 through a hunting licence to shoot more of these elk, or does it make more sense to capture some of them and have the Crown get maybe \$10,000 for them, if that is what their value is, particularly if we are trying to start an industry.

Now the issue is it is going to be—what is troubling me as the minister right now, I want to start and I want new entries into the business. It is going to be a route that will be a capital intensive farming operation to get into. Fencing requirements are going to be specific and expensive, so the issue that is before us and not yet resolved is should we allow the sale or the distribution of these original animals, the ones the member talks about that are in captivity, be made available to up-and-starting elk ranchers at a reduced cost other than the full market price, perhaps 65 percent or 60 percent of the market value price. Well, if we do that, then what guarantee do we have that somebody from Alberta, United States will not make a fast deal, everyone makes a fast dollar and we still do not have the elk to start the elk ranching industry. So then there are considerations—well, if there is any consideration of a subsidized price of some form or other, there has to be a mechanism in place that those elk cannot leave the province, that they in fact be here to propagate and to help kick-start the industry. So these are some of the thoughts that are being discussed with the senior staff people as we develop this program.

I cannot answer her definitively, because I do not have approval, or we have not come to the final determination precisely how it will be done, but this is the direction that we are going. We are talking, and again we seek the advice from staff.

We are thinking about putting up groups of animals of, say, three females and a male, offering an animal four, and we likely will have considerably more interest shown than there are animals, so it would likely be done by a draw system. When these animals are drawn, then only would they be able to get the animals if upon inspection they get the good housekeeping seal of approval that they have met the fencing requirements, they have met the land requirements. We say a minimal; I believe we are thinking about a minimal of 10 acres to begin with. We are talking fencing requirements, whether 8 or 9 ft. high. We are talking certain other provisions that have to be on the place before my wild and woolly Australian Director

of the Animal Industry Branch goes out there and personally affixes his stamp of approval that this is now a bona fide Harry-Enns-approved elk ranch, and somewhere in the future in the Carberry Hills at dusk in the evening you will see a bronze statue to this little minister that will recall this momentous occasion, you know, when we introduced a new agricultural venture into Manitoba. That or they will just make a big potato spud out of me.

**Ms. Wowchuk:** Mr. Chairman, the minister indicates that lots of things are still not spelled out, but surely the government must have looked at the legislation in other provinces and how things are being done there. Can the minister indicate then which province is his government looking at modelling their legislation after?

**Mr. Enns:** I know that staff, and particularly Dr. Taylor, has spent considerable time in looking at and speaking directly to and visiting the operations both in Saskatchewan and Alberta and elsewhere. I think it is fair to say that because of the proximity and because of what we see developing in future trade patterns that it would be understandable that we would want to be most clearly in some harmony with those two provinces. But I think, as you would expect, we have also shared with them in the development of our own legislation, how our legislation was coming together. It has been reported back to me that they have said, gee, you are getting it right. That should not surprise anybody. After all, Saskatchewan I think has been in elk ranching since about 1986. Alberta may be a few years earlier, '82, '84. So they have had 10, 12 years experience in this, and they have been able to advise us when we sought advice that, well, if you are getting into it, we did this wrong, and we did that wrong. We have had difficulty in this area, and if they are kind of looking to amend their acts, we gleaned from that experience in the legislation that I will be presenting to the House very shortly.

So it is the best that Alberta has in place, the best that Saskatchewan has in place, plus the kinds of concerns that were generated in the branch itself.

**Ms. Wowchuk:** One of the concerns that some members of the public have raised is that once you have animals such as elk in captivity, it will lead to paid-for hunts on farms. Is there anything in the legislation, either in Saskatchewan or Alberta, that allows for on-farm hunts,

and is that anything that this government is considering, or is that something that will be restricted through legislation in this province?

**Mr. Enns:** No, that is not being given any consideration and is not reflected in the legislation or regulations.

**Ms. Wowchuk:** Will the legislation prevent it from happening?

**Mr. Enns:** I am advised that, yes, it can be controlled by legislation.

**Ms. Wowchuk:** I know when the announcement was first made of the potential of elk ranching, the minister had indicated that there were a lot of calls to the department requesting information. Can the minister give an indication of how many people have made application? As the minister said, there will be more applications than there are elk available in this term, so how is it going to be decided? Maybe the minister has addressed it, that it will be by a draw system, but what kind of interest has there been from the public to establish elk ranching?

**Mr. Enns:** Mr. Chairman, we do not have any applications in hand at this particular point in time. That is understandable because the application form is yet to be devised, but I can certainly indicate to her that there has been a considerable amount of interest shown.

A new fledgling Manitoba Elk Association has been formed. They met at a meeting, I believe, in Dauphin earlier on in the year. Upwards to 100 persons indicated their more-than-just-passing interest by taking out a \$100 membership fee to this new organization.

\* (1020)

I know that I have received directly to my office, and I suspect staff as well have received, inquiries, letters of intent, if you like, or letters of interest that, should elk ranching become a legal, acceptable farm program, they would be interested. We are, of course, keeping these letters on file. When the act is appropriately passed, when our application forms are in readiness, and when we have finally sorted out precisely how the draw, type of animals, how all that will be conducted, that we can provide it, then we will make that public. I expect there

will be a considerable interest shown by Manitobans to enter into this activity.

(Mr. Deputy Chairperson in the Chair)

We have roughly speaking 100 to 114 animals in captivity that are going to be involved in this draw, so the member can quickly deduce, if we should decide in groupings, as I suggested, three females and one male, that is four animals—you know, four times into 114 or a little over 100—that means that we might have considerably fewer animals than we have interested parties. But we would devise a system that—as the member knows, it is our intention to run a capture program for the next five years, that persons would automatically drop off the list. We would try to be—staff would set the draw up in as fair a way as we can to those who are showing an interest.

**Ms. Wowchuk:** As the minister is aware, there is an interest from an aboriginal community, and in fact I believe the minister has met with the Pine Creek Band on several occasions to discuss their interest in establishing elk ranching. At the present time, the Pine Creek Band is holding the male elk.

Can the minister tell me whether in this legislation there are any provisions for aboriginal people to start up elk ranching, or whether they just become part of the draw system? Can the minister address that, please?

**Mr. Enns:** Well, Mr. Chairman, by coincidence, we just yesterday had a meeting with the representatives of the aboriginal community, which, regrettably, I could not attend, even though it was set up in my office. My deputy and other staff were there, along with my colleague the Minister of Natural Resources (Mr. Driedger) and the Minister of Northern and Native Affairs (Mr. Praznik).

I can report to the honourable member, and other members of the committee, that I really view this as an excellent opportunity for our aboriginal community to get a crack at being involved in something that could be economically to their benefit and one, I believe, that by location, by the level of management required to the maintenance of these herds, a very welcome economic opportunity for a group of Manitoba citizens who, I think we can all agree, have not had all the economic advantages available to them. I am very pleased that they

have shown an interest in the program. We are using one of their facilities to board some of the captured elk. I believe it is the mature bull herd that we have in captivity that is being looked after or cared for us at the Pine Creek facility.

Their unique position, of course, with respect to constitutional and treaty rights to wildlife, I have every respect for, but it would appear to me that they also understand that those rights exist for hunting and for food purposes for their own consumption purposes and have not indicated that it is their will to use those rights to circumvent the rules and regulations that are being established by the Department of Agriculture in this program, in fact, quite the contrary.

Senior staff report to me that at a very positive meeting just held yesterday that they are more than prepared to work with the department, to work within the framework of the controls and restrictions that would have to be involved, just as any other elk operation. Now they have also requested—and I think that is a request that certainly will be taken seriously—to be involved in the future capture of elk and perhaps, in some way, be able to earn for return of their services, for return of the use of their facilities for the housing of some of these animals, by way of recompense, perhaps some animals instead of dollars. That, to me, is the first time we heard that proposal. It does not offend me. I think it is a question of again working with all the officials involved and coming to an agreement, that I welcome quite frankly those kinds of developments.

I am very pleased and I report to the committee that I am very delighted that the aboriginal communities are looking at this in what I regard as a responsible way, and I have every intention to direct the department and those who are administering the program to work as diligently with any aboriginal group that is interested in elk ranching as with anybody else. I have a very empathetic approach to making this an opportunity for some sound economic development in communities and in areas where all too often the only other resource was the welfare cheque. I really look forward to it.

I want to challenge the New Democratic Party, who to my regret enjoys considerably more support within the aboriginal community and it is reflected in your membership—the member for Rupertsland (Mr.

Robinson), the member for The Pas (Mr. Lathlin)—do not let your more militant environmentalists get in the way of sound policy making in this area. You look to your constituents as well. You have the privilege of representing, in the main, those parts of Manitoba that reflect the aboriginal vote and the aboriginal vote—and I take it with considerable pride and satisfaction—have written very supportive letters to me directly. They commend the government, my government, for moving in this direction and are looking forward to working with us in this direction. I solicit members' support in allowing this to happen.

**Ms. Wowchuk:** My understanding was that there was a group of aboriginal, different bands that were getting together to form a coalition, so to speak, and that they were going to put a united front together. Can the minister indicate, the meeting yesterday, was it with just the Pine Creek Band or was it a group coalition? Can the minister indicate, if possible, which bands were represented?

The minister talks about New Democrats having the support of the aboriginal vote. Yes, we have the support of the aboriginal vote, and I am quite proud to have that support and speak up on their issues. The minister should know that the Pine Creek Band is in my constituency, and I have been in very close contact with the people on the band. I understand very much what it is that they are trying to do, but I also understand that there are some bands that are not in support of this issue. So if the minister could indicate whether this was the coalition they were meeting with, which bands were involved, and whether or not there have been—the minister indicated there have been letters of support, and I have seen the letters of support the Pine Creek Band got earlier on when they were looking at pursuing this venture—any letters from aboriginal bands who had been opposed to this proposal?

\* (1030)

**Mr. Enns:** Mr. Chairman, staff tells me that, and to the best of my knowledge, I have received no letter of concern or objection from an aboriginal group or band. With respect to the meetings that we are having right now, they are with a group. They have agreed to go back and present us with and work out a business plan, and we have given them the assurance that we would work with

them positively and seriously to try to develop with them a business plan that would see them playing a role in the next capture program that would lead to their involvement in the elk program.

I think from our point of view it was significant that they understood that, to gain the full economic benefits of the program, you have to be in the mainstream of the program and play by the rules. Failing that, they run the risk of containing harassment if they were going to deal with illegal or under-the-table elk, claiming that as their constitutional right. That would be argued in front of the courts for years and years, but in the meantime would not really be full participants in the growing, multimillion dollar elk business across Canada.

It was very encouraging to me, and I know to my senior staff people, that that seemed to be an understanding by the aboriginal group at our meeting yesterday. So we look forward to working with them.

**Mr. Deputy Chairperson:** Would it be the will of the committee to take a 10-minute break?

**Mr. Enns:** Either that, or would it be the will of the committee to allow the honourable minister to have a cigarette?

**Mr. Deputy Chairperson:** Order, please. We will take a 10-minute break.

*The committee recessed at 10:33 a.m.*

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#### After Recess

*The committee resumed at 10:46 a.m.*

**Mr. Deputy Chairperson:** We will resume the Estimates of the Department of Agriculture.

**Ms. Wowchuk:** Mr. Chairman, I want to ask the minister, the bands that have been in discussion with the minister's staff with respect to their role in the elk ranching industry, can the minister indicate whether these bands are from across the province, southern Manitoba, or whether bands from northern Manitoba are involved as well.

**Mr. Enns:** Mr. Chairman, the specific aboriginal groups that we met with represented the West Region Tribal Council, Crane River, Waterhen, Keesee-Elphinstone group.

Mr. Chairman, I wonder if I could just interrupt the honourable member for Swan River's examination of these Estimates to determine whether or not there is any disposition perhaps to deal with the items specifically, such as crop insurance or the Manitoba Agricultural Credit Corporation. If there are some specific questions, we could then dispense with the votes. We are at the hands of the committee members, but I know that the honourable member shares my concern; senior staff of both corporations are here. We could perhaps consider, if the member has specific questions to these two corporations, then indeed pass their appropriations, and they could go on with their business in providing the service to the people and farmers of Manitoba in their usual efficient way.

If that would meet with the honourable member's request, then we could carry on. Senior staff of course will be here, my deputy minister, assistant deputy ministers, with other issues involving the department. I put that out as a suggestion to the committee.

**Ms. Wowchuk:** Mr. Chairman, I would be quite happy to move to the Crop Insurance line.

**Mr. Enns:** I would then leave it to the member's choice. If she wishes to deal—do we look specifically with the issues of the Manitoba Agricultural Credit Corporation? We have the general manager and senior staff of the corporation available to us. Let us maybe turn to that, Chair. I know that is jumping a little bit, but we can arrange our schedule to do it that way,

**Ms. Wowchuk:** Mr. Chairman, I have no difficulty moving first to the Crop Insurance and then if we move to the MACC and then move on from there.

**Mr. Deputy Chairperson:** Okay, so we will move to 2.(a) Manitoba Crop Insurance Corporation, Administration. The minister's staff are moving up here.

**Mr. Enns:** Just by way of introduction to the Crop Insurance question, this of course is the area where, as has been noted by the opposition critic and indeed the

farm press, where significant decrease, last year's print over this year's print, of some \$10 million takes place. All of that is in the area of the termination of the GRIP program. The honourable member, I just would like to draw her attention to line (b) Premiums where the sizeable increase from \$14 million to \$35,700,000 is shown, represents the considerable enhancement, addition on the part of the province of Manitoba's share, and one that I can report is also being shared by the federal government to enable us to provide producers in Manitoba with what we believe to be the best Crop Insurance program that we could afford.

\* (1050)

I might indicate to the honourable member it took the combined efforts on the part of senior staff, board of directors at Manitoba Crop Insurance, to enable this transfer of funds to take place. The member might well suspect, and accurately so, that Treasury and Finance people viewed it somewhat differently. They thought with the termination of the GRIP program that those monies that were dedicated to the support of that program for the past five years would automatically return to consolidated revenue. It was my determination, and I was able to receive the kind of support in the development of the enhanced Crop Insurance program that we are offering, to take a significant portion, some \$18 million, \$20 million of that premium share.

The member may recall that in the past five years the provincial share of support to the GRIP program amounted to about \$32 million, \$34 million. It is not a finite figure because the participation rate determined the final dollars, but it ranged in that \$32 million to \$34 million cost to the provincial Treasury to support the GRIP program that was in place for five years.

That program has ceased and been terminated, and we were able to convince my government, my Treasury Board to transfer a significant portion of that premium that previously went to the GRIP program over into line (b). That enables us to present what experience is indicating a fairly acceptable enhanced Crop Insurance program that is currently being offered to the producers in Manitoba.

I have already introduced Mr. Neil Hamilton who is currently the acting general manager of the corporation.

Along with him is Mr. Henry Dribnenky, to my left, who is the director of Finance and Administration for the corporation, and Mr. Herb Sulkers who is director of field operations for the corporation.

**Ms. Wowchuk:** Mr. Chairman, I would like to spend a few minutes discussing GRIP. As the minister has indicated, the program has come to an end. When the program was established, we were told that it would be revenue neutral, and my understanding was that if there were surpluses in the program that those surpluses would go back to the producers.

Can the minister indicate whether there are surpluses in GRIP, and in what amounts and how the government plans to disburse those funds?

**Mr. Enns:** Mr. Chairman, staff advise me that understandably, although the program has terminated, absolute and final figures are not yet possible to establish, likely will not be established until the end of the year. In addition to that, there are some instances we have potential legal issues arising on, not many, but several cases that could impact on the final figures. I just want to put that on the record so that a year from now the honourable member does not hold me to the precise dollar figures that I am prepared to put on the record.

The member is correct, the conditions of the program's introduction called for any surpluses to be redispersed to the participants in the program. I am advised that, as it now stands, the overall potential surplus is in the order of \$63 million, \$63.5 million. The producers' share of that would be 31 percent or some \$19 million, \$19.8 million, and again these are rounded off and not finite figures, and it is the intention of the corporation to return the producers' share to the producers.

I do not know whether a policy decision has been made as to precisely how that will be done, whether or not it may be offered to them as a discount on next year's contracts, or whether it is done by actual cheque rebate. I would seek the member's advice on that. The province, of course, shares some 24 percent or \$15.5 million, and the federal government's share is the larger one because they are the larger contributor, some 44.4 percent, and will stand at the moment to receive some \$28 million repayment out of the total surplus funds.

As I said briefly in the House yesterday, when I introduced the legislation to officially terminate the GRIP program, it is really quite a remarkable achievement that I want to acknowledge and put on the record. The program was introduced at a time when grain prices were severely depressed. It accomplished what the program set out to do. I know that it was born in some controversy; it was not the easiest program to explain to the producers at the farm and kitchen tables at that time. I have a great deal of admiration, and I want to acknowledge that, of the staff, particularly of the Manitoba Crop Insurance Corporation, who were stretched to provide the kind of extension work required to introduce a major program like this into the safety net of programs being offered.

I can report to you, and it is a source of considerable quiet satisfaction and pride, if you like, as you would expect for me, as a minister of the department and a Manitoba official, to hear consistently when I meet with my peers from Saskatchewan and Alberta and other parts of the country that in Manitoba the program probably was most effectively delivered and most effectively met the program aims in providing upwards to \$800 million of money that was sorely needed. Quite frankly, there would be many operations not in business today had that program not been in place.

So I just take a moment of the committee's time to acknowledge the work of the corporation in this regard. I want to acknowledge the work of my own departmental staff who worked in a very co-ordinated way. We were able to introduce this major program without any great influx of additional staff or numbers. It was an imposition on everybody involved, but it worked. Of course, it was my privilege to join the Department of Agriculture just at the time that we were taking perhaps one of the most difficult harvests that in recent memory was the case for Manitoba producers, 1993. The wet conditions, the contaminated conditions of some of the soil, the first serious difficulties with fusarium and other issues, all of that drove this program into very considerable debt.

\* (1100)

It was only a year ago, I believe, prior to last crop, that we were still looking at about \$150-odd-million of a deficit. The advice that I was getting from the

corporation was, you know, difficult advice though, either push premiums up to an unacceptable high level to try to recover that debt, because the member is correct, the indication was at the time of the program's introduction to our respective Treasury Boards, whether federal or provincial, that it would be revenue neutral, that in the final analysis, at the conclusion of the program, it would have to be in balance or else provincial and federal Treasuries would have to pick up the shortfall.

So with some minor adjustments, and certainly the biggest adjustment coming from the marketplace in terms of grain prices, we were able to, within that short period of time, last year, a year from now with a \$150-million-or-thereabouts deficit position, report to the committee that we can terminate the program with a \$60-million, \$63-million surplus, and everybody really has benefited from this program. As I said just briefly in the House yesterday, we sometimes can be so overly critical of whatever governments do, or its agencies. I think in this instance a great deal of satisfaction and indeed quiet pride can be associated with the manner and the way in which the program was handled, delivered and concluded in Manitoba.

**Ms. Wowchuk:** I too would like to say that staff certainly did work hard to get it through, and not only the Crop Insurance staff but the many other people who were seconded from different departments to deliver the program. It was an effort on all of their parts that made the delivery of the program that much easier.

The minister mentioned court cases that were still outstanding. I believe that the court case with respect to lentils was settled. Has that been paid out, or is that one of the court cases that is still being dealt with?

**Mr. Enns:** Staff can get me that information. I can indicate to the member's question that, yes, that issue was a significant issue and was settled, to my understanding. The further question was whether the actual payouts have been made. I am advised that payments were made in January of '95 of some \$5.9 million, net payments. That was dispensed with.

**Ms. Wowchuk:** Earlier on there was a discussion about the Saskatchewan government trying to collect overpayments of GRIP funds to Saskatchewan farmers. Has there been an overpayment of funds to Manitoba

farmers, and is the corporation trying to collect any of those funds, and how successful are you being?

**Mr. Enns:** Mr. Chairman, I first of all want to say that I am relieved that I am not in the position that the Saskatchewan minister is in right now, who is facing the not-too-pleasant task of sending out, I think, bills for overpayment of somewhat in excess of \$11 million or \$12 million, which, obviously, is not meeting with very favourable response, as the member can appreciate, by farmers who are now finding themselves paying for a program that is no longer in existence.

In Manitoba, yes, again, you have to remember, the nature of the program is such that it is possible to have that situation created, and we had overpayments in the 1994 year of some \$1.5 million and notices for payment on those accounts had been out for some time. In the last year, it was a relatively small number covering some \$140,000 of overpayments for which notices have also gone out. So it is a relatively modest adjustment to the program.

**Ms. Wowchuk:** Can the minister indicate how successful his department has been in collecting overpayments, and what steps are being taken in those areas where they meet with resistance to refund the money?

**Mr. Enns:** Mr. Chair, staff advises me that a combination of options is open to the corporation in the collection of these overpayment accounts. It is too early to indicate, in response to her question, what level of success or what degree of resistance is out there, but I am advised that there are, as I say, different options open to him. If, for instance, some of these accounts that have an overpayment due to owing and due to the corporation enter a claim in the coming cropping year, the most expedient way would be to adjust the claim to make the payment of the overpayment done; or, in the future, in the premium collection, addition or discount to the future premium claimant, a producer who wishes to continue to insure with the Manitoba Crop Insurance Corporation this year and is owing us some few dollars on an overpayment will probably find it tacked on to his premium as he buys his continuing insurance program.

So I think that, a year from now when next we meet, the corporation would be in a position to more

definitively answer that question as to how the overpayment issue was resolved.

**Ms. Wowchuk:** Can the minister indicate how these overpayments are detected? Were they detected through audits or spot checks, or how was this determined?

**Mr. Enns:** Mr. Chair, the determination of an overpayment situation is arrived at in different ways—by audit, in some instances. Also, in the way the moving price of grain has moved in these last six months, it changes the payouts and the amounts owing. That is the only information I can give her.

**Ms. Wowchuk:** Mr. Chairman, I have some questions about the new Crop Insurance and Big Game Damage Compensation, and some of them overlap.

I would like to talk about the big game waterfowl damage committee report, a report that was put forward in November. The department, I believe, had a committee and made many recommendations. I would like to ask the minister where this report is, whether the report is a preliminary report, what action has been taken on this report and the recommendations, and what is being done to implement the recommendations. Which recommendations are going to be implemented? Which recommendations does the department feel are just beyond what they can cover?

\* (1110)

**Mr. Enns:** Mr. Chairman, I am advised that the report is currently before the board of directors of the Crop Insurance Corporation. It will receive due consideration at that level.

I am generally apprised of some of the recommendations. I believe there is a recommendation to harmonize the level of support being paid. There is some discrepancy of 5 percent or 10 percent in between the composition paid for waterfowl damage as compared to big game damage.

I am well aware, of course—the member has written me and we have heard from some of her producers—that the request is for 100 percent compensation for game damage, but I am awaiting further deliberation from the board of directors of the Crop Insurance Corporation and

from the corporation management itself to finalize any decisions emanating from that report.

**Ms. Wowchuk:** Over the last year, more than a year, there has been a tremendous amount of pressure put on farmers across the province, but particularly in the western region of the province and in the Swan River area because of increased game numbers, increased elk, increased deer, and farmers are losing an awful lot of their hay supply. It is putting a tremendous amount of pressure on these people, because they put a lot of effort into putting up hay for their own livestock. They end up losing their hay and have to purchase it elsewhere. It ends up that the farmers of the area are paying the cost of providing feed for wildlife.

I know this is an overlap between Natural Resources and the Department of Agriculture, and Crop Insurance have been up to visit with people in the area. Has the minister been able to put forward, or has the department put forward any recommendations or a better resolution to this problem than we have had in the past? Because farmers have become so frustrated with the problem. In fact, the minister will, I am sure, remember of an incident where one of the farmers became so frustrated that he had to shoot one of the elk. This last winter, farmers have invited aboriginal people, who have the right to take wildlife all year round, to come onto their land to help dispose of some of the animals and resolve the problem, because they feel that they have not had a proper resolution of this problem by the department.

Can the minister tell us what steps his department has taken to a better resolution to this problem?

**Mr. Enns:** Mr. Chairman, of course I am very much aware of the situation particularly that developed this winter in the Swan River Valley area with the heavy concentration of big game, elk principally, but not exclusively. I have several comments to make in that regard. We are working, as the member suggests, with the Department of Natural Resources to look at what can be done to help alleviate the situation. I certainly share the general view that is often expressed to me by farmers that while they are by and large in accord with the kind of societal will, if you like, to maintain healthy wildlife herds whether they are waterfowl or deer or big game, but that they ought not to be asked to carry an inconsiderate amount of the cost.

It should not be at their expense. So that I am sympathetic to—and you know, we are constantly revising upwards the level of compensation and trying to fine-tune our programs of support. I do believe that—and I am challenging both Natural Resources and my own staff whether or not straight compensatory relief is the only solution—we ought to perhaps be looking at different forms of it. I know for instance that we have provided, through the Department of Natural Resources, relief from game damage to some of our nurseries in the province of Manitoba by financially contributing to and insisting in the building of appropriate fencing. We are engaged right now in the Department of Agriculture. And we talked about it just a little while ago, we believe that we can with reasonable confidence provide fencing that can keep elk in a particular place.

We ought to be perhaps looking at expending some of the monies, and the monies are getting serious. The Crop Insurance has adjusted its appropriation from \$450,000 originally to upwards of \$1 million for big game damage. Well, a million dollars can put up significant fencing that could provide more permanent relief and protection from big game damage. This requires also a little bit of co-operation from the farmers involved. I have some difficulty, and I express it, with 100 percent compensation because it seems to me that then does not put any onus on management of the hay assets if government is going to come in and provide you with 100 percent compensation.

I take this opportunity too to express some surprise and regret that some of the reaction on the part of some of her producers in this matter last year. We believed—and that was quite frankly one of the reasons why the Department of Natural Resources did, some would say perhaps prematurely, enter into an elk capture program when we had yet to resolve the issue of whether or not elk ranching would become a legal operation in the province through the necessary passing of legislation. But part of the reasons for the elk capture was to respond to what we acknowledged was becoming a situation that this winter particularly, the heavy winter that we had, the very healthy numbers of elk were moving out of traditional areas and just making themselves at home on farmland and helping themselves to the feed while they were at it.

But what was the farmers' reaction? I mean, if I discover somebody stealing out of my garage and the

Winnipeg police come out and they take the culprit and take him out of my garage so he does not inflict any more damage to me, I do not threaten the Winnipeg police officer or whoever does that. But that in effect to some extent was happening in the Swan River Valley. Our people were there to try to remove the critters that were eating up their hay and were met with fierce resistance and interference. I could not quite understand that. I need to see a little more co-operation, quite frankly, particularly if we are talking about other kinds of programs. I appreciate that farmers like to say that it is their custom to leave their hay in their fields. Well, under those circumstances they may not be able to do that.

You know, the Red River farmers have to farm differently. They have had to, for instance, over the last decades, as my colleague, the member from Pembina (Mr. Dyck) knows, they cannot store their grain elevators just where they want to. They have to have them up on a rise of land or on a plateau that they built, you know, with some government assistance, by the way, in some of those instances, to store the grain to ensure that the grain is not in jeopardy, come the kind of flooding situation that we just experienced this past spring and can experience once a decade or twice a decade. Farmers in the upper Assiniboine Valley have to farm differently because of the flooding problems that they can expect from time to time. I suggest to you that farmers living adjacent to abundant wildlife areas, particularly in areas where they have protection like in the parks, the Duck, the Porcupine or Riding Mountain Park, and who are also engaged in livestock production and have hay supplies scattered throughout their farm, will have to think of making some management changes.

\* (1120)

So I welcome this kind of debate on the issue, and I assure the honourable member that I will be meeting with farmers individually and in groups in the course of the coming year in summer to see if we cannot work out in concert with Natural Resources a more adequate way of controlling this problem. I will lean on the corporation to ask them to perhaps consider using some of these monies in a manner that they perhaps have not used in the past to help in that effort. I think, you know, the Crop Insurance corporation will be flexible enough to say, if they can reduce their claim level from a million dollars to a more traditional \$300,000 or \$400,000, it is in our

interest and the interests of the clients that they serve, to do so. If that means maybe making a contribution or working in concert with Natural Resources to do some protective fencing or to introduce some other program into that area, these are the kinds of innovative approaches that we will be trying to bring to resolve the issue.

**Ms. Wowchuk:** I am going to come to the defence of the farmers of Swan River, because I am not quite sure that the minister understands the situation there.

When the government made their announcement to move into the capture of elk, I called the Minister of Natural Resources (Mr. Driedger) and told him that there was going to be a problem here because the government, the Department of Agriculture and the Department of Natural Resources, were not listening to the producers and these farmers have been facing very serious problems, very serious losses.

The minister talks about fencing, hay, and that has been done. These elk are coming right into their yards, right next to their buildings. They have moved the hay off the field. It is not scattered all over the field. There are fields of alfalfa that are basically rutted up because the elk are in there eating right down to the ground, eating the crop and other crops as well. So it is not that the farmers are not managing well.

These farmers came to the department with many suggestions, a long list of suggestions of how the problem could be resolved. Instead of resolving the problem or listening to the producers, the minister made an announcement that there was going to be elk ranching. The farmers have no bargaining chips left. There was going to be elk ranching—that was the government's solution—without anybody addressing the problems that they were facing of the loss of their hay and compensation at a much lower rate than they could buy the hay back for, and they are out of pocket a tremendous amount of money.

These farmers have said they are not opposed to elk ranching. That is not their objective here. Their objective was to have their problem resolved, at least listened to, and that did not happen. I had indicated where there were farmers who have taken things into their own hands, one of them shooting an elk because he just

could not take anymore losses. He could not afford to lose any more hay when he was not getting the support to buy the feed that he needed.

Farmers made suggestions. They suggested increasing the number of licences. They made suggestions to have landowners permits issued so that they could take an elk on their own property and then use that to divert elk, because when you take an elk and leave part of the carcass behind, the other elk will not come there as quickly. They made those kinds of suggestions. There were people who were interested in having elk taken and relocated to other areas to start up herds in there, but the government did not take that suggestion.

I think it is unfair to say that the people of Swan River did not accept this proposal as a solution, without looking at the reasons that they did not accept it. I think that the way the government handled the whole capture was not done well, whether it is the Department of Agriculture, Department of Natural Resources. We are very fortunate it did not result in a loss of life when we had that fire in that area. It is a very serious situation. My wish would have been that there would have been better consultation before the announcement of elk ranching was made, that there would have been a much greater effort put into resolving the problem that farmers are facing.

It is true, farmers have to change their practices in different areas. These farmers have, to a great degree. There is no hay scattered all over the field; hay is brought into the yards. They are trying to manage as best they can, but the numbers have increased to the point where it is a real problem for them. These farmers feel that their ability to manage is taken away from them. One of the farmers would very much like to try a practice of swathing his last crop of hay and leaving it in the field. I believe that is a new—I have read about it—practice which saves farmers a lot of money in the fall where they do not have to roll up the hay. It can be left on the field for feeding. But these farmers do not have that opportunity, because there is a problem that government is not resolving, and quite frankly, they do not believe that by capturing these few elk to start elk ranching is going to in any way solve their problem, whether it be the capture in the Swan River area that was unsuccessful this year or the proposed capture for the next five years which will take—if it is planned to take a couple of hundred each

year—even that, if we do not look at other methods of resolving the problem and basically luring the herd back to its natural habitat, hopefully back into the mountain area.

I hope that the Minister of Agriculture will recognize this as a serious problem and will look at ways that it can be resolved. I look forward to hearing what proposals are to put funds into that area whether it be for lure crops or new habitat, but it is not fair to the producers that they have to have their rates on their crop insurance—first of all, that they have to bear the cost of feeding these herds and suffering the damage that they do and then have their crop insurance rates reduced because their averages, because of these losses, are not adjusted properly in the opinion of the farmers of the area. In fact, they feel that they are being penalized because of wildlife damage. I talked earlier about hay damage during winter months, but during the summer months it is on their crop. Because of wildlife damage, they are being penalized, and their coverage goes down.

Has any consideration been given to that as to how these people can be treated more fairly so that the numbers that they lose to wildlife damage are not subtracted from their yield averages, which drives their coverage up?

**Mr. Enns:** The corporation is well aware that farmers in that area have contended for some time that they are being treated, in their view, not correctly or fairly by the corporation, but the simple matter is that the rates reflect the risk. The resolution does not lie in tinkering with the actuarial figures that determine the premium's structure. It lies in the areas that we talked about just a little while ago in terms of managing the problem from everything from decreasing the number of elk in that area, enhancing the habitat for the elk in the area that they ought to be in, in the wooded and park areas, and perhaps in the greater harvest of animals through hunting. These are all issues that are more germane to the Department of Natural Resources, as I know that the honourable member is well aware.

\* (1130)

I do not wish to continue the debate with the honourable member on the actions of the farmers, but the simple truth of the matter is that we were prepared to take 300, 400, 500 elk out of the Swan River Valley and relieve that problem in January when the problems were

just manifesting themselves, and the farmers would not let us on their land. They not only would not let us on their land, they participated in vandalizing those efforts when we tried to capture them. That is the matter that I am talking about. We were prepared to, in a much more meaningful way, resolve or try to address the issue.

I found that a surprising reaction on the part of somebody who is claiming damages. And, to link the question of elk ranching, the government decision was not made to go into elk ranching as a result of the situation in the Swan River Valley this winter. The government decision to go into elk ranching was made, appropriately enough, at the Elkhorn Resort at a cabinet and caucus retreat last August. Mr. Chairman, I look to you for advice. When were we there? It was a fine fall day, I believe. That was when the decision was made, well in advance of any difficulties experienced in the Swan River Valley.

Swan River Valley farmers thought that they could leverage the Department of Agriculture, the Manitoba government, at that particular time, and I think it is understandable that governments or government agencies and departments do not respond to that kind of pressure from a situation by trying to link the two programs together. We genuinely thought that this was an appropriate time to provide, not all, but some considerable assistance and relief to the growing number of elk that, as the member accurately describes, were coming out of the parkland area and out of the woods and making themselves at home on the farms and at the farmers' expense. But we were deliberately prevented from offering that relief by the very farmers who were claiming the damage.

**Ms. Wowchuk:** Mr. Chairman, just to set the record straight, I would like to tell the minister that, yes, farmers did resist having the Department of Natural Resources come onto their land to capture the elk, but there is absolutely no proof that farmers were involved in vandalism. I would very much like to set that record straight. No one knows who the vandalism was done by, and I would not want that attributed to farmers of the area because we do not know that.

**Mr. Enns:** I accept that statement on the record, and I certainly do not want to leave any impression that I know who did it. If she tells me that farmers were not involved,

then I believe her because farmers are very close to the righteous; in most instances, sit right close behind the throne of God and, if you attribute that to your farmers in Swan River, I believe that.

**Ms. Wowchuk:** Mr. Chairman, I made that comment quite seriously, because it was a very serious incident and no one knows who was involved in it. It is unfair to attribute it to anyone without knowing it.

Back to the Crop Insurance and damages of wildlife, producers tell me that when they make application for the new Crop Insurance that they are prevented from getting the 80 percent coverage because they are being penalized. Their averages have been driven down because of wildlife damage, so they are being penalized twice. First of all, they have the losses and then when they go to apply for the higher crop insurance, they are not allowed to get it because their averages are lower than they should be. Why would they be penalized when they already have the losses because of the wildlife damage?

**Mr. Enns:** The acting general manager advised me that is not the case. We acknowledge that the big game damage is reflected in the average yield, but that in no way prevents them from subscribing to the 80 percent coverage, and 80 percent coverage in case of loss will be paid out and covered for.

It does not resolve the first issue that you raised. I know that there is an issue that the Crop Insurance people do not refute. If crop damage on a regular basis reduces the average yield in a given area, that is reflected in the premium structure. But I am sure that there is no further penalty and there is no prohibition for them accessing the now multi-tiered program selection of 50, 60, 70, 80 percent coverage.

**Ms. Wowchuk:** Mr. Chairman, I will maybe get back to my constituent who had indicated that was the case and we can have it looked into, because he has indicated that has prevented him from getting the 80 percent coverage.

**Mr. Enns:** Mr. Chairman, I would certainly invite the member to do that, to either direct the inquiry directly to me or directly to the Crop Insurance people for some further clarification.

**Ms. Wowchuk:** Can the minister indicate who determines the price that will be paid for wildlife

damage—whether it is hay damage or grain damage—and what is that price in comparison to elevator price? For example, if it is wheat, what would be the price of wheat in the elevator versus what a producer is compensated, and the same thing with hay? What is the compensation for hay in a wildlife claim?

**Mr. Enns:** Mr. Chairman, with respect to grain, I am advised that we get that figure on the different grains from the federal government through their offices, and then we have to make the determination, as we had to make this year, based on our actuarial experience, on the available funding in the program, to what extent we can cover. There has been, and I know this has met with some disappointment or concern by farmers, an automatic 15 percent reduction from those established rates. That has been brought to my attention, and I am sure to the Crop Insurance management's attention, that has disappointed some subscribers, but it is all predicated on the amounts of dollars available to us. I remind the honourable members, as I indicated earlier, the overall envelope for safety programs has been significantly reduced.

We have an aggregate support level from the federal government of some \$600 million, through which the provinces fund the NISA programs, the Crop Insurance programs, or any other companion programs in different jurisdictions, and that determines to a large extent the richness, if you like, of the program that we can offer. We are not prepared to let the federal government off the hook by picking up any federal government downsizing, but I can, for the benefit of the member and for the record, indicate to you that this year the '96 crop insurance dollar values have been placed for red spring wheat—myself being an old imperialist and great admirer of the Crown, I will use imperial measurements, bushels, feet, things like that, leave you to translate it to the metric tonnes, if you wish to—spring wheat at \$3.62 a bushel; durum at \$3.76 a bushel; prairie spring wheat at \$3.40 a bushel; and so forth. There is a full listing of prices available, barley at \$2.26, oats at \$1.84 a bushel, which is considerably below the current value of oats, but these are the figures that are in use for the '96 crop year.

\* (1140)

**Ms. Wowchuk:** If the minister could clarify for me, then, the prices that are put into the crop insurance rates are determined by the government. It has nothing to do

with the market value of grain. My understanding was that it was the market value and then you took a certain percentage of it.

**Mr. Enns:** Staff advise me that it does reflect the market value, and it is Agriculture Canada that sets this. Because these are fixed programs for which we charge fixed premiums, and the federal government's share of the premiums, the provincial government's share of the premiums, these are all determined in October, November, when we get to do our final Estimates review for this appropriation.

The member is aware of what has happened to grain prices in the interim not necessarily reflecting accurately the pricing regime that is now in place, but that has been the practice of Crop Insurance, and I am advised that is the same practice right across the country. The same method of choosing these figures is in place right across the country. Understandably the federal government has a continuing and we hope permanent role in providing the support to this program. They are a major player; they determine these prices.

**Ms. Wowchuk:** Getting back to compensation on hay losses for game, who determines the price of the value of that hay? I understand that the value that was used this year is lower than it was last year. How was that determination made?

**Mr. Enns:** The determination with respect to hay compensation is done by the corporation, but they do that working with the Department of Agriculture specialist officials, forage people. They then back off 15 percent. They begin with what quality alfalfa hay is market value at, again probably in the fall of the year. They have to sell a fixed insurance premium and a fixed premium rate. Under circumstances that prevailed this year both in grain and in hay as a result of the unusually long and difficult winter and regrettably tightened hay stocks, we are well aware that hay stocks that might have been available at \$35 a tonne in September were probably closer to \$50 or \$60 a tonne in April or late March. But the corporation is not in a position to fix its premiums upwards to cover those higher. It is sold at premium coverage at that fixed price at the moment in time when that was, in their opinion, working with agricultural people, the Department of Agriculture, a fair and reasonable reflection of the market price of the feed.

I think that would be more or less the same response with respect to the grain prices, when one could not predict the continued upward spiral of grain prices that now make those grain price payments look somewhat considerably below market value.

**Ms. Wowchuk:** So the prices never reflect the—they are determined ahead of time. Does that mean that when we get into the next crop year and we have higher grain prices, adjustments will be made and it will be a higher coverage that is available?

**Mr. Enns:** It continues to be a combination, and I want to stress that the other part of the combination is the availability of federal dollars to work with. If there is ongoing pressure to further restrict the amounts of federal dollars available to the provinces for this program, that will be reflected in the level of compensation that the corporation will be capable of and have available for payment. We will certainly—I am sure as ministers when we meet in the beginning of July at our annual Agriculture ministers' meeting with Minister Goodale and our fellow ministers—no doubt, be spending some time on this issue as to how we can ensure that our basic support programs reflect the reality of today's agriculture and today's prices.

**Ms. Wowchuk:** The minister indicated that the big game compensation was in the range of a million dollars already. But when I look at the Estimates, I see that there is a budgeted amount of \$450,000—or last year was budgeted \$200,000 and only up to \$450,000. Is the minister anticipating that things are going to get under control to the point where they will not have to spend that additional money, and how did you come up with the figure of only needing \$450,000 if in fact the requirements are a lot more at this time?

**Mr. Enns:** Mr. Chairman, staff advises me that the \$450,000 that the honourable member sees, that reflects, kind of, a five-year average that the corporation puts in. The million dollars that I referred to was the '95 actual claim and payout costs that we incurred and obviously had to adjust that figure upwards to cover that. But this reflects for the coming year, and it has been the practice to average it out over a five-year period.

**Ms. Wowchuk:** Just for clarification then, on the big game damage, is that solely a provincial responsibility or

does the federal government contribute? I will go on to the next question. On the waterfowl damage, I understand that the federal government picks up a portion of it.

**Mr. Enns:** Mr. Chairman, the honourable member is correct. Unlike the waterfowl damage—there is federal participation in that program—whereas the big game damage is totally and solely provincial. That is one of the reasons, by the way, that in some of the other jurisdictions there is no big game damage compensation. Of course, it is an issue that I know is troublesome to the Saskatchewan farmers, and I see in the farm papers that that is reported. The Saskatchewan farmers tend to look at Manitoba with some envy that at least in Manitoba there is a Big Game program. The member is correct, that is totally borne by the provincial treasury.

\* (1150)

**Ms. Wowchuk:** With respect to the Waterfowl Compensation Agreement, again, there is a large increase in the amount that is anticipated. I would assume that is as a result of averaging as well, but can the minister indicate, with the wildlife damage he said it is upwards of a million dollars that has had to be paid out, what is happening with waterfowl damage? Has there been an increase in claims for waterfowl damage?

**Mr. Enns:** Again, Mr. Chairman, these actual claims can vary significantly depending on the year. If the harvest comes off, as it should, before the birds arrive, claims are considerably down. I am advised that the number of claims in '95-96 totalled some 69, for a total amount of \$111,500; but, again, the corporation likes to use a five-year averaging technique, and it has been our experience that that \$400,000 reflects that five-year averaging.

This year I might say, with the delayed seeding, the knowledge that the crops are going to be in the fields a little later on into the fall could likely be a heavier call on that account for that reason.

**Ms. Wowchuk:** So you anticipated \$150,000 last year, and now you are anticipating \$400,000 this year, because—I am sorry, you kind of lost me on that one. You said the five-year average is around \$400,000, but you only budgeted \$150,000 last year. Is that right, or am I misunderstanding?

**Mr. Enns:** Staff is losing me on this one too, but my acting general manager says, last year we did not use the five-year averaging; this year we are using the five-year averaging, and you figure it out.

They are using the five-year averaging for the first time, and their advice, their experience has been that this actually reflects, or close to, the five-year averaging cost of that program. Up until this year, we were going by on a year-to-year basis, and as I just indicated we have had—and particularly, in the last few years, the figures fluctuate. The year '95, the total cost was some \$111,000, and so last year's appropriation adequately covered the program costs.

**Ms. Wowchuk:** I was not trying to be difficult, but I just could not quite understand what was happening, and I appreciate the staff sorting it out and clearing it up for me.

We have started into a new Crop Insurance Program, the enhanced Crop Insurance Program. Can the minister indicate what the response to the program has been? In particular, I am interested in the participation levels at the various levels. Particularly, are more people taking out crop insurance this time because there is a 50 percent coverage available, and what percentage of the people who are participating are opting for the higher level of coverage at 70 to 80 percent?

**Mr. Enns:** Mr. Chairman, I am advised that the final figures are not now available in terms of an acreage coverage, but they will be available, and certainly available to the member the latter part of July, but all indications are that the participation rate is up, that it will be all or exceed the combined participation of GRIP and Crop Insurance that was in effect the previous year, where we had coverage levels in the 70 percent range of acreage. Some 7.5 million acres were covered of the roughly 10 or 11 million acres that are seeded annually in the province. I would like to be able to provide the committee with those figures, but I certainly invite the honourable member to contact the corporation later on in the summer to have these figures accurately provided to her.

We are confident that the participation rate will be considerably higher. That, of course, was the objective, the realization that it is going to be very difficult for

farmers to rely on ad hoc program support in times of difficulty in the future, either from the federal government or additional support from the provincial government; that is simply not in the cards. The financial pressures on all levels of government are such that that simply is not realistic to expect that.

I am referring to the kind of multimillion, billion dollar programs that we had not that long ago like the Drought Relief Program, the former Western Grain Stabilization Program. These kinds of resolutions to some of the difficulties in the high-risk business of agriculture are going to be very difficult to come by. I say that, irrespective of who is in government in Ottawa or here. It is reflected in the manner and the way in which different governments of different political persuasions are all roughly facing the same situations across this country, so we in Agriculture—and that is why we worked so diligently to ensure that we could come out of the GRIP program, for instance, with as much as we could to enhance our basic Crop Insurance program because it really becomes the main vehicle of support.

We realize that by offering the kind of 50 percent coverage, virtually premium free—50 percent is not very attractive coverage, but it is a basic coverage that is there for a disastrous crash. It is a significant addition to the program, allowing the farmers to tailor-make their insurance coverage, 60 percent, 70 percent or 80 percent. I pressed the corporation, quite frankly, to try to get to 90 percent, but, again, in the final analysis, we had to tailor our expectations to what was available, both federally and provincially.

I might tell the honourable member that I and Manitoba Agriculture and Manitoba Crop Insurance were under some criticism from some of our neighbouring jurisdictions, who feel that we have bitten off more than we can chew—that is probably not the appropriate way of saying it—that we are offering too rich a program to our farmers.

I make no apologies for that. The simple fact of the matter is that we have had better people running our Crop Insurance Corporation, we have had better track records of running our crop insurance. We have run it more, I believe, and I say this advisedly, whether Crop Insurance operated under the auspices of some of my predecessors of the honourable member's government or not. The

Crop Insurance program was operated with a great deal more integrity and with considerably less interference, if you like, by policy makers, to maintain that track.

\* (1200)

The fact that we have offered this program for these many years and are not in serious financial difficulty, which is not the case for some of the other programs running in the country and who have had to evolve different kinds of programs, different kinds of support programs.

**Mr. Deputy Chairperson:** The hour being 12 noon, the committee will recess until 1 p.m.

*The committee recessed at 12 p.m.*

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**After Recess**

*The committee resumed at 1 p.m.*

\* (1300)

**Mr. Deputy Chairperson:** Order, please. Will the Committee of Supply please come to order. This afternoon this section of the Committee of Supply, meeting in Room 255, will resume consideration of the Estimates of the Department of Agriculture. When the committee last sat, it had been considering item 2. Manitoba Crop Insurance Corporation (a) Administration on page 13 of the Estimates book. Shall the item pass?

**Ms. Wowchuk:** Mr. Chairman, I was asking questions about the enrolment in a new Crop Insurance program, enhanced Crop Insurance, trying to get a sense of how many people had enrolled because although the government has said that this is an enhanced program, a better program, my understanding from the producers that I have talked to, they have said that, in fact, it is not a better program, not better coverage in it for the money that they are paying. So I am trying to find the numbers that are available, but if the minister says those are not available until later on in the year, we will have to wait and do a proper assessment of the program after there are more accurate figures available. We were talking about the level of coverage, and the minister said that the coverage was based on the amount of dollars that were

available. Is this a change in how the dollars were covered? Was it, in the past, under the old Crop Insurance that the coverage was based on market prices and now it is not based on market prices? Is that a change?

**Mr. Enns:** Mr. Chairman, I suppose we will have to wait until we have a year's experience of what we refer to as the enhanced Crop Insurance programs to see how successful the Crop Insurance Corporation has been in the presentation of this program. The honourable member has to appreciate that in the last five years you had a combination of an income insurance program known as GRIP, where the program established, according to dollars available, the price levels for various crops, grains particularly. Particularly in light of the kind of prices the marketplace was yielding, it is understandable that in the minds of subscribers that that had a more direct correlation to market prices.

The system has undergone fundamental change, and I keep repeating, I think the one thing that has to be kept in mind is that, while I rejoice along with everyone else in the grain industry the fact that the price recovery has been as strong as it is in these areas, we are selling an insurance program and that reflects the premium that is being charged for it, reflects the probable yield, the yield experience, the database that over the years the corporation has been able to establish over the various cropping districts of the province. I will not take issue with the honourable member. We can, if more funds were available either from the federal support program or the province, tailor and fix different levels of funding at different times. I am advised that we are carrying on a practice that has been well and long established whereby the department of Agriculture Canada sets the base price for us on which we then compute our coverage levels.

With some regret, probably the one item that is of most concern to subscribers is the need that was imposed on the corporation to deduct some 15 percent from those prices to ensure that we had an actuarially sound program. There is I think a misconception. We are trying to keep our data and coverage consistent with cost-of-production issues related to these crops. That can, particularly in a volatile market situation like that, be somewhat different than what the market in fact provides for the same crops. There is a difference, and I think subscribers have to keep that in mind.

**Ms. Wowchuk:** We look forward to the results of the first year and further discussion at that time. I want to ask the minister under the previous—when we had GRIP in place, there was a lot of staff that had to be seconded to help get the program off the ground, and there was concern raised by other areas of the agriculture industry, particularly the cattle producers, that staff was being taken away from doing the job that they were supposed to be doing in order to get GRIP off the ground.

Under the new program, has the Agriculture staff, the Crop Insurance staff been able to handle all the applications, or has there been the need to second people from other offices to work?

**Mr. Enns:** No, I am advised that in fact there are some staff reductions taking place. Coming back to the basic Crop Insurance program delivery with the enhanced features to it, they are well within the scope of the corporation to handle. That secondment of additional staff from the Department of Agriculture, the pressure was most keenly felt on those resources in the introductory years of GRIP when a considerable amount of extension work was involved in meeting with farmers and farmer groups and organizations in bringing about a level of understanding of the GRIP program and the combination of their GRIP program with the basic Crop Insurance program. Over the past year or so, the department staff have been able to, in an orderly way, more or less resume their original programming requirements that were called for in the various offices.

**Ms. Wowchuk:** I thank the minister for the answer. I want to ask the minister, occasionally audits are done on offices on how operations are being run, I understand. Were there audits being done this year of particular offices, what was the purpose of the audit, and was it done by an outside firm?

**Mr. Enns:** My staff advises me that there is, of course, the annual and regular auditing of the corporation as a whole done by the Provincial Auditor. In addition to that, the corporation carries out audits which the member would be familiar with of the individual producers and subscribers when there is a need for that, and I think there is some random auditing that is part and parcel of the checks and balances within the Crop Insurance program that are in place, but I am not aware of any additional type of auditing or outside auditing taking place—perhaps

if the member could be more specific as to which office she is specifically referring to.

**Ms. Wowchuk:** It is my understanding that there was some auditing or checking up going on in some of the offices in rural Manitoba where outside people were brought in to check up on the records and the performance of some of the work that was being done by employees in the office, and I am quite curious to know what the purpose of that kind of an audit is, or inspection.

\* (1310)

**Mr. Enns:** Mr. Chairman, the acting general manager advises me that the only possible explanation for that occurring would be when the corporation has reasons to believe or to question whether or not a particular office handled a particular claim appropriately or whether there was some systemic problems on how claims were handled by a particular office. That would trigger an internal review of that office's functioning by the corporation, but I am advised that that is part of the normal management control within the corporation. It may be triggered by a complaint from a subscriber that his or her file was not being properly handled by a local office, and as you would expect, that it is management's function then to have senior people do a review, do an audit if you like, of how that particular suboffice or branch office of the corporation is conducting the affairs.

**Ms. Wowchuk:** Can the minister indicate whether there were many offices that had such problems this year that had to be inspected?

**Mr. Enns:** Senior staff advise me that they can only recall that happening in one particular office.

**Ms. Wowchuk:** Was that the Swan River office?

**Mr. Enns:** No, I am advised that was not the Swan River office.

**Ms. Wowchuk:** Well, I will then have to go back and get further information, because my understanding was that there was a detailed audit or inspection done of the Swan River office by outside people, and we were not quite sure what the problem was. We will find out and perhaps get back to your staff to get more detail on that.

I want to pose one more question on this area. Seeing the weather that we have and the delays that farmers are under, it is going to be very difficult, I would imagine, for some farmers to meet the deadlines that are required by their Crop Insurance claims. I would want to ask the minister if at this time any consideration is being given to extend the deadlines for seeding crops and what would have to be the process to do that.

**Mr. Enns:** Again, staff advises me that at this particular juncture, no consideration is being given for extending the current deadline dates that are in place. Allow me to, just for the record and for the member's information, indicate what some of those deadlines are: for barley, June 15; beans, June 5; another type of bean, FBZs in two and three, June 1; buckwheat, June 20; canola, June 10; another variety in area B, June 5 for canola; June 20, June 15 for canola; canary seed, June 10; some of the basic grains, red spring wheat, June 15; all the cereals, the wheats, June 15. So this gives you some indication that weather permitting, and we hope that the weather will co-operate, these deadline dates can and will be met.

There is, understandably, a great deal of reluctance to tinker with these deadline dates. It opens up the corporation to challenges from those who have abided by these deadline dates and perhaps made cropping changes. It also should be borne in mind that it is not a decision that can be arbitrarily made in Manitoba. It has to be concurred in, my understanding is, with our other major partner, the federal government, and it is that kind of tinkering, if you like, that can get the corporation into serious difficulty in the actuarial soundness of the program that they are offering. It is my understanding that very few cropping adjustment plans have been changed as a result of the inclement weather. It is possible that, with some of the specialty crops, some of the pulse crops, which are some of the earlier dates, certainly a crop like corn, no doubt some decisions have been altered by producers as a result of the delayed seeding times this spring, but that is also hard to determine.

Quite frankly, in many instances we anticipated within the Department of Agriculture and the Crop Insurance Corporation itself that, for instance, we knew that considerably less acreage would be devoted to canola. That has as much to do with the strength of alternative crops and the more traditional crops. In some instances,

from an agricultural point of view, we welcome that. It allows for more attention being paid to appropriate rotation of crops. There is some growing concern that, in the past few years where a crop like canola often was the only crop that was bringing a reasonable return, producers were not paying sufficient attention to crop rotation and inviting greater difficulty with the crop disease-wise and so forth. So it is my hope, Mr. Chairman, that our weather will co-operate, that these deadlines will stand. But the short answer to the member is, at this point there is not sufficient reason to consider altering these deadline dates.

(Mr. Peter Dyck, Acting Chairperson, in the Chair)

**Ms. Wowchuk:** I appreciate the minister's answer and, in fact, can understand why it would not be done very readily. I hope that with some co-operation we will not even have to address that at all. But the question is, has it ever been done before? The minister indicates that it would be difficult because you have to negotiate with the federal government on it, but has it been done before?

**Mr. Enns:** If my colleague from south central Manitoba, Turtle Mountain, Mr. Tweed, were here, he would remind me that last year we had areas that put considerable pressure on the corporation for moving backward some of the dates, but I am advised that it has not been done before and was not done under those circumstances last year as well.

**The Acting Chairperson (Mr. Dyck):** Item 2. Manitoba Crop Insurance (a) Administration \$4,914,900—pass; (b) Premiums \$35,700,000—pass; (c) Gross Revenue Insurance Plan—nil—pass; (d) Big Game Damage Compensation \$450,000—pass; (e) Canada-Manitoba Waterfowl Damage Compensation Agreement \$400,000—pass.

Resolution 3.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$41,464,900 for Agriculture, Manitoba Crop Insurance Corporation \$41,464,900, for the fiscal year ending the 31st day of March, 1997.

3. Manitoba Agricultural Credit Corporation (a) Administration \$3,005,700.

\* (1320)

**Ms. Wowchuk:** Mr. Chairman, I have a few questions under the Agricultural Credit Corporation, and I would like to ask some questions about the new value-added diversification loan program. We heard a lot about the program; it took a long time to get the program established. If the minister can indicate to us what the applications have been for the program, how many there have been, and whether or not we have used up all the money in the program or there is still some available there.

**Mr. Enns:** Mr. Chair, let me just take this opportunity to again introduce, of course, our General Manager Mr. Gill Shaw to the committee. Accompanying him, Miss Charlene Kibbons, acting director of program development for MACC, and Mr. Marvin Richter is with us who is manager of the financial administration for the corporation.

The program that the member for Swan River refers to is, of course, a program that I describe as a modest contribution or effort on the part of the corporation to respond to the kind of general direction of the department and of the government in providing some assistance to various value-added operations that may take place in a province. The essence of the program is that the corporation uses its capital allotment to provide loan guarantees. Outer limits, the authority is for some \$10 million of that to be used for that purpose.

I am told that we have currently some \$2.2 million in new loans under this program, an additional \$800,000 worth of additional loans that are, as we speak, under review. A total \$3 million program would provide some \$40 million in guarantees—of the total program if it was totally subscribed. The program is, understandably, just underway. It did take some time to develop. We had made other adjustments within the corporation's normal programming that I always considered and we certainly considered as being part and parcel of this, although not specifically of the loan guarantee program that the member is now asking about. But we made changes that enabled the corporation to more actively pursue some of the types of loans that they were now getting in. In terms of the kind of loans, it principally involved additional support for hog production and in potato production.

**Ms. Wowchuk:** When I look at the loan limits part of the regulation, it says a limit of \$3 million, and that

seems very large, with \$10 million in the fund, if I am correct. Is there a risk with the limit of it being that high that it will end up being in the hands of very few getting loans and the smaller operations not being able to get loans? I am wondering if there is a risk of that happening and why that limit was set at \$3 million, which is a fairly substantial amount of money.

**Mr. Enns:** I have to advise the honourable member that we begin by recognizing some other limitations to the program. The corporation is authorized to provide to a maximum of 25 percent guarantee of that \$3 million capacity loan. The corporation is not loaning out money. The corporation is prepared to put a guarantee. Now, the accounting, the bookkeeping says that if we are accepting some liability of a loan, there has to be monies set aside within the corporation to offset that liability, and that is why the relatively modest \$10 million set aside for that purpose. But if you recall that we are only guaranteeing 25 percent of an undertaking, so let us assume for a minute that a hog venture that is a million-dollar or a two million-dollar bam, the exposure of the corporation is 25 percent, and that then brings it, I am sure even the member will acknowledge, within the realities of the kind of value-added expansion that is indeed taking place in agriculture today.

The other area of course, and that is a concern to us, because the member is well aware of the commitments made by our major potato processing companies both at Portage la Prairie and at Carberry, for very significant increase in potato production, which we estimate within the department will require some additional 30,000 acres of potatoes to be produced in the province, and the demand is that they be acreages that have irrigation capacity on them. Getting into the potato business is a costly venture, just the equipment, the commitment, the irrigation equipment and so forth, and, again, you are very quickly up to some significant dollars, and that was viewed as a concern by the department. That is why we specifically directed the corporation that they be in a position to be of assistance through the use of this loan guarantee.

Just to give an indication, the highest guarantee given to date to an individual project was some \$285,000, and the lowest was in the order of \$40,000. That is 25 percent of it. Staff will help me in a minute. You know, that is not in keeping—under your normal loan programs,

you have limitations of \$200,000, \$250,000, so that is not out of sync, if you like, with the normal loan activity of the corporation. But, as you can imagine, a \$285,000 guarantee triggers, has made possible, a much larger investment on the part of the proponent from other lending sources or equity capital to get involved into a fairly major and significant production unit.

\* (1330)

**Ms. Wowchuk:** Under the eligibility of loans, it says, in the case of corporations, the corporation has no more than 15 shareholders, all who reside in Manitoba. Can the minister give an indication of how many corporations in Manitoba would fall within that? Would that restrict it more to smaller operations? I am looking to see how large an operation, for example, would it be possible for. I will use this hypothetically because I know McCain is not going to be coming for loans. I am sure they have other sources to get loans. Does that restrict, does it keep it down to a level where it would be your family corporations that would be able to borrow money from here, or what does that 15 shareholders describe? What kind of a corporation do you think would result and be able to get money because of that restriction?

(Mr. Deputy Chairperson in the Chair)

**Mr. Enns:** Mr. Chairman, what the corporation, what this program is attempting to respond to and anticipate the kind of future development that we are seeing on the landscape is the kind of coming together, if you like, of groups of, and particularly some of these more significant livestock ventures, whether it is in pork production or in establishing of a major feedlot, where we are seeing groups of producers, two, three, four, five banding together, co-operating together to undertake a major project within their area. It is a relatively arbitrary figure that the corporation has chosen, but certainly, with that view in mind, that we wish to keep the control of any entity very much in the local hands, very much in the primary producers' hands that that figure of 15 is there. We do not have any basic stats that we can provide the member with which would tell her what that excludes or does include.

It certainly is not, the old operating regime of the corporation is still very much family farm oriented, but it has changed somewhat and it has to be loosened up

somewhat. I indicated, when I had the privilege of introducing the amendments to The Manitoba Agricultural Credit Corporation Act to the House yesterday, that some of the current regulations prohibit the corporation from being involved with anything other than a family farm, and that is not actually reflecting what is in some cases going on in the different communities. There may be a situation where four or five hog producers get together. There might be one or two businessmen from the community involved in jointly putting up a facility. We wish to enable this program to apply to that kind of development.

**Ms. Wowchuk:** Can the minister indicate then, would there be any restriction on the type of partnership? It could be a partnership—if these farmers or business people or whoever formed a co-op, would they be eligible for a loan as well, or would there be any restrictions on them?

**Mr. Enns:** My honourable staff advised me that it is not intended to have any restrictions apply. All applications under this program to date have been from individuals, family farms, and partnerships where several families are involved in a farm corporation, but certainly staff advises that there would be no prohibition to exclude a co-operative from applying. We have, of course, under our regular programming, considerable amounts of money, \$15 million, \$16 million, in our loans out to the feeder co-ops that have organized themselves in the co-op type fashion.

**Ms. Wowchuk:** The minister may have given this answer earlier on and I did not hear, so I will ask again, how many applications have been received? Of those, how many have been rejected, and about how long does it take to process an application?

**Mr. Enns:** Mr. Chairman, while I am getting some additional information that is being prepared for me, let me indicate a little bit more of the policy behind the program. What we were being told more and more often was that there was a gap, a credit gap, if you like, that hindered or blocked the development of some of these projects. A proponent who wishes to—and I will use hog production again as the example. Maybe he had proposals for a major hog expansion project, which, let us say, cost about a million dollars to proceed with. Our regular private lending institutions, banks, the credit

unions, were in the practice of funding upwards to 60 percent, 65 percent of that kind of an undertaking. That left a significant amount, \$400,000, for the proponent to come up with to get this project off the ground. That was pretty onerous. The attempt here was made to try to bridge that, and very often when the applicant goes to a private bank or a credit corporation with this kind of a proposal, the presence of MACC with their 25 percent loan guarantee bridges that gap.

In fact, we have also experienced in several instances where an application or a request for the credit corporation's involvement has been made, once the applicant pursued more diligently his efforts with his local bank or the credit union the project got off the bank without our loan guarantee, and, of course, that is quite satisfactory to us as well. So it is really used as an instrument to help nudge the private lenders to provide this agricultural credit. We are satisfied that there is sufficient capital out there. It has always been sometimes a problem to get them to lend it for agricultural projects and purposes. It has always been a bit of a—I suppose it is not that much of a mystery to me. You can borrow \$30,000 or \$40,000 to buy a new truck or vehicle a lot more easily than you can borrow \$30,000 or \$40,000 for a livestock or for an agricultural venture, and that is what this program is meant to help and, in a modest way, to overcome.

We have had no applications refused to date. That does not mean that they have all been approved; I would believe that a number of them are under active review and development. I should also indicate to you that we are only acting there as a 25-percent player in these. The final determination as to whether a project and a loan is totally approved is really in the hands of a credit union manager or credit manager of one of the banks who are flowing the money. Manitoba Agricultural Credit Corporation is not called upon to flow the money. My hope is that no money will flow under this program. We are in a guarantor position to help encourage the credit union to look more benignly and more favourably on the application before them.

\* (1340)

So of six specific applications, five have been approved. None has been declined. There is more and more interest being shown in the program. We suspect

that before too long we may well have reached the upper limits of our capacity.

The general manager informs me that, again, recognizing our own limitations in this program, when there is any probability or possibility that a program under Industry, Trade and technology, or under my colleague Mr. Derkach's Rural Development programs and some of the economic development and support programs that his shop has available to them, they are, of course, directed in that direction. It is really kind of a joint venture on the part of MACC's trying, if it is a worthy proposal for some value-added economic development within different parts of rural Manitoba, to see it proceeded with, whether they are an active player in it or not. The addition is, what this program enables MACC to do is, if called upon, to help bridge that credit hesitation, that is sometimes there, with their 25-percent guarantee.

Mr. Chairman, I was just double-checking with my officials, but I am told that if all the documentation is there and it is a co-operation of the private sector lender involved, the procedure can be very quick, within a week.

**Ms. Wowchuk:** I am pleased that the program is going as well as it has. We were long anticipating to see what the program would be, and I guess the extra work that it took to develop the program has paid off and has resulted in it going along smoothly.

I want to ask about one of the requirements under the eligibility of the borrower. It is: The applicant provides evidence satisfactory to the lender that the purposes for which the loan is made will comply with laws concerning the protection of the environment. Which laws are you referring to in particular in this legislation that have to be abided by with respect to protecting the environment?

**Mr. Enns:** Mr. Chairman, as I have indicated on other occasions and in different settings, there is a growing list of codes, if you could call them, in some instances, for instance, in how we conduct in various livestock operations for the raising of pork, for the raising of beef, for the raising of poultry, and some of these have become regulations that the Clean Environment people look at. So wherever there is a requirement that—for instance, it is a requirement that before a proposal for a lagoon

associated with a hog operation is approved, it meets the specifications as laid down by the environment people.

What this means is that the corporation binds itself to not processing a loan automatically without being satisfied that the proposals that it is borrowing money on, or guaranteeing money on, meet all of these requirements. I think it is an appropriate co-ordination, if you will, of government agencies. It would be highly inappropriate for one government agency on the one hand to be, as a public policy, allowing public money to flow to a proposal that in some way was at variance with established laws with regard to the environment.

Those laws are changing monthly and yearly. They are becoming more codified, and we have some specific procedures. We have a technical review committee, for instance, composed of the departments of Agriculture, Environment and Industry that proposals or proponents of new projects are well advised to call on, in the first instance, to have an overview of their plans to ensure that their proposal meets with all the current laws and regulations that are on the books with respect to environment. That then assures them that they would not have trouble later on, on the land, when they approach the Manitoba Agricultural Credit Corporation for some support.

**Ms. Wowchuk:** So it would be the responsibility of the proponent to ensure that he or she was following the required laws; it would not be the responsibility of the corporation. For example, if someone was planning to build a hog barn, and I referred to the Interlake area earlier where there is water sensitivity. It would not be the responsibility of the corporation to check whether the applicant was meeting the requirements of the law. Is that accurate, or would the corporation have any responsibility to see that those guidelines were being followed?

**Mr. Enns:** I am aware that, certainly, the government-associated agency like the Manitoba Agricultural Credit Corporation has to be careful, and it restricts itself not to processing with any loan application that is at variance with any existing environmental regulation. That, in fact, is also practised by the private lending institutes, the banks and the credit unions. That is a relatively recent development, but private lending institutions are extremely sensitive to the fact that the environmental issues are to be taken seriously.

The member will be aware, we have different circumstances, for instance, where we have perhaps a land transaction taking place on which there might have been in the past some environmental problems associated, like a disused service station site where underground storage tanks have been in place. Banks or credit unions are very slow to come up with money or to loan money to a would-be purchaser unless the environmental issues have been dealt with. I know you, Mr. Chairman, are familiar with these circumstances. So lenders must satisfy and do their due diligence to satisfy themselves that there are no environmental transgressions implied in the development of a proposed project before they would authorize the lending of money to that proposal.

Now, having said all that, that does not—I know because the honourable member keeps referring to some specific situation in Interlake—not mean that certain groups of people will continue to perhaps object to a particular project or will question its appropriateness or its meeting all of the environmental conditions. But we have rules. We have regulations. I am satisfied that as long as they are met and dealt with—and a specific question to the corporation here was, do they abide by them, and I am advising the member they do and they have to.

\* (1350)

**Ms. Wowchuk:** Mr. Chairman, I am not referring to any particular project. It just comes to mind. Interlake and hog barns seem to come to mind when we talk about environmental issues, and I am not referring to specific issues. It seems like a good example when you are talking about hog barns, because there has been a lot of discussion about them.

Hypothetically, I guess, if there was a loan made and then there were environmental problems, would the corporation be liable in any way for having approved a loan and then resulting in a lawsuit resulting from that operation that was funded or guaranteed by the corporation?

**Mr. Enns:** My deputy minister informs me that it often is the practice that when a situation, a hypothetical one that she refers to, a lawsuit is launched against a project, that it is often done in a very wide fashion. Anybody

associated with the development of the project including the lending agency—it could be the Manitoba Agricultural Credit Corporation—on the principle that you try to be as inclusive as possible when the lawsuit is launched and hope that some of it will stick somewhere and the suit will be successful.

Certainly, I know, and this is the big issue, the lender has of course another reason to be concerned, assuming that he is a principal supplier of the capital for that project. If a serious lawsuit is launched that could jeopardize the economic well-being of that project, the lender, for instance, is going to be out whatever monies the project received from the corporation, and that is something that in their due diligence prior to approval to a loan would all be taken under consideration.

I can only say, and I know this to be a fact, whether it is with the public sector or the private sector, that environmental issues are receiving higher and higher priorities and attention in these kinds of transactions.

**Ms. Wowchuk:** I raised the issue because I think it is a very important one and one that we are going to be challenged more and more with as we see expansion and growth in the agriculture industry in the province, one that I hope you will watch very carefully, and one that we are all going to have to address when it comes to environmental issues and developing laws that will meet the needs of all the people.

One other area I wanted to ask about on this program is the fees, and it says the lender may charge applicants a fee for a process of an application for a guaranteed loan. Does that lender mean the corporation can charge a fee for processing the loan, or does it mean that the bank can charge a loan? I am assuming it is the corporation and is this a normal process that the corporation charges a fee when a loan application is processed?

**Mr. Enns:** I am advised by staff that it is a fairly normal process for the private lender, who is after all the principal player in the provision of capital for this project, to charge a fee of some kind. My general manager reminds me that when the credit corporation involved has asked to be part of it with their loan guarantee program, they will bargain as hard as they can for the most attractive rates of interest and maintenance

to the lowest level of any additional administrative or fee charges, because it is in their interest to see that the project has the best possible chance for economic success in order that their call on their guarantee will not be exercised and in that way providing a further service for the proponents of the project.

Let me also just take this occasion because the member is right, that the issue of making it possible for that promising expansion to take place in the hog industry has its challenges. I just want to solicit her support. I want her to be a beacon of light in that nether darkness of the New Democratic caucus, to shine away, agriculturally speaking, for the opportunities of the producers of Manitoba.

I cite this one case, the beautiful country of Denmark, hardly a Third World country. It decided in 1972—who is a major competitor of ours, by the way, in pork, considerably outdo us in the Japanese market—that beautiful little country was producing about 3 million or 4 million hog units per year in '72. They now produce 17 million hog units a year in that little country. I say this not to offend any Danes present, but I think you can take Denmark and drop it in Lake Winnipeg, and there would still be water all around it. It astounds me that that country, and I have had some experience travelling in that part of the world, Scandinavian, the northern European countries, are extremely conscious of the environment, in fact, in many instances lead in environmental issues with respect to what we in North America can learn.

Now, if it is possible for a country like Denmark to do that and beat us at selling pork to the Japanese—they have 34 percent of the Japanese import market for pork, the Japanese market being the largest market in the world. The United States has 16 percent. We dawdle along at 5 percent, and we are half a continent nearer, and besides the Japanese do not want to eat frozen pork anymore; they want chilled pork. So that distance makes it even more competitive for us. That is why I am so pleased with the announcement yesterday of major capacity being built in our province specifically targeted for chilled pork.

But I need somebody to carry that message, that light, Miss Agricultural Critic of Her Majesty's royal opposition. Begin with the serious and heart-to-heart talks with your colleague who has joined us at the committee here. There is a reluctance on the part of some

in your group to fully appreciate these opportunities and the contribution. Agriculture being such a visible identifiable minority group needs all the support it can gather from all who have agriculture interests at heart—so ended that lesson.

**Ms. Wowchuk:** I think the minister has identified a country that has done very well in their hog production and has been able to manage their environment very well. I think that if Canada, where we have a much larger land base and have many, many opportunities to grow, if we would follow the example of that country and other countries and put in place regulations that would protect our environment, the agriculture community would not take some of the flak that they take for not having proper environment management.

I throw the ball back to the minister's court. As minister, I challenge you and I encourage you to bring forward guidelines and regulations that will give our industry the opportunities to grow in this province, and that we can meet the demands of the world market without having to have the displeasure of other people here in Manitoba who feel that our environmental standards are not high enough. The challenge is there for us. Let us do it. Let us see the industry grow, but let us do it in a way that will not be resentful to other people. We have the land base. If people in a country the size of Denmark can do it and not run into environmental problems, worry about the pollution of the water, surely we can do it here. It is not that you would not have the support of my colleagues on this. I can assure that wholeheartedly you would have the support.

\* (1400)

We in the New Democratic party very much want to see the agricultural industry grow. We want economic growth in this province. Let us take that opportunity and look at that country and other countries where there is growth. Let us put in place regulation so that years down the road we do not say, my goodness, we have made a mess. There are examples in other parts of the world. Let us take those examples and build the industry here in Manitoba. I assure you that the urban community would support us as rural members if we were going to do that.

So I put the challenge back to the minister. Let us do it. Let us put the regulations in place. Let us protect our

environment and let us have the growth in Manitoba that we have in other countries. I look forward and I would support the minister wholeheartedly, as would my colleagues. So let us look for some new regulations. Let us look for the opportunity for real growth in this province.

**Mr. Enns:** Mr. Chairman, I can only say, yes, and thank you for those very appropriate remarks. I am particularly pleased at the number of our senior staff of the Department of Agriculture who are present to hear them. I think that they welcome that kind of unreserved and wholehearted support for the agricultural community coming from the official opposition, because it is important to all of us engaged in agriculture to do it right. I think the comments made by the member for Swan River (Ms. Wowchuk) are ones that are extremely appropriate to the case, and certainly I accept without reservation.

I know the direction, the emphasis that will be, through senior staff program development, precisely along those lines, and I look forward to continued demonstrations of that support that was just expressed here at this committee. Thank you.

**Ms. Wowchuk:** I am sure we will get another chance as we get under the livestock section of the Estimates to talk further about what plans the government has for further environmental protection so that our industries can grow in this province, and I look forward to that discussion with the minister.

I would like to talk about a few of the other areas under the loans programs that are offered right now, and earlier the minister espoused about the success of the Guaranteed Feeder Association Loan Program—or I mean it was another member for southern Manitoba who talked about the success of the program. I understand that there has been a fair amount of money lent out. I wonder if the minister could indicate—I believe there are 12 feeder associations in the province right now—of those, are there any of those feeder associations that are facing difficulty? Again, the livestock industry is facing a real challenge right now, and I, in my own constituency, have people who are in the feedlot industry, although they are not involved in associations. But this winter has been a very serious challenge to them, and I wonder what the status

is of those feedlot associations that have got loans with the corporation right now.

**Mr. Enns:** Mr. Chairman, for the record and for the member's information, we have some 13 feeder associations in the province with a maximum credit line available to them of some \$21 million. Actual principal and outstanding interest to date is some \$11.5 million. The honourable member will be only too much aware that the cattle industry is probably going through some of its most difficult times right now, and it gives me no pleasure that the one aspect of agriculture that this minister is modestly engaged in is the one area of agriculture that is not doing well. Is there a message there for me? I do not know, but it is putting some considerable stress on the operators; extremely high feed grain prices, coupled with unsatisfactory livestock prices, have put considerable pressure on these associations.

However, I have a continuing optimism, and I continue to support the credit corporation's role in providing this assistance. Again, this is a situation where the most prudent use of the public funds available is through a loan guarantee. This \$11.5 million is money that is loaned out, not by the corporation, but by private lending institutions, banks, credit unions. They feel more willing to do that because of the position that the MACC corporation takes with providing a back-up loan guarantee.

There is difficulty being experienced by the Ste. Rose district co-op feeder group that is, not, you know, an insurmountable problem. It is probably as much to do with the management problem, in that instance, more so than actual poor cattle prices. There is some difficulty with a particular member of that group that got himself involved with a major feed supplier, the Cargill people, and there is a dispute with respect to the disposal of funds accruing from a sale of cattle. That may or may not end up before the courts. While I am free to speak in some general way about it, I am simply not equipped to make a legal determination about that.

My hope is that this whole part of the agriculture industry will survive this difficult period, and perhaps, if we can see greater production of feed grains and some greater supply of feed grains that would moderate slightly the prices—although I hasten to add, I do not believe that any one part of agriculture should only profit or do well

because of somebody else's hurt. The grain producers have waited a long time for these prices, and, quite frankly, it is for the meat prices to jump up to reflect adequately the cost of these productions that currently is being faced.

But I say, just in conclusion, consider that not that many years ago, in 1974-75, we were processing 560,000 beef carcasses in our processing plants in Manitoba, providing upwards to 8,000 jobs, well-paying jobs at Swifts, Canada Packers, Burns and a number of independent processors. Today we are processing 36,000, 35,000 beef carcasses in the province compared to over half a million 20 years ago. We will not regenerate that processing of beef until we have a healthy feeder industry going in the province, until we are, on a sustainable basis, providing 300,000, 400,000 carcasses of beef. That is when interest will be shown again in a serious way for beef processing to come and return to the province.

**Ms. Wowchuk:** I wonder if I might be able to ask a question just for clarification. The minister says this is a loan guarantee program. You guarantee the loans, and you are guaranteeing them for the 12 feeder associations right now. I do not quite understand. If you are guaranteeing the loan, are you putting out any money, or is it just that you have the money there to guarantee if it is needed?

**Mr. Enns:** It is much the same way. There is no actual money that is put out by the corporation. It is a 25 percent aggregate responsibility that the corporation underwrites with a private lending source.

**Ms. Wowchuk:** So in that particular line of the budget, where we see guaranteed feeder loans association and we see an amount of \$21 million, does that mean the corporation does not actually spend that money, as you would not spend the money in the previous program that we talked about? Is it money that is there available if you need it, but you actually do not spend that money?

\* (1410)

**Mr. Enns:** The honourable member is right. We do not actually spend that money, but it is our potential liability. If the feeder co-ops take up the maximum credit line available to them, then our liability is such, and our

accounting or auditing rules and regulations make it mandatory for us to show that as a liability.

**Ms. Wowchuk:** I thank you for that clarification. So you are saying the money shows up on the books, the corporation does not actually spend the money on those guarantees unless there is a default on one of the loans and then it has to be paid out, but it shows up. For example, in the previous year, and I am looking at the annual report now where we see \$13 million—this year we see \$21 million—those numbers are there as a guarantee—for example, the money last year, two years, was not spent unless there was somebody that defaulted on the loan.

**Mr. Enns:** The member is correct, and I am happy to report to her that to date there has been no call on the corporation for any portion of the guarantee that they have provided.

**Ms. Wowchuk:** I would like to refer to a couple of other programs that are under the corporation, for example, the land lease program. The corporation has been in the process of trying to dispose of much of the land that they have in their possession. This I must say has caused some farmers problems, in particular, when they have been leasing land and have had to purchase the land at a time before they were ready to, and it has caused problems and has resulted in some people not being able to maintain the land base that they had because of the government's decision to move towards selling off its leased land and getting rid of that package of land that they have.

Can the minister indicate whether that same process has been speeded up at all, or what has been happening with leased land? I understand there has been a fair amount disposed of. Can the minister indicate how much is left, and where we are, or if there are still long-term leases that are active and land not being sold off to farmers?

**Mr. Enns:** There have been no fundamental changes in policy with respect to land tenure that the corporation holds. The corporation continues to hold, for instance, some 44 long-term leases and is under no duress to shorten or sell those leases. Where the corporation is actively engaged in the sale of land is in the short-term

leases, of which there are some 221 covering some 64,000 acres currently. Those short-term leases have provisions in their clauses that offer the lessor an opportunity to buy within that five-year period, and/or if the lessor chooses not to consider purchase, then at some point in time the corporation will under appropriate circumstances tender the land for sale. I can indicate to the honourable member that there has been considerable activity in this past year. Some 26,300 acres were sold in the '95-96 year. We began the year with some 90,000 acres under the control of the corporation, and they are now sitting with about 66,000 acres.

Some of this added activity, I might add, was spurred by the payout from the Crow benefit, and there was a specific condition that enabled the—or let me put it this way—that was beneficial to the purchase of the land in terms of the recipient of the Crow compensation package. You see it was for—as you know, under the federal regulations, the payout goes to the landowner. I did not particularly think that the Crown necessarily should be, as owners of 90,000 acres of land, retaining the Crow compensation payout. So a program was devised whereby it equally spreads that compensation over a period of years to the lessor, to the renter of the land. But it was made more attractive if indeed the person took the option to exercise his right to purchase the land. So we have had fairly major activity in the sale of land, as I say, from the beginning of the year where some 90,000 acres were under the control and ownership of the corporation to some 66,000 at the end of the year. We anticipate that trend will continue.

**Ms. Wowchuk:** Mr. Chairman, I wonder if the minister can indicate, he said there were 44 long-term leases. Is there any movement or plan to have those long-term leases come to an end and offer those lands up for purchases to the people who are leasing them?

**Mr. Enns:** Mr. Chairman, I am advised that these are long-term leases that are valid to the holder's 65th birthday, and then that party has a first opportunity to transfer control of the land to within the family, to his descendants, children. In any event, he has prior rights to further determination of that land, and I would assume that only if those rights were not exercised in some fashion would that land at some point come under the potential future sales policy of the corporation.

**Mr. Deputy Chairperson:** Order, please. Would the honourable member for Swan River bring that a little closer and more straight on. They are not quite picking you up that well.

**Ms. Wowchuk:** Mr. Chairman, I thank the minister for that information. It is an area that my colleague from the Interlake (Mr. Clif Evans) has some concern, and it has been brought to the minister's attention with respect to some of the long-term leases. Unfortunately, he will not be able to raise those issues today. Perhaps a little later on, when we get back to Estimates on Monday, he will have the opportunity to bring that matter to the minister's attention and forward it to the corporation to address on his behalf that there is some concern with respect to long-term leases and how they are disposed of. But I just want to make you aware that it is the member for the Interlake that has particular concerns there.

A little further on, I think every year at Estimates we talk about the fishing industry in this section of it, and the opportunities, the loan program that we have for fish farmers. Every time I look at the annual report, I see that there is not very much activity in this, and I see that there has been, I believe, an additional loan that has been made into the fish farming area, or are these two loans that have been there for some time?

**Mr. Enns:** I am advised that both of those loans were made through a single producer who has subsequently left the business, and there are no, in fact, outstanding fish loans at this time.

\* (1420)

**Ms. Wowchuk:** With the difficulties that we see with people that are in the fishing industry right now and the decreased stocks that we see in many of the lakes in the province, resulting in a very difficult livelihood for many people, is any effort being made on the part of the corporation or the Department of Agriculture to promote the fish farming industry in this province, and, if so, has any outreach work been done to aboriginal communities? As the minister is aware, particularly in my region, a majority of the fishermen are fishing people, are aboriginal, and I think that there are real opportunities when you look at what is happening with fish farming in other parts of the country. I am sure the minister could tell us about fish farming in Japan if he had the opportunity to look

at it there. There are opportunities—yes, and China. Is anything being done to make the public aware that money is available for fish farming, and is anything being done to promote this kind of activity so we can have more economic development in the province as well as in the hog industry and livestock industry? Perhaps this is another area—and I say this in all sincerity. I wonder if anything is being done, and I would hope that we are promoting another venue for agriculture and value-added jobs in this province.

**Mr. Enns:** The honourable member's reminder of what I may or may not have experienced in some of my foreign travel reminds me that I did survive dining on scorpion on several occasions in the province of Hunan. They are lovely little critters, and, if roasted well and if their stingers, which they have still on them when you eat them, are pointing in a downward direction, it is not too bad on the top of your mouth; you can actually get them down.

Fishing, aquatic farming, I am aware, for instance, just recently, up not too far from, I believe, in the Hamiota area, there is a project that is underway, not through the auspices of the Department of Agriculture, but through Industry, Trade and Tourism. It is an intriguing proposal and certainly open and available to Manitobans if they choose to move into it. We have had little attempts at it in different places. I would have to say regrettably that it is fairly intensive management that is required when you move into this area. The other difficulty that we have in this climate is that it requires year round frost-free conditions to operate a program of this kind, and I do not know whether or not those are some of the reasons why it has not achieved any greater attraction for would-be fish farmers in the province.

The concern, of course, that I have, and she makes specific reference to the aboriginal community where, she is absolutely right, there are a lot of excellent fishermen in that community—our difficulty is that we are not fishing the stocks that we have and, in some cases, in abundance and for different reasons: transportation costs, marketing reasons—dare I mention that word—single selling desk. It does not seem to be working adequately, particularly for the aboriginal community. I say that advisedly. All I know is that they themselves have petitioned the federal minister and have received exemption from the single selling desk. I am referring to the Island Lake fisheries.

A number of the tribal councils there have petitioned directly to the federal government, and they received exemption from the single selling desk, but it is a difficult situation. To freight transport fish from a distance from the North, where the fish are, often eats up any available profit to make it an economical venture, so I cannot add anything more to it.

I would certainly indicate to the member that the corporation would look at it as another agri-related venture, diversified venture. When I speak about increased livestock opportunities in the province of Manitoba, I mean to be very inclusive. I know that there is a tendency to focus on one species, like pork, like hogs. I am very inclusive in that terminology which includes everything from fish to elk to wild boar to bison and of course the traditional cattle and poultry and dairy and pork.

Bison is a very interesting and not heralded all that much growing success story in Manitoba. We have over 50 successful bison producers in the province raising some 6,000 animals in the province. In a remarkable way, we who are responsible for the virtual extinction of that noble species that roamed in the virtually unnumbered millions across the Great Plains area here, modern agriculture, which is often accused of not being appropriately in tune with the environmental requirements of today, is in fact responsible for the resurrection of that noble species, whose two fine edifices adorn our grand hallway every day as we walk into this humble place to decide the state of affairs of the good people of Manitoba.

**Ms. Wowchuk:** Mr. Chairman, the corporation also provides loans for the purchase of Crown lands, and I am not quite sure where we deal with Ag Crown lands. Has there been a change in the amount that is required in loans for Ag Crown lands?—because my understanding is that now that we have a value on aspen in this province, particularly in the central part of the province with respect to the increased value on the aspen, there is now an increased value being placed on Crown lands. Has that affected the amount of the loans that is required to purchase these lands?

**Mr. Enns:** Generally speaking, although the corporation gets involved from a financial point of view, when Crown lands are sold, it is done through the Department of Natural Resources. They will do appraisals of the land

in question. I know that the corporation assists them at times like that, but whether or not the corporation gets involved in the actual provision of monies for a loan, they look at it purely from a point of view as the economic viability of the operation that they are supporting. When somebody comes in and wants to borrow and is asking the corporation for X number of dollars through a loan application, they are looking at the overall venture that it is being directed to.

**Ms. Wowchuk:** What I was asking was, has the amount of the loans increased because the value of Crown lands has increased? In other words, are people who are applying to buy Crown lands looking for larger loans? If that is not a question that can be answered from here, that is fine, but my understanding is that the value of Crown lands has increased through the Department of Natural Resources because of the value of the wood on the land. I am just looking whether that has meant an increase in the value of the loans that will be required from this department.

\* (1430)

**Mr. Enns:** I am advised by staff that the kind of information we have does not allow us to give you a definitive answer on that.

**Ms. Wowchuk:** I wonder if the minister can indicate, as we look at the Estimates book, where there has been a decrease in the amounts of doubtful accounts budgeted for. Last year we had \$2 million budgeted for doubtful accounts. This year we are down to \$1 million in the budget. Does that indicate that the \$2 million was not spent last year, and they are now assuming that there is not going to be a need for that much money? Or why is there a change?

**Mr. Enns:** I can advise the member that the allowance for doubtful accounts—there has indeed been a 50 percent reduction to the level of \$1 million—is the result in the improvement in the status of the accounts. Past year expenditures have been, '94-95, just under \$900,000 to service that area of activity of the Crown. In '95-96, although the level has not yet been finalized, it is expected to drop significantly to just under \$300,000, so that I would like to think that it reflects greater stability in the agricultural community and within the client structure of the corporation.

I would like to also remind the committee that, although this corporation and the people of Manitoba have an extended loan portfolio out under this program, the actual default is very small, in the order of 2.1 percent total outstanding, and you are considering that the corporation has its mandate to be and often is kind of the lender of last resort where the private lending institutions will think twice before providing the loan, the agricultural credit, to a farmer. We are also the lender of preference of the young start-up farmer. Again, that is part of the original mandate of the corporation.

But all of this kind of lending activity has a high risk as compared to the well-established, longer-established commercial farmer. I am looking at a gentleman like my colleague Peter George Dyck there who would be, of course, no risk, but, when you have the clientele specifically directed in that we are targeting the young start-up farmer, inexperienced farmer, very often to have a track record of such low defaults, 2 percent over the many millions of dollars, I ask the question, how many millions of dollars have we got out in any given year? A hundred and ninety-six millions of dollars of taxpayers' money is loaned out in this fashion in the support of agriculture, and the resultant end cost of that activity is a very modest, very nominal one.

**Ms. Wowchuk:** Mr. Chairman, the minister says, doubtful accounts are in a much better situation, and that is good to hear. I want to ask the minister if he can tell me what would happen in a case that a farmer was not happy with the way the corporation was run and sued the corporation for any amount of dollars and won the lawsuit. Would that come out of doubtful accounts, or does the corporation carry an insurance that would cover those kind of losses that the corporation might face?

**Mr. Enns:** Well, the first thing that the farmer does that is not happy with the way the corporation is run, he does not vote for me in the next election, and then he may want to sue the corporation. The corporation gets sued from time to time, but that is a normal, legal situation where the corporation either defends itself—we have been, although I do not think, there is very seldom—do you recall a case? Okay, I am advised that the losses, for instance, the \$800,000—some that the corporation lost in '94-95, the anticipated \$230,000—some that the corporation is projecting they will lose in the current year, are directly related to losses on loans that the corporation

could no longer collect on, and not through any legal action or lawsuits.

**Ms. Wowchuk:** Mr. Chair, so it is not that there is a special line written into a budget each year that would allow for something like this; it is something that, when it happens, it is absorbed as a loss, right?

**Mr. Enns:** Yes.

**Ms. Wowchuk:** I wonder if we could just take a minute—if the minister could explain what the special farm assistance is for. Again, we see a decrease in the amount of money that is set aside there.

**Mr. Enns:** Those are the specific resources that are available to the Farm Mediation Board that are used, and used, I think, in a very constructive way to help a difficult situation, a farm family that is facing bankruptcy that, with the judicious use of this fund, it can help buy him the necessary arrangements or time with his creditors to keep the farm solvent. That figure is reducing considerably over the years as we are now asking for an allocation of only \$155,000 as compared to even just a few years ago of \$500,000 in '94-95, \$600,000 in years '93-94. Last year it was \$255,000, and this year we are projecting a requirement of \$155,000.

**Ms. Wowchuk:** Mr. Chairman, I want to ask if I can ask a few questions about the legislation that the minister tabled yesterday with regard to the Agriculture Credit Corporation and the purpose of that legislation. Unfortunately, I was not in the House and I did not hear the details of the bill, but I understand it is to do with changing the guidelines on who is able to apply for funds through the credit corporation. I would appreciate if the minister would take a brief moment to explain.

**Mr. Enns:** The amendments that were introduced to the Legislature yesterday, if we put them in proper perspective, are in the first order of keeping—some housekeeping amendments, as we refer to them. In general, where the act was for today's circumstances too restrictive or too specific, we just broadened the language to include the kind of activities that are now taking place. For instance, where the act says that the credit corporation can provide loans for livestock, it specifically named cattle or hogs, but we are getting demands for bison, for wild boar and, I suppose, in the future, perhaps

for elk. So those kinds of changes are being provided for in the amendments in the act that I tabled yesterday; some greater flexibility within the corporation to exercise within so that they have the legislative authority with the manner and way in which they will be handling their loan guarantees that could be, again, somewhat more inclusive, reflecting again the reality out there where the present act, in some instances, restricts the corporation to be involved with only those who are bona fide farm members. This could include in that association or co-op group or co-operative of 10 or 15 groups, some nonfarm members as well.

\* (1440)

Those are the kinds of changes that are included in the amendments. They are important to us. They helped bring the corporation into more adequately dealing with the kind of clients that they are receiving more and more of, and this will provide the legislative authority to do that.

**Ms. Wowchuk:** Mr. Chairman, I have a question with regard to the regulations and specifically the regulations under 31(1), "The corporation may, with the approval of the Lieutenant Governor in Council, make regulations" and "(h) respecting security to be given for loans or credit." I am not quite sure what that regulation will result in, and I have questions with regard to that. The original regulations are being repealed, and these regulations are being put in. I am sure there must be a specific reason for changing these regulations, and that is the one in particular that I have a question about.

**Mr. Enns:** Mr. Chairman, first of all, of course, I would invite the honourable member to be absolutely satisfied about what is being done in the act and the subsequent regulations when we have the opportunity of looking at the act in committee clause by clause, and we have that opportunity to do that.

Just on the surface, listening to staff, the best answer that I can give is that the changes to the regulations only kind of reflect the changes that we are making to the act. Some of the regulations are probably as kind of species-specific in their wording and terminology as the act was, and in making these changes in the act, it was also necessary to make those kinds of changes in the regulations. Again, I am not getting an absolute clear

signal on that, but certainly we can pursue that when we deal with the bill in committee.

**Ms. Wowchuk:** I appreciate that. I just want it put on the record that there is a concern about that part, and I am looking to see whether this is a major change, this is changing something dramatically in the act or whether this is just a minor regulation. I will take the minister's word for that and look forward to having further discussions on this as we get the spread sheets and the legislation, and then refer the replies to the person who has raised this issue with me.

**Mr. Enns:** We do not believe that is the case, that it is not a major change. In any event, as the member knows, no change can take place until the act has been changed and the regulations changed, so she can live in comfort till we meet some time in October to deal with the bills.

**Ms. Wowchuk:** I only have, I believe, one more question to ask with regard to MACC loans. I want to know if there are any restrictions made by the corporation with respect to lending money to people who are in the bee industry, apiary industry, or whether the corporation feels that this is a viable enough industry that they will take applications. Have there been applications made?

**Mr. Enns:** Mr. Chairman, the member provides me with an opportunity just to indicate some of the very changes we are bringing in the act is to broaden that act because often these are what would be described as part-time farmers, not eligible for loan assistance, and this would very much include the honey producers or would-be honey producers.

I want to indicate, the general manager tells me that we do make loans to honey producers, have several accounts on the books with honey producers. There is no prohibition against loaning money on an apiary operation. It is a sweet deal.

**Ms. Wowchuk:** I guess the people that had contacted us would fall into the category of part-time farmers. If this amendment, change to the legislation, is going to make that a possibility that they can borrow money, then I look forward to that. We will refer that information to them, and hopefully when the legislation is passed, they will have the opportunity to make contact with the corporation

and get the funds that they need to establish their operation.

**Mr. Enns:** The honourable member will remember there are of course other restrictions and limitations, caps, as to the levels of loans that the corporation can make. They are fair issues to be subject to review from time to time. I know that, again in keeping with the reality of what is happening out there, there was a restriction for instance in the corporation being able to lend money to people who were making off-farm income and certain levels of income. Those have been modified and changed to help accommodate the different types of clients that from time to time come to MACC.

**Mr. Deputy Chairperson:** 3.3. Administration \$3,005,700—pass; Net Interest Cost and Loan Guarantees \$4,605,000—pass; Allowance for Doubtful Accounts \$1,000,000—pass; Special Farm Assistance \$100,000—pass.

Resolution 3.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$8,710,700 for Agriculture, Manitoba Agricultural Credit Corporation, for the fiscal year ending the 31st day of March, 1997.

**Mr. Enns:** Is there a consensus on the part of the committee to call it three o'clock?

**Mr. Deputy Chairperson:** Order, please. Is there a willingness within the committee that we call it three o'clock? Agreed?

**Some Honourable Members:** Agreed.

**Mr. Deputy Chairperson:** Agreed.

## JUSTICE

**Mr. Chairperson (Marcel Laurendeau):** Order, please. Would the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Justice.

Would the minister's staff please enter the Chamber at this time. We are on Resolution 4.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits.

**Mr. Gord Mackintosh (St. Johns):** The first question. In the Estimates over a year ago there were a number of questions that the minister took under advisement and would get back to me with answers on. I am wondering if the minister now has the answers to the questions from the last round of Estimates.

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** I am told that that information is available, and I will attempt to table it this afternoon, and if not, by Monday.

**Mr. Mackintosh:** I thank the minister for that, and I look forward to receiving the information. I certainly want to receive that information before the end of the Estimates and preferably today so that if there are follow-up questions we can deal with the minister when the appropriate staff is here.

A second question. Yesterday one of the interns from our caucus and a representative of myself went to the Community Release Centre to review the temporary absence passes of several individuals and was denied access to those documents, which, I understand, are public; and, in any event, under The Corrections Act, their MLAs do have authority to enter into correctional institutions. I am sure the minister would agree, the Release Centre is one of those that I have access to information that is in the public interest. The intern was advised that the minister must approve access to the documents there. I am wondering if the minister can now assure me that either myself or my representative can attend the community release centre to review the temporary absence records at that facility and that she will communicate that through her officials to the release centre immediately.

**Mrs. Vodrey:** I know the member has been looking for all kinds of information, I presume, in an effort to avoid the wrong information that has been put forward several times. Access to institutions is one thing, but access to specific files that may contain information about third parties is another issue. At this point, the best I can do for the member from St. Johns is to look into the matter.

**Mr. Mackintosh:** Is the minister taking the position that the temporary absence passes and those records at the community release centre are not available either to the general public or to the opposition Justice critic?

**Mrs. Vodrey:** I am advised that we will look into the contents of those documents. It would appear that if and where there is information about third parties, information which we feel is viewed as actually private information, not something which the member needs, then we would want to make sure that we were able to look at that. So my answer to the member was not categorical. My answer to the member was that I will look into the matter, and I will get back to him.

**Mr. Mackintosh:** I would impress on the minister that it is not her role to decide what this member needs. It is this member's and this caucus's duty to make that determination. I ask the minister to now assure me, assure the public of Manitoba, that those documents are indeed public documents—they are of public interest particularly at this point—and that she will allow my access to them.

**Mrs. Vodrey:** I have answered the question to the member. I have told the member that I will look into the matter. I have also explained that there may be information which is information about third parties. The member has, in my view, not always used information wisely in total with all the information required to come to some of his conclusions, to jump to some of his conclusions in other areas. I will not suggest that is at issue now, but I will say that it is also my responsibility to review his question, to look into his question, and I will get back to him when I have had the opportunity to do that.

**Mr. Mackintosh:** If that is the minister's position, I ask whether the minister will make the inquiry she speaks of and advise me of her position on this before the conclusion of today, or at the latest, the conclusion of Estimates on Monday.

**Mrs. Vodrey:** I certainly will make every effort to do that.

\* (0910)

**Mr. Mackintosh:** I cannot help but comment, when the minister alleges that this member or members on this side have not used information wisely or jump to conclusions, I think that is the ultimate—it almost verges on being funny if circumstances were not so tragic revolving around the statements made by the minister following the riot at Headingley.

Given that an intern from our caucus went to the Provincial Court, I believe it was last Thursday, and asked for the criminal records of one Donald Rene Rouire and was given a terribly incomplete account of that individual's record, I would like the minister to explain how she could oversee an administrative component that would fail to respond to a request in the public interest in a thorough and complete way.

**Mrs. Vodrey:** I have been informed the records are under the control of the Chief Judge we administer, and so I can only look into the question raised by the member opposite to see if it was a matter of the administration side, or if, in fact, there was any direction by the court, and I will have to get back to him on that.

**Mr. Mackintosh:** My clear understanding that the court itself, none of the judges were involved in responding to the request, it was simply at the administrative level, at the front desk level. I guess the simple question is, is there not a simple computer access to the records of individuals that have been convicted in this province in the Provincial Court?

**Mrs. Vodrey:** I want to be careful to have phrased this correctly so that I am telling the member exactly what my understanding is, and I am going to look to my officials to make sure that my statements, if they require any further correction, I can make them now. It is my understanding that the complete criminal record is not generally released to the public, that the police would have the records in CPIC. I understand that there is a certain amount of confidentiality around what is within that file.

Individual convictions are available, but where the member wants more information than that, I gather that in that case there may be some question about ability to get that further information.

**Mr. Mackintosh:** There are two kinds of records that I understand are to be public records and should be readily available through access by a computer with a touch of some fingers. The first is a simple conviction record noting the date of the conviction and the charges that the conviction was based on, as well as the sentence. Is that information not readily available through a computer system?

**Mrs. Vodrey:** I am told no, that that is not available on computer as the member has described it. That, in fact, you would have to look up manually. Prosecutions in the Provincial Court are not available. What would be available are common offence notices, Court of Queen's Bench cases, but the criminal cases for the Provincial Court are not available in the same way.

\* (0920)

**Mr. Mackintosh:** I would urge the minister to modernize for the sake of victims and the community generally the recording of information about convictions in this province. It seems to be an antiquated system, and one which on repeated occasions I have discovered to be somewhat difficult to access, which I do not think is in any way in the public interest. I might add that by complex method, it is only then one has the capability of finding out the dispositions and usually it is through listening to the transcripts of the sentencing hearings. So I would urge the minister to get a system in place which provides better information to Manitobans, one that is supposed to be public information.

My next series of questions relates to the sex offenders that were let out of Headingley following the riot. According to the minister's statement late yesterday afternoon, there were 13 individuals who were let out, one of whom was released according to a bail order, so I will not deal with that individual. I think that is a different category. Four of the individuals, according to the minister, served out their sentences. Could the minister tell me for each one of those the dates their sentences were completed, and by that I mean when, according to the disposition of the court, was to be their last day of sentence?

**Mrs. Vodrey:** The member is asking now about specific Corrections issues, and I gather may want to get into detail around that. I am wondering if it is possible to have that considered then when Corrections officials are here.

**Mr. Mackintosh:** The reason for me asking it now under this heading is very clear, it is to find out what is in the minister's knowledge, which is what is the question on people's minds, certainly on my mind, and this follows on the statements by the minister and no one else

yesterday. Her deputy is here, and other staff, and I am sure that they have all the records before them since they had those records yesterday afternoon. So I think the appropriate time to deal with it is now. If the minister says she does not have the information here, then she can put that on the record, but I would like to know the date, the end of sentence for the four individuals.

**Mrs. Vodrey:** The detailed information the member is asking for should be dealt with when the individuals are here, so I am not sure how he would like to proceed.

**Mr. Mackintosh:** Yesterday the minister said to the media and may in fact have been prepared to give the information to the Legislature, although she chose the wrong avenue, I would suggest, to do so yesterday in the Chamber. She had that information then; surely she has it now.

**Mrs. Vodrey:** The member seems to feel that I have all of these things specifically committed to my memory. That certainly would lead to some problems and difficulties and question about whether or not I was accurate, and so my comments today are that I believe the information would be best covered when that line is dealt with.

**Mr. Mackintosh:** Well, when the minister is asked this question by the media in the hallways, I am sure she will attempt to come up with an answer. I ask that she give the same, at least the same respect to this Chamber and what it means. Tell me, she has lots of paper there, she has information, she has apparently the full report. She asked for it to be on her desk last Thursday morning. I simply want to know when the four individuals' sentences were up. A simple question. I am sure she knows.

**Mrs. Vodrey:** I think it is a very important question. The member has spoken about the seriousness of this situation, and I too think it is a very serious situation. We have been dealing with very serious matters for now some four weeks since the day of the riot, and it is important that the information that I give is correct, that information is as complete as possible and there not be misunderstanding about the information that I give. Members have been very anxious for information, as have many, and I have attempted to provide information as it has come to me as quickly as possible.

I have found that in dealing with that, every time I provide information there seems to be some effort to either misunderstand or misspeak about that information by the other side. I clarified information last Friday about four specific inmates who were named, and what was then said about that was that I said there were only four.

There seems to have been continuous effort to deliberately misunderstand or perhaps, I do not know if I am allowed to say "misrepresent," Mr. Chair, information that I have provided, and so I am being very careful. I am prepared to answer questions, but I want to make sure that I have the full information available to me. The member has raised the issue of four individuals and of course we have been talking about approximately 13 who are not in the institution.

It would only take me giving one piece of information from memory that the member would then go again and say that I had not been factual with him and with the public. That is not my position. My position from the very beginning has been to be factual, truthful, with the best information available to me at all times, and I feel that it is important to make sure that I have that best information available to me. So, though the member might like to skip ahead for whatever purposes he has in mind, and I am not going to even try and guess at that, I am just going to say in consideration of the Estimates, he is asking information which is available when we reach the Corrections line. I am not making any attempt to make the study of these Estimates difficult in any way, but what I am wanting to make sure, Mr. Chair, is that I have not been premature in any answers attempted to answer from memory and then have the member stand up and attempt to use that information in a negative way, which, I think, we have seen happen several times.

I feel now that it is just absolutely imperative to consider the information in order when the best information available is here. I will take a moment to say that this has been a very difficult few weeks for Justice. We have been dealing with some major issues: one of them a riot, one of them some labour difficulties, and then another issue in which there is an alleged criminal act by a person who was on a TA, allegedly a criminal act by that person. This has required a tremendous amount of time and effort to make sure that things have been done properly, certainly as well as possible. We have made

every effort to provide the information, but, Mr. Chair, it is at times time consuming to make sure that that information is checked and correct. As I have said, I have provided what is considered to be the best information possible, and I want to continue doing that. So in my efforts to do that, I am not in any way attempting to make life difficult for the member opposite. We have a lot of Estimates to cover. I am here and prepared to do that, but I feel that in areas of Corrections it would be most helpful to have the Corrections people here. That is why we have staff available to us in the Estimates consideration, and that continues to be my position.

**Mr. Chairperson:** Order, please. I was listening very intently when the minister, I guess within her statement, posed a question of the Chair. I am not sure if it was the word "misrepresentation," but it was along those lines. It has been indicated in the past by the Chairperson that when we use the word deliberately, it would be asked to be withdrawn. So I would ask the honourable members to choose their words very carefully as we proceed.

**Mr. Mackintosh:** It is the ultimate insult to hear this minister talk about misrepresentations from this side of the House. This side of the House has been provided with incomplete information by the administrative component of her department. That is the only information which has not been full and complete. It is not within the first-hand knowledge of the official opposition and to have access to the criminal records, to the list of people who were let out, to the whole range of information that we have been seeking from this minister. For this minister now to say that she has done nothing but make every effort to get all the complete information and has been forthcoming with Manitobans is simply not correct and does not bear out.

\* (0930)

One does not have to go beyond yesterday when this minister had the gall to stand up in this Legislature and say that she only talked about four sex offenders because that is all she was asked about, when, indeed, the question was open-ended and did not in any way constrain or direct the minister to give answers about four sex offenders only. The minister was asked about sex offenders. The minister earlier was asked about offenders generally. The minister now says that she has been

complete and very careful with all the information that she has brought to the public forum, and therefore she cannot give answers today. I suggest it is too convenient for the minister to make that argument now. It does not bear out. When the minister is now sitting here with the information that she made public yesterday, she trots out this argument. It is too convenient, Mr. Chair, and it does not wash.

If the minister refuses to give this committee the information about when these four sex offenders' sentences ran out, I have another question for the minister. She indicated to the media yesterday afternoon that two sex offenders were released to the care of chiefs and councils in their aboriginal communities. Will the minister tell the committee when this arrangement with the chief and councils was made for each of these two individuals?

**Mrs. Vodrey:** Let me just consider the remarks of the member opposite first of all. Let me just go back to say, when was I asked about four inmates? I was asked about four sex offenders last Friday when names were read out on a local radio station and certain information given. The member across the way has also continued to give out information. If he says he has been provided with incomplete information or not all the information that he wants, I have to ask him, why does he go out publicly and trot that information out as if he knows exactly what is happening? Then, when the full information comes out, he has to try and stick to his story, as has happened on the other side of the House several times.

Mr. Chair, the issue on Friday was four specific inmates, where there was reference made to four specific inmates, and some of that information was not correct, and it was important that I was available to correct that information in terms of whether those inmates were released, whether they were out on temporary absences, and I did that. When the question was posed about sex offenders and sex offenders who were released under whatever conditions—end of sentence, temporary absences, had they served in their programs—I made every effort to deliver that information and delivered it in the House, by the way, yesterday, but I was stopped by members opposite because they did not want the answer to that. They decided that was not what they wanted anymore, because it was clear that their information, what they had been putting out for days, was just not correct.

So, Mr. Chair, I can tell you that my comments have always been factual; they have been to the questions asked. I have attempted to provide the information, and there has been a great deal of information requested, a great deal of information requested while we are still managing a system which has been under tremendous pressure for the past few weeks. So I certainly have to say that I resent the comments of the member in terms of how questions were being asked, and I have, in fact, tried to answer all of his questions fairly and openly but with the correct information.

I have to tell you I have never heard that it was wrong to say, I will find out. I have never heard that that was wrong. If the information the member asked is not directly committed to memory, because there is a volume issue here, then I do not think saying, I will find out, and coming back with that information is an inappropriate way to handle the issue.

The members across the way do not like the answer: I will find out and get back to you. They do not like it. They would prefer to have continually information such as theirs put on the record and then have to go back and continually try and deal with it. As I have said, my efforts are, to the best of my knowledge, the best information that I have received, the best information available at the time, and that is what I have been dealing with.

The member asks about two inmates who were released to their communities, and I do not have the exact date of their release to the communities. If the member, again, would like to consider that when we reach the Corrections line, then I will make every effort at that time to have that information available. I do not believe I have, at this time, that date of their release here now.

**Mr. Mackintosh:** It is incredible at a time like this, with a statement just made yesterday afternoon, late in the afternoon, the minister cannot come in to her Estimates the following day and give basic information. I then have to ask the minister, is it established practice of her department to release sex offenders to the care of chiefs and councils of aboriginal communities?

**Mrs. Vodrey:** The member is continuing on the line relating to Corrections and Corrections policy, and I know in specific he would like to deal with two cases,

and I am saying to him that where he would like to deal with the specifics of those inmates, it would be helpful if he considered that at the time of the Corrections line.

It is not unusual in this House, Mr. Chair, in fact,—and you can correct me—for information to be considered in certain lines, because it is Estimates, because it is a detailed look, for that to be considered at the time of that line when staff are available and when details are available. Even if those details are not available, I undertake to get the information. I have brought information back to this House on a regular basis, and so the member has asked me another question about regular practice.

I can only give a very brief answer to that, and I am not able to, at the moment, provide him with information on the specifics. As he does know, we do have community participation agreements with some of our aboriginal communities in which they agree to supervise probation. That has been part of our effort to work with aboriginal communities and that is one way in which we do, and I spoke about that last year in Estimates.

Now, if the member has some difficulty or question regarding these specific inmates or that this may, in fact, happen, then I would be very interested if he would put it on the record and make himself clear.

\* (0940)

### Introduction of Guests

**Mr. Chairperson:** Order, please. Before we proceed, may I direct the attention of the honourable members to the gallery where we have with us from Eastwood Elementary School the Grades 7 and 8 students under the direction of Myra Dunn. This school is located in the constituency of the honourable member for Thompson (Mr. Ashton). On behalf of all honourable members, I welcome you here today.

\* \* \*

**Mr. Mackintosh:** Can the minister tell the committee whether the aboriginal communities involved with these two sex offenders were parties to participation agreements?

(Mr. Peter Dyck, Acting Chairperson, in the Chair)

**Mrs. Vodrey:** I am not able to tell him that now. I used the example of community participation agreements as a way that sometimes inmates are released to their communities. Whether or not these specific inmates were released under those terms, I am not able to tell him at the moment and have said that I will be happy to talk with him about that when we reach the Corrections line.

Again, I could attempt to speculate, I could attempt to try and give information which is not before me. I just do not feel that that is really appropriate or fair to all of the individuals involved and the people of Manitoba. So though I am prepared to answer those questions to the best of my ability at the Corrections line, it seemed to me we had a number of issues to get to before that line. I have other staff available at the moment. That is my recommendation.

**Mr. Mackintosh:** This move of releasing the sex offenders to the care of the chiefs and councils, I ask the minister, has she considered what that means? What care? What liability? What programming? Is this part of a program? Was this a unique circumstance?

**Mrs. Vodrey:** As I have said before, again in a general sense, in the consideration of temporary absences, I am informed that some of the issues that are looked at are the issues such as support of a community, a plan for that individual within the community, what supports are available to that individual within the community including employability or programming, who will take responsibility for that individual, is there some very specific plan which has been put forward.

I gather that on a regular basis we attempt to look at those issues and we also try, in the case of sex offenders, to contact the victim and to consider the views of the victims. I am able to say to him in the case of the individuals I spoke about yesterday, in most cases, my understanding is that the victim was contacted. It was only in cases where we were unable to contact the victim that that was not done. In any case, the important part is that we attempt to take into consideration also the views of the victim.

So the plan and the terms and the help available to the individual, the reaction of the community, the community support and the views of the victim are considered and, to my knowledge, were considered in these cases.

**Mr. Mackintosh:** Can the minister tell this House whether the two sex offenders released to aboriginal communities, in her words into the care of the chiefs and councils of their communities, had programming and supports in place, were there participation agreements? What happened? What does she mean by releasing them into the care of the chiefs and councils?

By the way, Mr. Chair, I am not suggesting that this concept is unacceptable because quite frankly it may very well be a worthwhile endeavour within the spirit of the Aboriginal Justice Inquiry report, for example, but not, I would suggest, unless there is a participation agreement, not unless there is programming or supports, not unless the issues of liability and definitions of care have been defined. Can the minister please explain what she means by the care of the chiefs and councils?

**Mrs. Vodrey:** The department does administer the individual details and so that is why in these two very specific cases I am asking the member to wait until we have Corrections staff available so that I can make sure that I have the best information possible for these two cases. However, I have spoken again in a general sense about what we would expect and what we would look for, some of the criteria that we look for on release of temporary absences, which to my knowledge was brought forward in these individual cases. I am not able to answer without staff here, again, some of the details that he has spoken about. I would be surprised, and somewhat am surprised by his line of questioning in this area because it seems to me the questions from the other side, the questions from the NDP, have been for us to work with our aboriginal communities, to work with our communities and to involve them, especially where they are particularly interested in being involved.

I find it almost contradictory as I am listening to his line of questioning, which is somewhat accusatory, that perhaps this should not have happened. I am not able to comment at the moment, and I certainly will provide him with the details as they are available to me. I am somewhat puzzled by what I see behind this. It seems to be a philosophy very difficult to describe, for him to put into words. There seems to be some sense of resistance on his side, and I wonder if all members across the way feel the same. It is sometimes very difficult to find out from members across the way whether they all feel like this, or whether only one or two feel like this. It was

clear that there was a split on their position on gun control registration. We knew we had some members on the other side writing to say that they did not support registration. Then we had an official statement which said that they did.

(Mr. Chairperson in the Chair)

### Point of Order

**Mr. Mackintosh:** On a point of order, Mr. Chair. There she goes again. The position about releases to aboriginal communities has just been put on the record by this member. The point of order is that this minister is not dealing with the question. I ask that the relevancy rule be applied.

**Mr. Chairperson:** Order, please. The honourable member for St. Johns does not have a point of order.

Because there is a lot of leeway within 1.(b)(1), I would ask the minister if she could be relevant towards the questions. It does help the decorum a little bit more, and I think we have been moving along quite well since we started and I would appreciate if we could keep it that way. The honourable minister to continue her answer.

\* \* \*

\* (0950)

**Mrs. Vodrey:** The point I am making is simply in the discussion which takes place in Estimates as I am attempting to answer questions. I am attempting to understand from the member opposite if he may be taking a view contrary to a view that appears to be expressed by his party which is working with aboriginal communities. His line of questioning appears to suggest a reluctance to do so, and I am simply pointing out that we have seen in the past that individual members have taken a position different than their party and, if so, it is very helpful for us to know if he, in fact, feels differently, particularly in this situation.

So that is why I am asking for some clarification from the member in the process of Estimates where we do have a little bit more opportunity to try and understand the

questions and to try and understand the issues that are being raised by the other side. So, in terms of the specific question, I have explained that when Corrections is here I will make every effort, with detail available to me at that time, to answer.

In a general sense, I have provided an answer and have said that much of this information is also required for inmates who are released on temporary absences, that we have information about things such as employment and support that they might have within the community. To my knowledge, this same information and criterion was applied to these inmates and also that this was offered by the aboriginal community as a group.

I think the member would agree that community support would be helpful and is important and is important in helping people be able to try and move in the right direction and away from the criminal activity that they may have been in our institutions for.

I just would add to that to say community support is, I believe, very important in all of the issues that we are dealing with in the area of corrections, in the area of prevention, because we feel that community participation is helpful on all sides, and that is why this government has made a very specific effort to get communities involved and to find out how communities would like to be involved, not only on the corrections side, not only to deal with inmates who may have temporary absences or people's release, but to have them involved in the prevention side, to have them involved in youth justice committees, to have them involved in programs such as Neighbourhood Watch.

So there seems to be certainly an interest in the communities in becoming involved in the justice system at several points, and it would be one area that I think would be quite important for the release of inmates on temporary absences, and I will be happy to answer when Corrections is here.

**Mr. Mackintosh:** Is the minister aware whether the chiefs of the two aboriginal communities were contacted by Corrections officials, or indeed herself, before the release of these sex offenders back to the communities?

**Mrs. Vodrey:** Again, to my knowledge, yes, but I would find it best to confirm that when Corrections officials are

here to provide some specific information about how these arrangements were reached.

**Mr. Mackintosh:** I would say this is very frustrating. These are questions that are timely and within the minister's knowledge or ought to be. I understand that at least two of the sex offenders released had outright refused programming in the institution. Given her breakdown released yesterday, in what category are these two? Are they in the eight that were given temporary absences, for example?

**Mrs. Vodrey:** Very honestly, I want to check, because there has been a great deal of information. We spoke about four last week, and they were speaking about eight others today on temporary absences, and I think it is best to clarify which of those inmates are which. So my answer remains the same, that it would be very helpful to have Corrections here so that I can answer in detail the questions of the member opposite.

**Mr. Chairperson:** Could I recommend that possibly those members wanting to carry on their conference could do so in the loge.

**Mr. Mackintosh:** The minister has just told the committee, after speaking to the media yesterday and giving the details, insufficient as they were, about the sex offenders released by her, she cannot tell this committee the status of the two who we understand outright refused programming at the institution. That is unacceptable, Mr. Chair. She must know this information. Is it the case that the minister either is covering this up, or just as bad, has not informed herself of such an essential matter? I ask the minister to respond.

**Mrs. Vodrey:** I certainly resent again the member's comments of cover up. I would ask you, Mr. Chair, if in fact those comments are parliamentary or whether his suggestion that there is an attempt to do this is parliamentary because, in fact, that is absolutely not the case.

Over the past few days we have had numbers of inmates, some named, some not named, which I have had to then attach names according to certain criteria, and I have given information about some inmates who have completed the program, some inmates who have partially completed the program and then attended programming

in the community, some who did not attend the program but were released on medical grounds, so there has been a lot of information. When I have spoken about these people in detail as I did yesterday in the House, I had information before me which allowed me to give correct information, which allowed me to give the information sought.

Now the member seems to be saying he is having trouble getting the information that he is seeking. What I am saying is, I am happy to give him the information he is seeking. I think it is important, too. I tried to give it yesterday in Question Period; he did not want to hear it then. But that information has to be correct, there is just no point in my guessing. He can say as many times as he wants to that my desire not to guess or to say something incorrect is something that offends him or he has some problem with, but, Mr. Chair, he may want to try and trap—maybe I should not say “trap.” [interjection] He would like to trap, but that simply is not going to be the case. He can continue to push and to try and ask me to make comments as he has—[interjection]

\* (1000)

**Mr. Chairperson:** Order, please. Could I ask all honourable members to show the common courtesy to wait for the answer as I expect the people answering the questions to wait for the questions. We do not need the heckling happening in this Chamber. We will maintain a level decorum as we have since we have started the proceedings. At this time the honourable minister has the floor.

**Mrs. Vodrey:** It certainly is easier now without the calling out of members opposite who seem to find it difficult when members are attempting to answer the question if they are finding the answer a little hard to accept.

Now the answer is the same. The answer is the same as it has always been. There has been a great deal of information which has been given out. There have been a great deal of numbers thrown out by the other side which I have in an orderly way attempted to correct and to categorize. That has been the job that I have had to do based on their incomplete information.

They tell me that they are worried about public safety. I say if they are worried about public safety, why do they

not come and tell me who they are worried about so I can try and do something about it?

The most difficult part is that they go outside and they make allegations of concerns about certain inmates and about public safety, but they do not ever bother to bring that information in the real interests of public safety with names that they are worried about so that I can deal with them and I can check them out through Corrections and take steps, if those steps happen not to have been taken, to deal with it. Our interest is public safety; their interest, Mr. Chair, is grandstanding. Their interest is to try and make some political points—

**Mr. Chairperson:** Order please. The honourable member for St. Johns, on a point of order.

#### Point of Order

**Mr. Mackintosh:** I ask that you call the minister to order, ask her to withdraw the imputation that this side is grandstanding. This is a very serious issue of public safety. We have done what is in the public interest in raising questions, asking the minister to confirm or deny allegations that have been made by a correctional officer. We have provided the Community Notification Committee with information, asked them to get back to me if they need more information. The minister is the one who has the names. The minister has that information. It is her department. They are the inmates in the custody of her, and I ask the minister to withdraw the statement that this side is grandstanding. That is imputing a motive that is unparliamentary.

**Mr. Chairperson:** The word “grandstanding” has been used many times in Question Period and has never been ruled out of order, at this time, but I would caution the honourable minister to choose her words carefully. It is not necessarily the words, but the context in which they are used that does cause disorder. I would appreciate it.

\* \* \*

**Mr. Chairperson:** The honourable minister, to conclude her statement.

**Mrs. Vodrey:** As I said, if members opposite were truly interested in public safety—they admitted that they had the names, they said they had the names. They did not bother

using them here in the Chamber, but they told others, oh, we had the names of these people that we are worried about, but they never came to the Minister of Justice with the names of the people that they were worried about so that if something could be done that had not been done, then it could be done.

So what we see over and over again from the other side is a bunch of numbers thrown up, a bunch of allegations thrown up, and they say, I throw up these allegations in the interests of public safety, but in fact if they really had the interests of public safety at heart, they would come and say, as other members across the way have done—you know, Mr. Chair, it is not entirely unheard of for the other side in the real interests of their community to come to our side and to ask our assistance, and when that has happened, and I think we have seen evidence of it in the past few weeks, we have been able to work with that community. It is our intention to work with the community too. It is our intention to deal with public safety, and, where that has actually happened, the public has been well served.

Where it has been more difficult is where there have been numbers thrown up, allegations made, information on the other side where they have said, well, gee, we know the names of these people, but we are not going to tell.

**An Honourable Member:** I do not know the names.

**Mrs. Vodrey:** Well, that is what the public statement was. Not in here, mind you. If there is—[interjection] Mr. Chair, it is very difficult to answer when the member for St. Johns is screaming from his seat because I have touched a nerve. He is very sensitive about this point, and I am attempting to answer in the Estimates process. His behaviour speaks for itself.

Now to continue. We have had allegations and numbers thrown up by the other side by unnamed sources, by anonymous sources. We have had allegations that they certainly know names, and names have not been provided in the interests of public safety. As Minister of Justice, what has been important for me to do is then to make sure that I have the facts and that I deliver the facts as they are available to me to the people of Manitoba, and to make sure that where there are allegations or concerns that I check into those. Where the member has

information that he would like me to check into, I guarantee you I will most certainly do that, but when he presents those allegations as facts, that becomes the difficulty for the people of Manitoba.

**Mr. Mackintosh:** Perhaps the minister could confine herself to the reality here and of course allegations that are made by this side are indeed allegations, and we speak of them as such. Names that are given to us are allegations and no more. It is the minister who knows the names. In that regard, I ask the minister, of the 13 sex offenders let out—well, let us talk about the 12 and leave aside the one released due to a bail order—how many were incarcerated for assaults or interferences with children and how many were against adults?

**Mrs. Vodrey:** I do not have that information available at the moment, that is, information on specific files which would be available through Corrections. I have to tell the member, even when we get to the Corrections side, had he asked that question first at Corrections, I may have to have checked at that time. However, having asked the question, I will expect that I have that information available to me when we get to the Corrections line.

I have not at any time spoken publicly about the individuals in terms of who their victims may have been. In some cases, as I am sure the member knows, we want to be very careful because the inmates have sometimes been identified publicly, and we want to be careful not to in some way identify the victim if the victim is a child specifically. That is always the issue that we have to deal with when we deal with a child who has been offended against, to not make that child somehow the object of public interest. That is why there is always a great deal of care put forward in terms of the trial of these individuals.

If the member is trying, through the backdoor, to have names of inmates released and then find out who offended against children and in some way identify the victim, I do not see in any way that that is in the public interest for Manitobans. As a matter of fact, I find it shameful. I find it shameful that the member across the way would have so little regard for the people of Manitoba in terms of wanting to identify victims. In terms of general numbers, where I am able to and where it is in the public interest, yes, I am happy to provide that information, but I will at this point say it is with caution that I will

determine whether or not that information is in the best interest.

\* (1010)

What we have had is we have had names of inmates read publicly, and we have a Community Notification Committee. That Community Notification Committee does have the opportunity to identify inmates who are released to communities where, in the public interest, we want communities to know that this person is a pedophile. But I want to be very careful not to tie a specific offender and a specific victim which is, I believe, where his question is leading. I would think it most important to rely on the process that we have of the Community Notification Committee.

The member has said that he has had some contact with the Community Notification Committee, and that certainly is the right of citizens. We have set that committee up in the public interest, by the way, a committee that he said was useless, a committee that he said had no effect, a committee that he said—[interjection]

Well, you know, the member across the way again is screaming from his seat. He screams from his seat that now he has changed his mind about this, but he was on the record when the Community Notification Committee released its report as saying that—I paraphrase here—it was just worth nothing. So now we find that he thinks it might be worth something because he decided that he should use it, as citizens have the right to do.

There are two opportunities to use that Community Notification Committee: one, at the release of an inmate; and secondly, where a community person believes that the behaviour of an individual may be causing risk to the community. Generally that report is made to the police who are able to investigate if that person has been convicted and then make the referral to the Community Notification Committee. However, the Community Notification Committee operates independently. Certainly it would be my expectation and belief that they would want to co-operate in the interests of public safety, and I have not had them contact me about any calls from members opposite; I would not expect that to happen. There is that opportunity, if the member is worried about certain inmates, for him to deal with the Community

Notification Committee. His question, however, I would just put the proviso in: I think it is very important not to be able to identify a victim attached to an inmate.

**Mr. Mackintosh:** This is really a sham, a disgrace to this Legislature. This minister has really lost it. To suggest that I want to identify victims now from that question is so absurd.

**Mr. Chairperson:** Order, please. Could I ask the honourable member to put his comments through the Chair and not directly to any other member within the Chamber, as you are putting your question. [interjection]

I might have missed something. I will listen a little more intently.

**Mr. Mackintosh:** For the minister to suggest that I had called the Notification Committee useless is just nonsense. I certainly have talked about the limited potential of that committee, and indeed the minister must recognize that. We want to know why these individuals, how dangerous people are knowingly released into the community in the first place. That is the issue that I wish the minister would address, and I think the Arthurson inquest report speaks loudly about what this minister's actions are when it comes to sex offenders in Manitoba.

The question that the minister avoided, of course, was how many are rapists, how many are pedophiles, and she got off on her tangent. Very unfortunate that the minister does not have that very, very basic information.

I also then asked the minister if she said that the victims were contacted, when were they contacted?

**Mrs. Vodrey:** There is no tangent but the tangent the member opposite is on. The member opposite asks about victims. I made it clear that I will give the best information possible without tying any victim to a particular offender because names are being spoken about. The member across the way frequently has not really cared very much about due process. He constantly asks for me to speak about individuals who are charged and before the court, constantly trots out information, often comes dangerously close to the line for contempt.

**Mr. Mackintosh:** Answer my question.

**Mrs. Vodrey:** Now he screams from his seat again. He screams from his seat again because I touched the nerve. I touched the sore spot of his behaviour, Mr. Chair.

To the matter of notification of victims—[interjection] Mr. Chair, it is very difficult to speak over the calling out of the members opposite. I ask you to bring them to order.

**Mr. Chairperson:** Order, please. If the honourable member wants to carry on a conversation within the Chamber, I would appreciate he do so in the loge.

**Mrs. Vodrey:** Yesterday I provided information about the fact that it is our intention to notify victims, certainly where we can find those victims. Certainly, in the temporary absences which I spoke about yesterday, I did say that victims were informed where victims were able to be found. Sometimes we just cannot find them, but efforts have been made. The opinions of victims have been sought in several cases, or at least notification has been made when individuals are released. I believe I answered that question yesterday. I can answer in more detail. There is, however, at least one case where I am not able to speak very much about the victim, but in cases where possibly, yes, victims have been notified and where they have not been, I will be able to give them the details when the Corrections line comes.

**Mr. Mackintosh:** I feel it is my responsibility, for the record, when the minister describes interjections from this side as screaming, it is just so laughable. It may well be that I may come to that, Mr. Chair, if the minister continues to avoid the questioning. Since the minister will not tell the committee when the victims were told, would she at least describe for the committee what the victims' thoughts were on the early release of these offenders, since she said that they were canvassed?

**Mrs. Vodrey:** I would ask the minister to correct the record, correct the record in his comments that I would not tell this committee. My comments have been at all times to say that when we come to the Corrections line, I will be able with the staff available to deal with the details of the questions he has asked. There has not ever been any refusal. This is the difficulty with the member opposite in terms of his ability to understand. We are going through the Estimates of the Department of Justice. It is important the information I give be correct. He has

focused his questioning on Corrections. We are not yet at the Corrections line. I have said to him that when Corrections staff are here I will attempt to provide him with the information that he has asked for, as I have attempted to provide it for him over the past few days.

(Mr. Mike Radcliffe, Acting Chairperson, in the Chair)

\* (1020)

Mr. Chair, he asks me to memorize the individual cases of approximately 13 inmates who were released either at a legal release date end of sentence or on temporary absences, and I do not have that information memorized. So what I am saying is it is best given correctly when Corrections are here. We know very well that if I try and answer that from memory, if any mistakes are made, the member across the way will then continue to say that information given is totally incorrect. My effort is to provide correct information, because we know that there has been more than enough incorrect information in the form of allegations presented as fact by members opposite.

I would want to make it clear to this House, I am glad to be able to make it clear in Hansard, to clarify again that I as minister have not in any way refused to answer the questions. I have asked that the questions be posed in the budget line when staff with the details are available. That is clear, that has been stated over and over again. The member across the way chooses not to understand. I have given him as much information as possible in a general sense. I have spoken about our intention to notify victims. I have spoken about the fact that many of the victims were, in fact, notified, and I have said that in some cases we were not able to notify those victims or to find them, that being the difficulty.

However, in terms of the exact numbers, I do not have that committed to memory. In the interests of public safety, particularly in the interests of the victim, we do try to provide that notification.

**Mr. Mackintosh:** If the minister is having difficulty with garnering information, which I suggest she either has or ought to know, would she agree to moving to the Corrections line this afternoon beginning after lunch, and then we will return to Executive Support after we have completed the Corrections lines?

**Mrs. Vodrey:** I think that we have a number of issues to consider, and I think we should be considering the Estimates of the Department of Justice in order.

**Mr. Mackintosh:** Last Friday when allegations were made about the release of sex offenders, four at that time, the minister came back in the afternoon and essentially confirmed the allegations. At that time, was she aware of the release of other additional sex offenders?

**Mrs. Vodrey:** I have to say, first of all, the member's comments of, you know, came out of my office. If I do not come out of my office, he complains, if I do come out of my office, he complains, so he seems to have a problem no matter what.

However, last week there were allegations of four named individuals, and so I did ask for detailed information on those four inmates immediately and was able to correct information about their release. My understanding was there had been some questions, were they released on temporary absences, were they released at end of sentence, had they taken programming, had they not taken programming and so I wanted to clarify that information. However, I also, I believe it was on Friday, indicated the actual numbers of inmates released from Headingley and, yes, some of those inmates were among the sexual offenders who were released. I did not have available the detailed profile at that time. What I was responding to was the names of four individuals who were released who were sexual offenders who were among the number at that time of 63.

On Friday I provided the information about numbers of individuals. I believe it was Friday. We have been releasing numbers every day, it seems to me, this week trying to deal with numbers, trying to make sure that the numbers are accurate. So I did not ever say that those were the only four; I never said that. Now, I think the member opposite might have reported that I said that, but I did not say that, and I think that is a very important difference when we are talking about whether or not information has been accurate.

It is very easy to run out and say, oh, she said this or he said that. I think it is important to know what I, in fact, did say, and I did not ever say that these were the only four. I was commenting on four. I was asked to correct information which was out about four inmates last week

who were sexual offenders, or in for sexual offences, but at that time I spoke about numbers of temporary absences in general across the province and included in that were inmates out on temporary absences for sexual offences, who were incarcerated for sexual offences.

**Mr. Mackintosh:** Just to be clear, I think the minister confirmed this, but would she just clearly confirm that last Friday when she said 63 people had been released that she knew that among those 63 there were as many as 13 and certainly more than four sex offenders?

**Mrs. Vodrey:** At that time I had received global figures of the inmate release. Included in those global figures were four, the four inmates which I spoke about last week. We were compiling a profile of individuals. When asked to specifically identify how many of the 63 were, in fact, sexual offenders, I did that and I provided the information. In fact, I provided more. I provided how many were sexual offenders in Headingley at the time of the riot, that 31 of those were, in fact, still in custody. Then I spoke about those who were released. So I spoke on Friday about general numbers. Included in those general numbers—well, 63 temporary absences but four people last week, three of them were not on temporary absences, only one was. Three were at end of sentence.

This has been the difficulty with the numbers, and helping both the member opposite, the media and the public understand the way individuals are released, whether they are released at legal release date, at end of sentence, or whether they are released on temporary absence. Obviously the criteria for time served is different. When people are released on early release, they have served a certain amount of their sentence and there is a legal release date. Temporary absences require a different amount of time served, and they may be released from the institution, not to be fully released into the community, but again on temporary absence.

As I have explained, when people are released on temporary absence, they are then available to be brought back into the institution if there is any infraction resulting from any conditions. I made it clear last week, I used the example of one individual who was released on temporary absence who was not allowed to indulge in intoxicants, who, we were informed, had been drinking at a party; that person was brought back into custody.

So I have been dealing with different types of releases. I have been trying to be clear about those different types. It is obvious that members opposite do not always understand who has been released under what terms. It is obvious that the media as well is struggling to deal with how people are released, to understand.

I believe it was yesterday in Question Period, or the day before, that one of the members opposite asked me a question, and I do not have the Hansard with me, but in summary it was basically like, well, how can I let them out, in general. Well, you know, people do come to the end of their sentence and I do not have the ability to keep those people in, at least right now.

I have asked the federal government to look at changes for those people considered high-risk sexual offenders. We discussed that most recently at our ministers of Justice conference in Ottawa with the federal government. We discussed was there any way to extend a person's sentence who has not participated in programming who is still a risk to the community.

\* (1030)

At the moment the information I have is that there does not seem to be a way to do that or the federal government has not found a way to do that. So, at the moment, the best that we can do is look at ways to keep track of high-risk offenders, to keep track of those people that we want to know where they are. In our community we deal with a community notification process which was the first of its kind in Canada, but members opposite have asked me to find a way to keep people in jail even when their legal sentence is up. We do not have that way right now.

That is why it is important to understand how people are released. Whether they are released on temporary absence not at the end of sentence, released under certain conditions into the community, and otherwise if people are released at end of sentence, at the legal end of sentence, which is a requirement, that unless there is some reason in terms of the remission to not grant that, that has to occur. Then, even without remission, people still reach the end of their sentence and sometimes they reach it without having taken part in programming and members opposite have asked, well then, do not release them. Much as, in many cases, that might be what many would like to do, we do not have a way to do that at the moment.

**Mr. Mackintosh:** We have received a letter this morning from the Community Notification Advisory Committee, advising that it is the policy of Manitoba Corrections for staff to assess an offender prior to release for possible referral to the relevant police service so that notification to the committee can be considered. I ask the minister whether that was done in the case of the sex offenders released.

**Mrs. Vodrey:** I am informed again, though Corrections is not here, regarding the community notification issue, that inmates were assessed that, at the time of their assessment, it was not seen that these inmates were ones that would normally be referred to the Community Notification Committee through our usual process. However, as I have said, there are two ways that individuals can get referred to the Community Notification Committee. They can get referred by Corrections, provincial Corrections, federal Corrections, who assess that based on a criteria these individuals have not met the criteria and do continue to pose a risk to the community as sexual offenders; they can be referred.

However, we wanted to make sure that where the community was worried, where the community believed that there was in fact some concern on their part, there was a mechanism also for the community to make that referral. I understand that members opposite may have done that. I will have to ask the member if in fact that information is correct, but it is open to citizens who are worried about the behaviour of an individual.

The steps are a referral to the police; the police would investigate. Where an individual has been convicted of a sexual offence, as a pedophile or a sexual offence, the police may then determine that, based on that individual's behaviour, they will refer the individual to the Community Notification Committee. The Community Notification Committee will review the behaviour of that individual who is currently in the community.

So it is important to know that there are two ways and we have always made that clear since the formation of this committee that there are a couple of ways in which individuals deemed as a risk to public safety may be dealt with. I go back again to our discussion at recent ministers of Justice conference. This is Estimates; I think it is important to provide information to the other side, as well as to the public, that there is a general concern

across this country about the release of inmates considered to be high risk but who have reached the end of their sentence.

We have asked the federal government to work with the provinces to look at a mechanism, because right now it just is not there. We do not have a way. There will be a new category called long-term offender, but whether or not that really meets our criterion to maintain people still considered to be a risk in an institution for as long as is deemed necessary, I do not believe that has yet met that criterion though I believe it is a step.

What our province proposed then was a mechanism to at least notify communities. We have asked the federal government to look at a tracking system, but there was agreement and discussion at the ministers of Justice conference that even a tracking system requires you to across this country deal with mobility and that we want to come to a way to deal with high-risk, long-term offenders, but the federal government has to play a part in this.

So our government said, well, if you are not ready to do it, we will do what we can within our jurisdiction and put forward the Community Notification Committee. That is what we have done and, as I said, there are two ways in which an individual's name may come forward before that committee and the member references his use of the committee in his question.

**Mr. Mackintosh:** Getting back to the issue at hand, is it then the conclusion of the minister and her department that none of the sex offenders that were released would likely be referred to the notification committee by the police?

**Mrs. Vodrey:** I will just give the member a little bit of information that I do have available. He may want to get back to this at the Corrections line when more detail can be provided, but in a general way inmates are first of all initially assessed during a risk assessment on admission and at that point if they are rated as a high-risk individual, then they are flagged to be watched as a potential referral to the notification committee at the end of their term. There is also a second risk assessment which is done, and it assesses criteria based on nature of offence, previous offences and a number of criteria which, I gather, are used—I am told are used—on a regular basis.

It is my information at this time that that criterion was used and was applied and that based on that criterion, there was not an individual assessed at that time by Corrections for referral to the Community Notification Committee. However, as I have said, if there is a concern that members opposite have regarding a specific individual, there is a method open to them, as it is open to all citizens, to make that referral. That is why we felt it was important to have another method as well.

\* (1040)

**Mr. Mackintosh:** Can the minister tell us whether the conditions attached to temporary absence passes for those released after the riot have been reviewed since the time of their first release?

**Mrs. Vodrey:** Again, the member asks a question which is most properly posed when we reach the Corrections line of the Estimates of the Department of Justice. So I give him an answer again to the best of my knowledge at this time, and I am hopeful that he will use this information in the way that it has been given, the best information at this time.

To my knowledge, inmates have been assessed in an ongoing way for compliance to their conditions. I am also told that the risk assessment has been reviewed as well. I am told that some individuals have been brought back into custody. I say that does speak for the fact that there has been an ongoing review, but I say to the member again, if he has individuals known to him that he is concerned about, in the interests of public safety, bring them forward. In the interests of public safety, tell us whom he is worried about.

We have been doing our assessments, to the best of my knowledge, but if there are individuals that the member knows about, that he has information about that would be helpful in the assessment, then the right thing to do is to bring it forward and to say it and to give it to us, and let us—and I say “us” meaning the professional correctional officers, my department—then act on that information. I would say, you know, we have known there has been some information put forward which is not entirely correct, but at least it would enable us to correct information and put the member's mind at ease; or, if he has information that we should know about and we can

act on and it is found to be correct, an inmate should be returned, then that is what will happen.

I have listened to him speak about public safety. I have listened to him speak about his interest in public safety and acting in the interests of public safety, and I want to believe him. Then I say, follow that up with some action. If there is something that is available to you that would be helpful to the people of Manitoba—we knew it—then please bring it forward.

**Mr. Mackintosh:** I can assure the minister that we will take the appropriate action to protect the public interest if she will not with regard to the sex offenders, and we will make further inquiries.

I ask the minister, since she has said that there are 63 individuals released on temporary absence, did that number include Donald Rene Rouire?

**Mrs. Vodrey:** The number 63—the number that I spoke about on Friday, and I want to just say that that number which was the number last Friday—obviously fluctuates, that number, so I do not want the member to say that I said there were only 63 and always 63. That was the number on Friday. The number will periodically change as other people become eligible for temporary absences or people on temporary absences reach the end of their sentence, in which case they will no longer be a temporary absence. So the numbers will vary and they will vary day to day.

I think that that is important, because we are dealing with people, who as I said, may become eligible who were not eligible even a week ago or who reached the end of sentence now who were not at the end of sentence when that temporary absence was granted.

To my knowledge, the number 63 did not include Mr. Rouire because at that time it is my information that he was charged and therefore he would not be out on a temporary absence because he was in custody at that time.

**Mr. Mackintosh:** Can the minister tell us how many other individuals released on temporary absence following the riot or subsequently, either charged or in custody, in addition to Mr. Rouire?

**Mrs. Vodrey:** I do not have that information available at the moment because we are not on the Corrections line, so I would be best to answer that question, just so that the question is posed appropriately and I can look at having that information available. The member asks, of the numbers spoken about last Friday, how many of those may have re-offended and be brought back into custody. Was there another part to that question that I missed?

I will endeavour to have that information, the best information available when we come to the Corrections line.

**Mr. Mackintosh:** In addition to the individuals released on temporary absence numbering at least 64—and I note that while the number fluctuates, we have an increase from 324 TAs, for example, on April 25, up to 393 by May 7, so obviously the numbers go higher than 64 at times—I also would like the minister to tell the committee though how many individuals were released, as she says, at end of sentence following the Headingley riot.

**Mrs. Vodrey:** We have two issues posed in this question. One, a series of numbers thrown up by the member regarding numbers of people on temporary absences and I am not able to confirm those numbers. To my knowledge those numbers are not correct, and so I will have to check and see if those numbers—again, according to the Hansard that he has recorded them on—are correct.

I believe he knows that people listed on temporary absences, to my knowledge, include people who are serving intermittent sentences. People have releases for a number of reasons and also, to my knowledge, include those on federal parole as well, and so numbers appear to be large. They are not necessarily numbers of individuals on temporary absence released at the time of the Headingley riot. I want to be careful that those numbers are not misunderstood in any way.

The member asks a second question to say, how many individuals were released at end of sentence? That will require me to have Corrections look into that data and have Corrections have that information available. I gather they will have to go through and compile it; they may have it already available. I have attempted to answer as carefully as I can, how many that has been.

I have so far focused on the number on temporary absence. Yesterday, I spoke about four inmates who were sexual offenders who were released at legal release date and one who was released on bail at a court order. I just want to make sure that the record is straight, that there is no question in the mind of members opposite: I have never said that there were only four people released at end of sentence. That was a response to information that I had according to a question of how many were sexual offenders who were released at end of sentence. The number that I was given yesterday, to the best of our information and to my knowledge, was four, but I did not ever say that that was all there was.

\* (1050)

This seems to be the difficulty in that I give information in response to a specific question as I did last Friday—four inmates released, three of them on end of sentence, one on temporary absence—and then I am told that I said, well, no, you said there were only four sexual offenders. I did not ever say that, and I want to make it clear now with every statement that I make so that it cannot ever be misunderstood. I have undertaken to have Corrections determine how many individuals were released at what is considered legal end of sentence, legal release date.

**Mr. Mackintosh:** The figures that the minister was given on the absences included both legally and unlawfully, so the difference would include those numbers—just when she is looking at those. My question to the minister is, in addition to those on temporary absence passes, how many were released because, in her words, they were at end of sentence?

**Mrs. Vodrey:** I just explained that I will ask Corrections to undertake to compile those numbers and to look at how many people were released. I think he is asking, after the Headingley riot or in the week or so after the Headingley riot, who were considered to have reached their legal end of sentence. I was also making it clear again that I have not ever yet given any number which was considered to be a total number of people who reached the end of sentence. I just want to make that clear on the record so there is no misunderstanding.

**Mr. Mackintosh:** Well, in that, of course, the minister is just playing with words. She led Manitobans to

believe that there were only four sex offenders. When the question was asked generally about the release of sex offenders in this House, she talked only about four.

I ask the minister if she could tell us if arrangements were made with correctional facilities outside of the province of Manitoba to deal with the demands put on the correctional system in Manitoba following the riot.

**Mrs. Vodrey:** Mr. Chair, the member is the one who plays with words continually. The member is just unbelievable in the things he said which is why—and then he wonders why in the process of Estimates do I think that it is so important to have in front of me the absolute most detail that I can have, the most correct and up-to-date detail. The member goes off and talks about a statement, that he has been attempting to tell people that I said there were only four sex offenders released. That is absolutely wrong. I never said it. I would like him to withdraw it because that is simply not the case. It underscores why I am being so very, very careful in my answers, because it is clear he does not understand the answers given and things must be answered so very, very carefully and completely because the member opposite is just having a great deal of trouble.

Now, admittedly, this is a very difficult situation. It is very complex and I understand that it is very complex for people to try and understand the difference between temporary absences, between legal release date, where earned remission fits in. These are not terms that citizens normally deal with on a daily basis, and when someone is mixing them up and confusing them, then it is easy to see why people have had a confused message. That is why I am being very careful to be very, very specific about the terms used and the numbers used so there is no confusion.

The member asks, were other provinces approached to assist us, and yes, they were. I can say to the member that we were very pleased with the co-operation that we have received from other provinces, particularly Saskatchewan. Saskatchewan did assist us in the housing of inmates, and we received just tremendous co-operation in the transportation of those inmates and in the housing of those inmates.

I had the opportunity to talk with the Minister of Justice from Saskatchewan when we were in Ottawa

together at the ministers of Justice conference, and those accommodations had been made. I did have the opportunity to thank him personally on behalf of the people of Manitoba for the assistance of Saskatchewan Corrections and his department in assisting Manitobans in this difficult time. I think that it is continually important that we are able to co-operate where possible as provinces, and this was one instance where that did occur.

**Mr. Mackintosh:** How many inmates were transferred to Saskatchewan facilities?

**Mrs. Vodrey:** I do not have those details here. As I said, the exact numbers which were transferred to another institution I will have available, I expect to have available when Corrections is here and when we reach the Corrections line.

I just want to underscore again the fact that I will make that information available to the member when we reach that line.

**Mr. Mackintosh:** What does the minister mean by the term "end of sentence"?

**Mrs. Vodrey:** This is a term which is used—the legal end of sentence—the time at which, I am informed, by law an inmate will be released unless there is that within the institution which would disentitle that individual to be released. The legal end of sentence time is the two-thirds date. There is an entitlement if the individual has not—the assessment of Corrections, that they have not earned that remission, then they may be kept in for the final third.

It is most accurately a legal release date than a legal end of sentence, and to try and make the term clear, that will be the term that I will try and use for consistency certainly in the Estimates and in the process of our further discussions. So we are talking about legal release date, a date determined by law and it generally is about two-thirds of the sentence.

(Mr. Chairperson in the Chair)

**Mr. Mackintosh:** If one is a sex offender and does not enroll or complete the programming in the institution, is one still entitled to release on the two-thirds date, or is there an automatic requirement that the final third must be served?

### Introduction of Guests

**Mr. Chairperson:** Order, please. Before we proceed, may I direct the attention of the honourable members to the gallery, where we have with us from Garden Grove School forty-seven Grade 5 students under the direction of David Boulton. This school is located in the constituency of the honourable member for Inkster (Mr. Lamoureux).

On behalf of all honourable members, I welcome you here today.

\* \* \*

**Mrs. Vodrey:** Mr. Chair, again, there is some complexity to the answer and so I would prefer to give the detailed answer at the time that Corrections is here to be able to explain more fully what factors may come into play, and particularly in this province where we have attempted to make sure that that earned remission time, as it is sometimes referred to, is truly earned. But the details I would prefer to answer when Corrections is here.

\* (1100)

**Mr. Mackintosh:** The Winnipeg Free Press reports today that the minister said, and I quote: "the Community Notification Committee was not notified in any of the cases"—that is the 13 sex offenders released, and I continue the quote—"because most of the offenders on temporary absence had completed or participated in the program for sex offenders."

I ask the minister, since when was participation in a program the basis for not notifying the notification committee?

**Mrs. Vodrey:** I did go through earlier some of the criteria that are used by Corrections in terms of a referral to the Community Notification Committee, and when a person does participate in some treatment and how they respond to the treatment may in fact be one of the reasons to refer them to the Community Notification Committee.

I wonder if the member could just maybe add a little bit more to the question he has asked. I am finding it hard to distinguish that question to previous questions around

referral. I did tell him that to my knowledge there had not been referral, that there had been an assessment and that these inmates were not seen to be at the risk level—I am informed, according to the assessment—for referral. Again, if the member has further information, then I would be pleased to hear it or if he would like to add to his question so I can attempt to answer it in a more full way, then I will be happy to do so.

**Mr. Mackintosh:** Is the minister saying that one of the criteria as to whether or not someone gets reported to the notification committee is the enrollment in or completion of programs for sex offenders?

**Mrs. Vodrey:** Mr. Chair, it is not to my knowledge, and again this is an area for Corrections, enrollment in specifically; it is to my knowledge a responsiveness to the program, and there also may be other factors in the assessment as well which require a person to be referred to the Community Notification Committee.

**Mr. Mackintosh:** Is the minister saying then that she is confident that if one completed or participated in a program for sex offenders, they will not pose a significant risk to the community?

**Mrs. Vodrey:** No, that is not what I am saying. I am saying that there would be an assessment of the person's responsiveness to that program and, where they appear not to have been responsive according to the professionals, that that might qualify as one of the reasons for referral to the Community Notification Committee.

**Mr. Mackintosh:** Is the minister saying then that the words attributed to her as paraphrased, it is not in quotes, but in the Free Press today is incorrect, the words that I read into the record?

**Mrs. Vodrey:** I do not have the article in front of me, the article which the member does. I did quickly view it. I do not believe that it is incorrect. I am not quite sure what point he is trying to get to in this case. If he could be somewhat more clear about the allegation that he is making, then I will make every attempt to answer it.

**Mr. Mackintosh:** If the minister does not believe what is in there is incorrect, I would take issue with any decision that one should not be reported to the

notification committee simply because they participated in or completed the program, because that is what the paper said. Because if that was the criteria, then what you are saying is, you are using the nonreporting to the notification committee as an incentive to enroll in programming. To enroll in programming should be to change behaviour, so I will just leave that on the record, of my concern.

**Mrs. Vodrey:** I would say to the member that I am supportive of the positive that changing behaviour is the issue, and it seems that in this case we have agreement that that is important. I am not quite sure where he sees a discrepancy. The information reported was in response to questions. Had people attended programs? Yes they had or no they had not. I was trying to provide that information.

If the member now wants to get into a more detailed discussion about those individual cases and the decision by the professional group whether or not to refer them to the Community Notification Committee, then that, perhaps, can be undertaken when Corrections is here. I have to—we set the policy as this government and it is carried out by professionals within the field and if there is some question that the member is raising about how the practice of this policy was actually dealt with, then it is something that I think we do need to look into. I do come back to saying that I have been informed, to the best of my knowledge, that these particular inmates were not assessed at the level which would be referred to the Community Notification Committee.

There is always the option for a community who observes behaviour that they are concerned about to report to the police, the police to investigate and a referral be made from the community. So the member seems to be questioning the decision making of the correctional officers in their decision making to make the referral. If he is questioning that, then let us put that on the record that his question is, did they make this assessment properly, did they make a mistake. Obviously, we want to be sure that the practice is carried out in the interests of public safety too so, if that is his question, if that is his allegation, then I would be interested to know if that is his area of concern.

**Mr. Mackintosh:** Would the minister simply confirm that her statement in the Legislature on May 15 that some

inmates may have been released within approximately two weeks of their sentence completion is simply incorrect?

**Mrs. Vodrey:** Could I ask the member to pose his question again to clarify that the issue he is asking is that a statement made was that some inmates were released within two weeks of the end of their sentence?

\* (1110)

**Mr. Mackintosh:** My question to the minister on that day was how many inmates had been released from provincial Corrections institutions not because of the usual criteria but because of the riot and the resulting pressures on the provincial jail system. She responded, it is my information that some may have been released within approximately two weeks of their sentence completion. Would she admit that that was wrong?

**Mrs. Vodrey:** I can say that the statements that I have made at all times have been to the best of my knowledge with the information, the best information that I have been provided with at that time. I am not sure at what part the member is taking issue that some inmates were released within two weeks of their sentence. He seems to be taking issue at some point here and I would need to know what his issue is.

**Mr. Mackintosh:** I will just put it to the minister that Mr. Rouire certainly had more than two weeks left to the completion of his sentence. Does that not speak for itself?

**Mrs. Vodrey:** I do not have the Hansard in front of me that the member has and is referring to. From what he has said, he has said my comments were, some inmates were released within two weeks of the end of their sentence. That part is correct. To my knowledge, some were. That is what was said. He is now asking very specifically about a case which is before the court. He is now asking about a specific inmate who, and I want to be very careful, to my knowledge was released on temporary absence.

This is where the confusion of the wording for the member opposite seems to be a difficulty. Released at end of sentence, released on temporary absence, in what method of release is he actually asking me to comment

on? But I will say that I am not able to comment on the case that he has spoken about, Mr. Rouire, the case which is currently before the court. I have explained this many times to the member, that as Attorney General my comments must be made in court. My comments must be made at that time, and comments made outside of that process may, in fact, endanger the case going forward. So the member often taunts, goes ahead and says things which I believe are very, very close to the line of contempt and would like a response, and when he does not get that response now and he has to wait for court, he is always angry, he is always frustrated and he says I will not tell him.

Well, the process is clear. I believe most citizens understand that process, the process being that I cannot speak about a case which is before the court unless we are in court addressing the specific facts of the case. I believe for the people of Manitoba, one of the worse things that could happen is for me to speak about any case which is before the court which may ruin that case's chances of going forward. Then, I believe, as Attorney General I would have not acted fairly, and that would then become a problem.

The member opposite has quite a lot of freedom, as do members of the opposition, to simply say things. There is not much accountability, you know, on that side of the House. You can say pretty much whatever you want, and you can hope to say something which will cause a member on this side to have a specific difficulty, such as a case not being able to go forward. It has simply not been my practice to fall into that trap. In any of the cases that he has tried to bring forward, he has gone to outrageous and scandalous lengths, bringing parents here, carrying on in the hall, carrying on in the House, and yet he knows very well, he knows very well—I believe he knows or he should know—that I am unable to speak about that.

So, in answering his question, I am not able to speak about the specific case that he has brought forward, and I believe I have explained again why not.

**Mr. Mackintosh:** Perhaps some day the minister will consider the question of how information about TA policy generally, or even Mr. Rouire's TA, goes to his guilt or innocence.

I ask the minister on general temporary absence policy, is it not her understanding that it is policy that temporary absences are restricted to a maximum of 15 days which are renewable for further terms of 15 days to a maximum of 90 days?

**Mrs. Vodrey:** To the best of my knowledge, and again Corrections is not here, and the Estimates seem to be becoming an examination of Corrections specifically, to my knowledge the temporary absence at this time is 15 days. It is renewable, but renewable to a maximum of 90 days, I will have to check the exact details of that.

**Mr. Mackintosh:** Can the minister explain why temporary absences would then be granted for terms in excess of 15 days?

**Mrs. Vodrey:** If that did occur, then I would want to have Corrections here to answer to those calculations, and if the member believes that he has examples which were done outside of the regulations, then I hope that he will bring them forward, because it was my knowledge and my information, and assurance given to me, assurance given to me that practices were well within our regulations.

Now, if and when there may have been exceptions—and the member may have an example of that, I do not know. He has not said he does, but, if he does, I will be happy to look into it, because, if there has been an exception, if there has, then I would expect that there would be an answer, and I would seek that answer for him. So I have to say to him again, if he has a question which is in the public interest, where he believes he has information, where he thinks something may not have been followed through, then please give it to me, and I will be happy to look into it. I have made that clear throughout the whole of Estimates. That has been my position as minister.

The public does that. If they are worried about something, they phone me. They ask me to look into issues, and I do. If the member opposite has that concern, then I am happy to do that also for him.

**Mr. Mackintosh:** This was the question that I posed to the minister yesterday. It is our information, and I cannot confirm or deny it—it is within her bailiwick to confirm or deny it—but we understand from the RCMP who were involved with Mr. Rouire that Mr. Rouire's temporary

absence pass was for a period from April 25 or 26, no, I think it was April 26 to May 24, a period in excess of 15 days, which is contrary to our understanding of policy.

So I ask, how is it that at least in this case of Mr. Rouire and how many others—I do not know. I am not suggesting there are others, but the question has to be asked. These are questions. How is that at least in one case it is our understanding, and I invite her to correct it if it is wrong, from a reliable source, that is, the RCMP, Sergeant Hawkins that the TA pass of Mr. Rouire was to May 24?

\* (1120)

**Mrs. Vodrey:** I have made it clear that I am not able to speak about Mr. Rouire. Where these questions will be asked perhaps may occur in court, at which time answers will be able to be given in court, and details will be able to be provided. It is always very tempting to make a promise that I, outside of the court process, will be the one to provide that information to the member outside of court, but I cannot make that promise because that would, in fact, be a problem.

So I do not believe that I am able to answer his question specifically on Mr. Rouire, however, as I have said, we have a policy in this government of how temporary absences should be administered. If there are cases that were administered outside of that policy, then I want to know about it because I had been told, I had been given assurances, of certain information that those policies were adhered to. Now I will endeavour to find out if there were any people given temporary absences for longer than the 15 days. It is my understanding that it is 15 days, but, as I said, I will check with Corrections when they are here. Where there may have been exceptions, and I am not able to tell the member today that there are—I cannot confirm that until Corrections is here—then certainly we will be seeking an explanation too, absolutely. I think that that is important.

I do not believe that this is an area where we cannot co-operate. In fact, I think we should co-operate. So I will have taken note of the questions asked, and when I have Corrections here, these questions will be passed on to them, and I will attempt to answer these questions when Corrections is here. But it is important that they are here and I go back to my concerns that I spoke about earlier

this morning around answering questions regarding Corrections division without them here.

There has been a great deal of wrong information which has been put forward from many sources, many sources. There have been unnamed anonymous sources. Well, I can correct one source in terms of how many hours people worked in the institution, how many hours inmates worked in the institution. Then I saw that there was incorrect information given by an anonymous source today in the newspaper, you know, no attempt to check on it, just write it out like it is fact and say that it happened, that it was wrong.

So I make a great deal of effort to correct the wrong information that comes from anonymous sources. In this case, I believe this is a genuine question that the member is asking, and it is my understanding he has posed it not as an allegation but as a question. It may be an allegation, but I am saying that in this case I will look into it, in fact, Corrections has any information that is different than the original information which I was given. If that information is different than the original information I was given, we will expect an explanation about why that may have been the case and that is exactly what I will look into and expect to be able to answer when Corrections is here. If they are not able to answer it then, I will provide it to the member as quickly as I can.

**Mr. Mackintosh:** Would the minister, who went in after the riot and gave us the appearance of being in control of the situation, either confirm or deny whether she was aware of a decision to grant temporary absences generally in excess of 15 days?

**Mrs. Vodrey:** Certainly on the day of the riot and the day following the riot the goal was to bring the institution back under control to make sure that inmates were housed in secure situations, that public safety was what was looked after. That was the goal. I have been informed that the rules and the criteria were followed. Now, if there is any information now in the time following as we review and review and review, which is what we are doing, continuing to review those on temporary absences, behaviour of people on temporary absences, where there is any information which may be to the contrary, then I will certainly want to know about it, look into it and expect to have an explanation.

I would also just remind the member that this is an area that I have specifically asked Mr. Hughes to look at because I think it is important to have a third party, make a comment on this issue and to make a comment that nothing was done unlawfully, that reasonable measures were taken and that that will be included in the report. As I said at the time of the referral, there is a clause in Mr. Hughes's mandate which allows him to look at many other things, or other things which he believes are important, but I believe that, considering some of the public debate which I believe has arisen because of, in some cases, what have been referred to as anonymous sources or unnamed sources, there has been some debate certainly within this House. I think in that case, in the public interest, it is important to clarify, so I have asked for that independent third party to also review this issue.

**Mr. Mackintosh:** I would say thank goodness for those anonymous sources, Mr. Chair, which have helped spur some movement towards the community understanding the truth in this matter. Now there are three issues that I see following the riot and the release of the inmates. One is whether the criteria used to assess release is based on common sense. The second is the issue of the contradictions of the minister and her veracity. The third level, the highest threshold of concern, is legalities. So, when the minister asks Mr. Hughes to look at legalities, we are getting into very, very serious issues here which implicate the minister, there is no doubt, as the person accountable for what took place.

Beyond the issue of this 15-day temporary absence policy and whether that was applied or not—and I do not know, as I say—is the issue of granting temporary absence passes to individuals who have reached probation, particularly in their current term. It is my understanding that this temporary absence policy—that violation of any form of conditional release during the current term will normally preclude any form of conditional release for the remainder of the current term. Only makes sense; it is a good policy; there has to be some consequences for breaching probation orders. I look at the case of Mr. Rouire. From the information I have, and I hope that this is his complete record now, it appears that he breached every recognizance order that was directed against him, including the one stemming from the August 8, '95 conviction. So on March 4, he was convicted of failure to comply with recognizance in his current term.

I ask how it is, if normal procedures were applied, how Mr. Rouire could possibly have been released on temporary absence when the policy states otherwise, as I understand it. I may not understand the policy, and if so, I ask the minister to correct it. I may not have all the facts on Mr. Rouire's sentencing, and I ask the minister if she could address that. That does not go to his guilt or innocence on the charges that he is facing.

\* (1130)

**Mrs. Vodrey:** The member, I believe, is trying again to get me to comment. It may not appear in his mind that these comments in any way interfere with what may be put before the court, which might be in the public's mind, but on the best advice that I can receive, on my own knowledge of my position as Attorney General, on the integrity of my position, I just cannot comment. The member always makes it enticing to want to comment. There are many times that it would be, I think, wonderful for me if I could, but I am the one who holds the office; I am the one who took the oath, and I am the one who is responsible to see that these cases are brought forward to the court, and that is exactly what I will do.

I am extremely, extremely careful in my role as Attorney General. In my role as Attorney General, it is not a political one. My work as Minister of Justice when I answer for other political decisions and policies, that is well within the realm of what I can speak about. In my role as Attorney General, I have limits. I am not then able to deal with decision making in a political arena. That is the important distinction of the role of Attorney General. I think in my cases it is not a well-understood distinction that the Attorney General does not take political advice, does not discuss cases in a political arena, but that is the fact of the role, and it is an important one. I continue to hold fast to carrying out my role as Attorney General in that very ethical style.

If the member opposite does not like it, I believe that the media has begun to understand the very special role of Attorney General, and I believe many of the public understand it, though people do want to have information and yet they also want the case to go forward to court. The member very often makes it tempting to wish I could reply in a political arena, but I can tell him as Attorney General, I can not. As Attorney General, I reply in court.

**Mr. Mackintosh:** On the first part of the question, can the minister confirm or deny or in any way tell me whether my understanding of correctional policy is correct, that one in breach of a conditional order and the current term will normally preclude any form of conditional release?

**Mrs. Vodrey:** As the member asks for a strict interpretation as was interpreted by Corrections, I would prefer to wait until the Corrections line so that I can have advice on that matter.

**Mr. Mackintosh:** I wonder if we could just break for three minutes, if I can just run out and back.

**Mr. Chairperson:** The committee will recess for five minutes.

*The committee recessed at 11:34 a.m.*

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#### After Recess

*The committee resumed at 11:44 a.m.*

**Mr. Chairperson:** Order, please. The committee will come to order.

**Mr. Mackintosh:** What consultations did the minister have with her staff immediately following the outbreak of the riot at Headingley in terms of the release, whether by TA or by what she calls end-of-sentence release, and what decisions followed from those consultations?

**Mrs. Vodrey:** My focus immediately following the riot was the securing of the institution. That was the focus of my discussions with my staff also, and also to ensure that other institutions which were housing inmates were, in fact, secure. I was wanting to make sure that additional staff were necessary, were available and had been deployed to those institutions. I wanted to make sure that there was security within the institution and dealt with the institutions because what we did not want to have was any further difficulties within the institutions occurring. So that was the focus of my discussion.

Decisions were made by professional correctional officers. I did not intervene in terms of the placement of

inmates, in terms of which institutions they were placed in or whether or not they were released on temporary absence. Those decisions again were made by Corrections. I did not intervene in the placement of inmates at the federal institution, nor in Saskatchewan.

My overall goal and overriding concern was for public safety and security and that inmates who were required to be within institutions were transferred to those institutions and that those institutions were secure. That was the focus of my discussion with Corrections.

**Mr. Mackintosh:** Again, very specifically, what decisions was the minister involved in regarding the release of inmates, given the immediate pressures put on the correctional system in Manitoba?

**Mrs. Vodrey:** I did not intervene in that decision-making process. That decision-making process was made by Corrections in their assessment of placement of inmates or granting of temporary absence. I have told the honourable member that I have been informed that those decisions were made according to our government's policy and criterion. That is the best information which has come forward to me, and that is the assurance that I have been given by Corrections on an ongoing basis.

So, if there is any further concern about that, then I would certainly be very interested in any specifics, and I have also told the member that there is ongoing review and assessment of inmates who are out on temporary absence, review of their behaviour and performance, supervision in terms of making sure that conditions are not being breached.

Again, there is policy in that area, and it is my expectation that that policy is to be carried out. I have been told that it is being carried out, and, again, if there is any information to the contrary in the form of allegations or sources that the member has, that he thinks would be helpful to the public safety of Manitobans, then I would most certainly like to know. That is a position I have taken on all matters, as I have said earlier, on all matters. When someone has information that affects the public safety of Manitobans and there is something that I as minister can direct to increase that public safety, then I am very interested in looking at being able to do that.

I have found, however, that sometimes allegations are made which are not correct and which, when I am able to find out the accurate facts, I am able to set the person's mind at ease or the public's mind at ease about what the true facts are. However, there are times when certainly, if there is something I can act upon, I would make every effort to act.

The one area that I am not able to speak about acting in is when a case is before the court. That is one where I then assume my Attorney General role specifically, and that case is prepared for prosecution. We make sure that that case then will go forward in the best interests of Manitobans.

**Mr. Mackintosh:** Getting back to my simple question, the minister said she did not intervene in any staffing decisions. I want to know what decisions she approved about the release, whether temporarily or otherwise, of inmates following the riot from Headingley.

**Mrs. Vodrey:** I have answered that question. I have made it clear. You know, one day I heard the member on the radio, and he tried to say that I signed the temporary absence forms. I heard him, and I heard the radio announcer astutely say to him, come on, the minister does not sign those. Well, anyway—I mean, he has tried to make all kinds of allegations. I have made it clear that—[interjection] Well, I mean, you know, listen to the tape. He said it on the air, and I happened to have heard him in the interview.

So I make it clear to him again, the Minister of Justice does not sign the temporary absence forms. The decisions are made by professional correctional officers. I do not intervene in the decision-making. My role as minister is to set the policy. That policy has been set by this government, and now it is the responsibility of professional correctional officers to carry out that assessment, and that is what is being done.

I have not intervened in any specific case. However, what I am interested in and certainly express concern with is that the issue around temporary absence was raised as a concern publicly. I made it clear to Corrections that I wanted to make sure that all cases were reviewed, and Corrections told me at the time that, in fact, that review was already ongoing, that that review, though I had ordered it on a specific day, I was told that, in fact, that

review, though they would be responsive to my direction, was already a part of the process. They were already doing that and, to my knowledge, are continuing to do that.

Now, when Corrections is here and we are dealing with the Corrections line, I believe that we will be able to perhaps give more information, where possible, to the member, but I believe I have answered his questions. I do not sign the temporary absence form, and the practice is carried out by professional correctional officers.

**Mr. Mackintosh:** I still have not got an answer to my simple question about what decisions the minister approved as to the release of inmates temporarily or otherwise following the Headingley riot. Would she just give us an answer to that.

**Mrs. Vodrey:** This is now the third time that I have answered the question, which I believe is understandable to most people. The answer is that I do not intervene and I do not make direct decisions on the release of inmates. I did not participate in the direct decision making for release of inmates, and as I have said from the very beginning, those decisions were made by professional correctional officers. They were made, I have been told—I have been informed and I have been assured that they were made in line with this government's policies.

Now, I have also said if there is some concern or question about that, and the member has an example, please give it to me. I have also taken the step to say, let us have Mr. Hughes review the steps taken at this time to make sure that the steps taken were reasonable, not unlawful, and that is the information that I have and the information that I have asked to be reviewed.

I have made it clear. I do not sign those forms. I do not participate in the direct decision making of release of inmates, and, in fact, if I did, I think he would probably be the first one to claim that there was some political interference, that there was some reason that I was saying yes or no, so it is, I believe, more reasonable to say that government set the policy and that the practice is carried out by professional correctional officers.

**Mr. Mackintosh:** Indeed, it was the policy decisions by this minister which are of interest to this side. We want to know what policy decisions she had approved

regarding the release temporarily or otherwise of inmates from Headingley. If the minister will not answer that, I ask her, what policy decisions was she advised of that were being applied to the release of inmates to deal with the pressure on the correctional system following the riot?

**Mrs. Vodrey:** The policies regarding release according to temporary absence were made by this government, were put in place, to my memory, the date was February 19, 1995. My question to Corrections is now and has always been, were our policies followed, were our policies put into practice? The assurance that I have received is yes, that our policies were in fact those which were practised during the release of inmates. That is the information and the assurance that I have received from Corrections certainly to this point. If the member has reason to doubt that that happened, then he should say.

There was a question from the other side about, was there any change in policy and, no, not directed by this government, no, there was not. The policy that I am told that was used was the policy that was in place by this government. I am struggling to understand how I may not have provided the member with the information he requires because that is the information which was given to me with assurance, which I have been providing back to this House. If there is reason to have doubt of that information, the member should bring forward his reasons for doubt but, to assure the public and everyone, then, I have Mr. Hughes to review that.

**Mr. Chairperson:** Order, please. The hour being 12 noon, this House is now recessed until 1 p.m.

*The committee recessed at 12 p.m.*

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#### After Recess

*The committee resumed at 1 p.m.*

**Mr. Chairperson:** Would the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Justice. Would the minister's staff please enter the Chamber at this time. We are on Resolution 4.1 Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits.

**Mr. Dave Chomiak (Kildonan):** I just want to preface my question, Mr. Chairperson, with the fact that in no way will my question or questions in any way, shape or form refer to the Rouire situation or case, and that any questions that I ask exclude any reference to that particular individual and that particular case and the circumstances surrounding that individual. I just want to preface my comments with that for the minister.

I want to ask the minister, during the course of her preceding responses to the member for St. Johns (Mr. Mackintosh) before the break, she indicated two things—and if I am incorrect, I would appreciate if the minister could correct me—firstly, that policies had been put in place, I believe the minister referenced February '95 concerning temporary absence releases and that she queried her staff and officials as to whether or not those policies have been followed. Is that a correct assumption?

**Mrs. Vodrey:** I am very pleased to hear that the member for Kildonan (Mr Chomiak) will not be referring to a case which is currently before the courts, because I am hoping his understanding from his former career as a lawyer will provide him with the background that I am not able to speak about it. As I am sure he has heard as he has listened to the process of Estimates and questions in Question Period, there have been a number of attempts to require me to speak about that case. I have explained that as Attorney General I believe that there are, very significantly, limits on any comments that I make and, in fact, that I cannot make comments about a case which is currently before the courts, a case which has been referred to by members opposite, or any other case.

As Attorney General, that is sometimes hard because there is always the temptation to want to speak about those things, but recognize that I cannot. It is a simple matter for the opposition to be able to do so, not a matter at all in which—

#### Point of Order

**Mr. Chomiak:** I am just looking for your direction, Mr. Chairperson. I indicated as a preface to my comments that I would not be referring to a case, and I asked a specific question of the minister, and now the minister is referring to that particular case in the course of her

comments, and I wonder what relevance that has to do with the question as posed to the minister.

**Mr. Chairperson:** Order, please. The honourable member for Kildonan did not have a point of order. It was a dispute over the facts, and I would advise the honourable members that points of order are to be raised when there is a concern over a break in the rules within the Chamber, not just for disputes over the facts or if you agree or disagree with comments being made.

\* \* \*

**Mr. Chairperson:** The honourable minister, to conclude her statement, please.

**Mrs. Vodrey:** The member perhaps could regard my comments as a preface also then, because he has not been the questioner specifically around this matter, and I think it is important to clarify for him and for others who may need that clarification, in some cases again and again, as to whether or not I am able to speak about a specific case.

He tells me he does not want to speak about that case, and I look forward to that kind of co-operation from the members opposite. I have not seen it yet. In fact, several members opposite have continued to raise issues regarding a specific case before the court. So this will be a pleasure if, in fact, there is a member whose questioning does not raise that.

The member then asked me to clarify or to state again what interaction I had with my Corrections staff regarding the criterion for release, and I believe that that is the question that the member asked, and, as I said earlier before the break, the policies were put in place by this government. I believe the date was February 1995, and it is those policies which I have questioned senior officials, were these policies the ones that were applied, because it was my expectation that those were the policies to have been applied, and to this date, the assurances that I have received from my correctional staff are that, yes, the policies that are in place were the ones that were applied during the release of any inmates.

**Mr. Chomiak:** Can the minister specifically indicate when she asked her officials when those policies were put in place, specifically when she made the query of her departmental officials as to whether or not those policies

met with provincial guidelines as referenced back to February '95?

**Mrs. Vodrey:** As I have indicated, my first concern has always been for the public safety of Manitobans. That was the issue which we dealt with at the time of the riot, and what I was told at that time was that inmates were assessed and that we were dealing with placement of inmates within the institutions and we were looking at the safety and security of all people concerned.

I believe that the first time I asked the specific question around, were policies followed, because it is my expectation that they are followed—it is the expectation—was when the issue was raised about whether there was a concern about the following: Was there any relaxation of our policies about the time that one of the inmates who was released on temporary absence faced a murder charge? At that point I sought assurance on behalf of the people of Manitoba that our policies had, in fact, been followed, and it was about that date. That is to the best of my recollection, it was about that date that I did receive assurance that these were the policies that were followed and that, in fact, I was told that they were.

\* (1310)

**Mr. Chomiak:** Is the minister saying that at no time prior to her determining or hearing about a difficulty concerning a particular case, her officials—is the minister saying her officials did not come to her at any time prior to that and say, these are the options we are pursuing with respect to the release or the relocation or the procedures dealing with inmates? Is the minister saying, until that issue was raised following the incident that the minister referred to, her officials never came to her and presented her with either a final decision with respect to those or options with respect to those?

**Mrs. Vodrey:** These judgments are exercised on a daily basis by Corrections and that is the process of Corrections. To my knowledge I did not have Corrections come to me and present me with a series of options of what would occur or should occur. I deal directly with senior staff and senior staff did not raise this issue. I will check the recollection of minds who were also there, but it is our collective memory that this was not raised as a series of options to us at that time.

These are methods, these are mechanisms which are in place and are exercised daily, as I have said, by correctional officers. Questioning has occurred from the member for St. Johns as to whether or not I had a direct involvement in any of the decision making around the release of inmates and I have replied several times that I do not have that direct involvement, I do not sign the temporary absences, I do not have the direct involvement in the risk assessment. My role as minister is to set the policy. Correctional officers follow a practice and, as I have said before, if the member opposite, if the member for Kildonan has any information which suggests that that practice was not followed by correctional officers, then I would ask him to inform me. I would ask him to inform me so that there can be any correction which may be required. If he does not, then perhaps he should say that, too, because I can tell him that I do not have direct involvement. In fact, Mr. Chair, if I did have that direct involvement, the question from the member for Kildonan will be, how is it that I have the expertise to make that decision? How is it that I as Minister of Justice suddenly become the expert in the risk assessment, a different kind of expert or perhaps a better expert than professional correctional officers?

So the answer is no. I do not claim that expertise, and I do not intervene regarding individual cases. However, it is my expectation that the criterion is adhered to, that the rules established are the ones that are followed. If there is any change in that, and he has information on that, then I would challenge him to bring it forward and let it be corrected, because our goal remains public safety.

Mr. Chair, as I have said in the House this morning, I would say again and have said before, there is ongoing assessment of individuals who are out on temporary absences. That assessment is ongoing. There have been some individuals who have been returned to the institutions. People are released with conditions, and we do not want to have those conditions breached. So if the member has any further information on, not just how prisoners were released, but, if in fact there was a breach of conditions after their release, then I would like him to bring that forward too.

Where he has any information which might be important to the public safety of Manitobans, I challenge him to bring it forward, because that is the way we do find out. If people breach conditions, we have to know.

We find out through our own methods of supervision. There may be citizens who have information that want to tell us further information, and I look forward to that. That will certainly be forwarded on to Corrections so that Corrections can then take the steps that are required in terms of investigation or perhaps having that person returned to the institution.

**Mr. Chomiak:** The minister has indicated that she made no queries of her officials regarding release or absences of prisoners until she heard about a situation occurring, after this event had occurred. She said that the issue of releases was not raised as a series of options. Was, at any time, the minister presented with a plan by departmental officials, by Corrections officials or by anyone associated with the department or with the jail concerning how prisoners would be dealt with following the riot?

**Mrs. Vodrey:** The issues that were discussed between the senior officials of Corrections and myself and the deputy minister were that some inmates would be moved to other institutions across the province. I did not have any direct involvement in saying who should go where. That assessment of who should go to institutions such as Brandon, which is a higher security institution, was made by the officials—who would go to Dauphin; who would go to The Pas. Those decisions were made by correctional officials, and what was brought forward to me was that we would have inmates placed at other institutions; that we would have inmates placed at Stony Mountain, and that we would enter into an agreement with Saskatchewan to accept some of our inmates.

Some inmates for placement in federal institutions did require a direction or a signature which was provided by the deputy minister so that placement could take place. So in the interests of public safety of Manitobans, I was informed that prisoners would be placed in other institutions, some of which would be placed in a federal institution, some of which would be placed with an agreement with Saskatchewan.

**Mr. Chomiak:** Is the minister saying, during the course of this discussion or other discussions, at no time was the minister apprised of the fact that some prisoners would be released on temporary absence or some other forms of release? Is the minister saying that topic, that issue was never discussed?

**Mrs. Vodrey:** To the best of my knowledge and recollection, that option was not discussed with me, Mr. Chair.

\* (1320)

**Mr. Chomiak:** Was it discussed with a deputy minister or other senior officials from the minister's department whom the minister is directly responsible for?

**Mrs. Vodrey:** The deputy minister informs me that some reference was made to him regarding temporary absences, and that was made in the context of discussion of overall placement of inmates across the province.

**Mr. Chomiak:** I remind the minister that is why, when I originally placed my question, I asked about options being presented regarding placement of prisoners, and the minister has now confirmed that a discussion did take place concerning placement of prisoners with the deputy minister and temporary absences. Can the minister outline for me what the extent of that discussion was and what the involvement was of the deputy minister in that decision?

**Mrs. Vodrey:** My recollection—first of all, the member's question was any involvement that I had, so I have explained to him that was not raised to me. His question now: Was the deputy minister? And I confirmed that, when he asked that question, the deputy minister has now just informed me that this was raised to him, and it was raised in this context, simply that there—just let me check and confirm that I have got exactly the information given to him—were that some inmates would be going to other institutions, Brandon, Dauphin, Stony, for example, and that some would receive temporary absences. I am informed by the deputy that that was the extent of the discussion with the deputy minister by senior correctional officials in terms of their responsibility to ensure that inmates were placed in the appropriate settings.

**Mr. Chomiak:** Mr. Chairperson, so I now see we have to change our line of questioning to say, was the minister or the deputy minister informed of particular instances? So I will do that accordingly.

Was the deputy minister at any time advised, other than discussion that was referenced in the minister's preceding answer, did at any time it come to the attention of the

deputy minister that prisoners were going to be released on TAs, that policy was going to be reviewed concerning the release of those prisoners on TAs, or did he question at any time the policy approach concerning the release of prisoners on TAs?

**Mrs. Vodrey:** The deputy minister informs me that there was a brief reference to temporary absences at the time of the riot and that was all. There was not a further discussion regarding policy; there was not a further discussion regarding any other details.

Now, the member seems to be having trouble saying, well, should I ask you if you were there or the deputy was there or who was there. That is an important part of the question. That is important for you to be specific about, because the question is, you have asked did I have knowledge, did others have knowledge, and I am attempting to answer your question. Now, I do not think that is too much trouble. He indicates that it is some difficulty, he is going to have to think about it, but I am sure he will be able to think about it and frame his questions appropriately, Mr. Chair.

**Mr. Chomiak:** Mr. Chairperson, it is important because there is a concept of incompetence and there is a concept of wilful blindness. It is my contention that the minister is either very incompetent in the handling of her duties or she is suffering from a case of wilful blindness, in which case she shuts her eyes to the facts and utilizes her staff to shield her from the information. That is my belief.

So my difficulty in phrasing the questions is I was trying to phrase them in a manner to elicit information on behalf of the public, but I am afraid I have had to outline to the minister the basis of my thinking concerning this because the minister chooses to treat this matter with a cavalier attitude which I think is inappropriate concerning the circumstances of this situation and the subsequent events that occurred, particularly in light of the fact that this minister stormed down to the jail which I thought was inappropriate and I referenced in my speech yesterday, and inappropriately decided to take charge of the situation and decided to, for whatever reason, perhaps political, as was suggested on the radio this morning, take advantage of the situation.

I hope that was not the case but it certainly was suggested, and by virtue of saying that she was in charge,

took on her shoulders the responsibility of dealing with this issue.

Since there has been, subsequently to this event, a series of terrible misfortune, terrible mishaps and terrible errors, the minister cannot hide from her responsibility in this regard. She cannot shield herself from responsibility by saying, oh, it was not me, it was my officials, which the minister continues to do in this House during Question Period and now during the course of this Estimates debate, and now says, well, you have to ask specifically whether it was me or whether it was the deputy minister.

I only return to my initial point, that it is either the concept of responsibility the minister ought to adopt on her shoulders or wilful blindness. It is one or the other and in both cases I think it is inappropriate for this minister to not accept responsibility or conversely to be wilfully blind to the facts and to shield herself in order to protect her political fortunes.

Is the minister therefore saying that except for the one conversation with the deputy minister that occurred around Headingley that she referenced two or three occasions, is the minister saying, that is the only reference that she or the deputy minister or senior officials had concerning the TA policy until the minister or the deputy minister or senior officials heard about the case that occurred that we are not supposed to refer to but that the minister referred to in her comments being brought to her attention?

**Mrs. Vodrey:** Well, let us talk about political actions for a start. Let us talk about the political actions of the member for St. Johns (Mr. Mackintosh) who, on the day of the riot, against the advice of police, went right out and spoke publicly. Let us talk about political actions and political grandstanding against the best advice during the negotiation of a riot. Let us talk about who took the riot seriously, Mr. Chair, and let us make it clear, it was never the member for St. Johns, ever.

The member for St. Johns attended in my office a meeting with senior RCMP. At that time negotiations were going on to end the riot. It was the intention of all concerned to have that riot end without an escape, without any storming of the institution by emergency response teams and, through a negotiated end to the riot, obviously the best ending in all circumstances.

Yet we have the political, blatant political actions of the member for St. Johns that the people of Manitoba will never forget, because they know who put the lives of RCMP officers on the line, the lives of correctional officers on the line and the lives of prisoners on the line, and it is absolutely scandalous. One would say that from the time he was in my office, every time he appeared before the media and on the media after that time to politically grandstand, he put someone at risk because, at that point, let us talk about wilful blindness. At that point he was fully informed about his actions—fully informed—and, with that full information, still chose to go forward in front of the media and to speak out politically about information that was wrong, wrong information, speculating, fuelling concerns of individuals and talk about wilful blindness when there was a direct piece of information given to him by the senior RCMP officer in this province.

\* (1330)

There was an effect of that behaviour, of the behaviour of the member for St. Johns, that not only was felt within the institution, because there was an effect of people saying, oh, there is an idea, and there was an effect on the families of RCMP officers, of correctional officers, of other police officers who attended at the scene and also of families of inmates, who then began to wonder, is this going to affect the person that I love? Is this going to inflame the situation so that the people that I care about have to storm into that institution to bring an end to something that the member for St. Johns had a full part in wanting to inflame.

#### Point of Order

**Mr. Chomiak:** Yes, Mr. Chairperson, I had a little trouble saying that because I was shocked that the member for Rossmere (Mr. Toews) was clapping when I stood up to raise a point of order, but having said that, I think the allegation made by the minister is inappropriate and to attribute that kind of motivation—I listened earlier and I debated whether I should stand up when the minister said that the member politically grandstands, but to indicate that the minister inflamed the situation and deliberately affected and put people's lives in danger I think is totally inappropriate and attributes—it is not the kind of motives that any member of this House should attribute to other members of this Legislature.

I think it is totally inappropriate to indicate that a member of this House would deliberately inflame the situation, deliberately put people's lives at risk. I know the minister is saying from her desk that he did, but I would ask you to call her to order, that it is inappropriate for an honourable member to attribute those kinds of motives and those kinds of actions to any member of this Chamber.

**Mr. Chairperson:** Order, please. I am going to take this matter under advisement and get back to the House at a later date on it.

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**Mr. Chairperson:** The honourable minister, to conclude her statement.

**Mrs. Vodrey:** I can tell the member the effect of such appearances. The effect of such appearances was hundreds of phone calls into the lines which we had set up for families to phone to find out what exactly had happened and what was the state of the person that they loved and cared about, so there was an undeniable effect of failing to take the advice and appearing before the media.

So let us just, you know, talk about wilful blindness from the other side. Let us talk about political actions from the other side. Let us talk about a cavalier attitude from the other side.

Now, Mr. Chair, the member also in his comments made reference to something he called terrible errors. He makes an allegation of terrible errors as he got into full flight in his speech, and I would say to him, if he has evidence of terrible errors, which is what he said, that perhaps he would like to put those on the record and attribute them to where he believes the terrible errors came from, because there have been a lot of allegations made, a lot of allegations made, and I have been attempting to correct those allegations over the past few days and to make it clear to the people of Manitoba what, in fact, happened.

So is he alleging, and I believe he is, that terrible errors were made by correctional officers, terrible errors made by correctional officers—let us hear him say it on the record. Let us hear him make those allegations that he is

couching in whatever language. If that is his allegation, go ahead and make it on the record.

**Mr. Chomiak:** Well, Mr. Chairperson, I will not make allegations about terrible errors of Corrections officials. I will make a statement that the minister has made some terrible errors in the undertaking of her duties, and I do not think the minister should shirk her responsibilities by continually trying to pass off those responsibilities to her officials. She was sworn in as the Minister of Justice. She ought to do the honourable thing and take that responsibility and follow the British parliamentary system. If she recognized her responsibility and would follow the British parliamentary system, she would adopt the course of action that I have suggested yesterday she ought to follow.

If there were no errors, I suppose our critic would have it wrong, the public would have it wrong, the media would have it wrong. The only person that apparently would have it right would be the minister who continually stands up in Question Period, attempts to answer questions and says she is going to check with her officials. Yet why did the minister have to give Mr. Hughes an additional item to review if there was nothing to review—and in fact his mandate ought to be broader, but that is a separate issue.

I take great offence to the comments made concerning the member for St. Johns (Mr. Mackintosh) who was doing his duty as an elected official under the circumstances, but to return to my question, Mr. Chairperson—

**Mr. Chairperson:** Order, please. I would ask the honourable member not to refer to something that I have taken under advisement. If we stay away from that track, I think we will get further ahead today.

**Mr. Chomiak:** The minister did not answer my question, and my question was, was the reference, the brief reference to TAs that was made during the course of the riot or just subsequent to the riot, to the deputy minister, the only reference to TAs made to either her, her officials, her deputy minister, senior officials, before she requested confirmation whether practices had been followed, when she was informed about an incident or incidents that occurred subsequent to the release of an

inmate or inmates that the minister does not want to refer to, yet referred to in her answer?

(Mr. Peter Dyck, Acting Chairperson, in the Chair)

**Mrs. Vodrey:** As I have said and as I have answered questions in the House, I have been very careful to say, where I did not have the information at my fingertips, that I will find out. Now I should not be surprised, but I am surprised that the member across the way has a problem with that. I find it difficult to say, well, you know, what would he prefer. Would he prefer careless language used as is used by the opposition regularly, careless language and careless facts thrown out, or is the right thing to do, in the public interest, to say I will take that and find out?

I think it is more important to the people of Manitoba not to be careless in terms of the things said and more important to find out the facts, and that is exactly what I have undertaken to do. Now if the member has a great difficulty in an answer which says, well, I will find out about it, then I think everybody on this side of the House should know.

\* (1340)

We have members from the other side who are yelling not only from their seats but from the floor they are sitting on, so I would ask you to bring the committee to order. I would ask you to bring the committee to order with members calling from across the way. Mr. Chair, the member for Transcona (Mr. Reid) sitting on the back row floor has been calling out. The decorum that we have been dealing with in this Chamber, under your guidance, has been members have the opportunity to speak when they have the microphone.

So I was talking about the fact that I undertake to get information when required, and that I believe on this side of the House we see that as a responsible way not to put forward careless answers, not to throw out careless facts, but instead to bring forward important information. That is exactly what I undertake to do. I believe that practice is in the interests of Manitobans.

The question also was raised then, well, why would I send it to Hughes if I maintain that everything was done right? What I have said is that I have had assurances from Corrections that they have, in fact, followed the

policies of this government. However, there has been raised within this Chamber some public debate, some debate within this Chamber about that matter. Since we want to make sure that this is answered in its fullness, then, Mr. Chair, the matter has been referred specifically to Mr. Hughes so that he can also make a comment on it, and our view on this side is, if there were problems, if in fact that assurance was not totally correct, then I would like to know about that. So that this does not happen again. I, at the moment, do not have information, do not have anything to suggest that the assurances I have been given were wrong, though I have said that we are reviewing all matters as well within our department, and Mr. Hughes will review those, too. I think that deals with the issues which the member across the way raised.

**Mr. Chomiak:** For the third time I will pose the question to the minister who has a problem with questions but does not ask questions of her department officials apparently. Mr. Chairperson, let me pose it for the third time. The minister indicated that the only reference to TAs made to her or her departmental officials, senior officials, or the deputy minister was the one conversation during or subsequent to the riot, and that she never had any information brought forward to her until an incident occurred that we are not suppose to refer to, at which time she then asks for review whether or not the policies were followed. Can the minister indicate whether any of her senior officials include the deputy minister at any time, other than the brief conversation she referenced earlier, dealt in any way with Corrections officials about the issue of TAs, either to be apprised of the situation or to make a decision with respect to the TAs?

The minister says she has not made any decisions, she has made that very clear, that she wants no part of it. Can the minister outline the answer to that question: any of officials, senior officials, deputy minister, at any time other than the brief conversation that she referenced with between the deputy minister and Corrections officials, at any time had made any references to TAs, release options, et cetera?

**Mrs. Vodrey:** As I have said this afternoon, and as I said earlier this morning, and I will make clear again for the member. First of all the issues which I dealt with immediately following the riot was the safety and security issues, dealt with information brought to me regarding

placement of inmates at institutions around the province. I have made it clear that I did not determine which institution inmates would be placed in, that that determination was made by correctional officers. The member seems to think that that is somehow stepping away from things. He somehow thinks that that is not right, but I guarantee you that if I happen to go in and say, oh no, this inmate should go here, and I am going to assess that this inmate should go there, that he would jump right in and call it political interference, that he would just jump right in and say that I was trying to take over the job of professional correctional officers who make these decisions on a daily basis. The point that I am making to him is that I do not do that. I do not step in and try and take over the role of correctional officers, that they are the ones who have the skill and ability to make these decisions, and that what I dealt with was the fact that I was given assurance of placement of inmates.

I also explained that the discussion regarding temporary absences did not come to me. That discussion was held in a brief reference with the deputy minister, and in saying so I made it clear that the granting of temporary absences is done on a regular basis by correctional officers. It is done on a regular basis. They are the ones who assess and they are the ones who do this. So, as I have explained, the deputy minister has informed me that there was a brief reference to temporary absences when senior Corrections officials came to him and spoke about placement, and there was not a series of options brought to me as minister regarding temporary absences.

**Mr. Chomiak:** So the minister can correct me if I am wrong, I can conclude from her statements that the only reference to temporary absences that occurred before, during, or in the week or days subsequent to the riot, with regard to temporary absences, was a brief discussion that took place between the deputy minister and Corrections officials. Is that correct?

**Mrs. Vodrey:** As I have said now for the fourth time, yes, that is correct, that that issue of options— [interjection] I beg your pardon?

**An Honourable Member:** That is not for the fourth time.

**Mrs. Vodrey:** Okay, well, maybe it is not for the fourth time. Is it for the third or the fifth?

And that I have said clearly my role has been in the reporting of correctional officers to me that inmates were placed in institutions around the province, that we had correctional officers in place to deal with the movement of inmates across the province, and Mr. Chair, that the reference to temporary absences occurred to the deputy minister and options were not brought to me. Now I do believe I have said that at least three times.

**Mr. Chomiak:** Can the minister indicate what the conversation was between the deputy minister and Corrections officials concerning TAs?

**Mrs. Vodrey:** Now I have said this before. There might be some opportunity or some reason the question is being asked again, however, and so I will answer again. I put it on Hansard before, and I am happy to do it again: that the reference was made—and this may be for the benefit of others as well, I am not sure—in a reporting by senior correctional officials to the deputy minister that individuals were being moved to institutions across the province to the federal institution, to Saskatchewan, and that some inmates were being reviewed for temporary absence. That is the information the deputy minister has now told me several times this afternoon, that that was the context of the information of temporary absences.

**Mr. Chomiak:** So the minister is saying that neither she nor the deputy minister nor senior officials in her department outside of the Corrections officials that supposedly made all these decisions, made no reference whatsoever to any numbers, any type, any numbers of prisoners, or any type of prisoners that were going to be moved on temporary absences. No mention was made of any numbers.

**Mrs. Vodrey:** The deputy minister informs me that to the best of his knowledge, neither he nor other senior officials in other divisions were informed about numbers of temporary absences.

\* (1350)

**An Honourable Member:** Start believing it now?

**Mrs. Vodrey:** I beg your pardon?

**An Honourable Member:** Do not believe it.

**Mrs. Vodrey:** Well, Mr. Chair, the member for St. Johns now says that he does not believe this, so I would be interested if he could give me some information that would then say that I am incorrect. I have answered these questions with the recollection of the deputy minister who was present with me during briefings from senior correctional officials. That is to the best of our knowledge. Now, if there is something which in the past while I do not remember, then I would appreciate it if he would put that on the record because, as I have said, this has been a very, very busy and extraordinary four weeks. This has been an incredibly busy four weeks since the phone call came approximately four weeks ago, beginning on the Thursday evening through the Friday, that there was a riot at Headingley.

We dealt with that issue. When that issue was dealt with and the institution was back under our control, yes, I did attend at the jail, yes, I did go out there, I did go to look at the damage and to be informed and to receive directly information from RCMP officers, to speak to senior correctional officials and guards who were there.

It was shortly after that in our efforts to settle inmates across the province and to deal with that matter that we then had what I will refer to as a job action—that may not be the most correct term for it—in which case we had to bring the RCMP back in to deal with the jails because there were some outstanding issues according to the guards, outstanding issues of a range of issues which are well known to the public, safety and security issues which we were dealing with in Corrections, bargaining unit issues which were being dealt with by Labour. There were a number of issues. Following that, we had a very difficult situation in terms of a murder which was committed in our province, and we have been dealing with that.

So the past few weeks, Mr. Chair, have been quite extraordinary in terms of the volume of issues which have come forward in the correctional area. I am providing information to the best of my knowledge and memory and, if the member has anything further that he can add, he only has to tell me and I will do my best to look into it.

**Mr. Chomiak:** I find it very difficult to conceive of the fact that following the riot and the decisions made regarding placement of prisoners and decisions regarding

TAs and decisions regarding that that information was not provided to the minister or the deputy minister. The minister is saying, no, it was not provided, concerning the disposition of 321 prisoners who are under the responsibility of the minister, but she was not told and her deputy minister was not told what was happening. Oh, she was told that some were being moved here, some were moved there, and they were told, oh, some would be put out on temporary absences, but was not told what the criteria were, was not told how many were going to be put out, was not told that information because the minister said she was given no numbers.

I find it very hard to believe that the minister was not told that information, that the deputy minister was not told that information, and, if in fact you were not told, it goes precisely to my point raised previously about wilful blindness. Then surely you ought to have asked the questions if you were not told.

**Mrs. Vodrey:** The example of wilful blindness, there is no such better example than the member from St. Johns and his behaviour on the day of the riot, so let us talk about wilful blindness and a wilful act. The member laughs. Well, I will tell you, the hundreds of phone calls we had into our family lines were not laughing.

#### Point of Order

**Mr. Chomiak:** On a point of order, I was just admonished by the previous chairperson that I ought not to refer to that matter because he was taking under advisement the scurrilous remarks made by the Attorney General, so I would appreciate if the Justice minister would refrain from commenting about those particular instances since the previous chairperson has taken those comments of the minister under advisement.

**The Acting Chairperson (Mr. Dyck):** The member does have point of order, and it is being taken under advisement.

\* \* \*

**The Acting Chairperson (Mr. Dyck):** I would ask the minister to please proceed.

**Mrs. Vodrey:** Recognizing the sensitivity of members opposite, and I would also say for the member for St.

Johns who called from his seat, I believe he should, if he has the courage, put that on the record, but that is exactly what we find, is that it does not go on the record or it goes on the record as an anonymous source.

Now, Mr. Chair, as I explained, the issues of the last few weeks have been extremely busy. The days have been extremely long and the responsibility extremely heavy for the Corrections staff, for all of the staff of Justice who are attempting to assist, to make sure that the correct decisions are made and that the information is provided to the public in an honest and truthful way and not in the form of allegations and not in the form of, sort of, unnamed source ideas.

So the deputy minister and I had only the moments of Estimates to jointly recollect, but it is our recollection from both of us that that is the way issues were dealt with. As I have said, it is a regular matter that inmates are released on temporary absence according to the criterion and policy set by this government, and that occurs on a regular basis by correctional officers.

I had no indication and still have no indication that correctional officers in any way breached that criterion or breached that policy. As I have said to members opposite, if they have some reason to think that that did happen, then they should say, but certainly the information, the assurance that I have asked for since this matter has been raised here as an issue of concern within the House, I have asked for the assurances: Was there any change or loosening of criteria? To this date, I have received information that the usual criteria were followed. If the usual criteria were being followed, then they did not bring the matter to my attention, because they were not doing anything which was outside of the policies of this government or outside of the realm of what their usual practice and ability to put into practice policies is.

So, to my recollection, to the recollection of the deputy minister, these options were not raised to us except, as I said, to the deputy minister in a conversation which senior correctional officers had with him when they said to him in a general statement about inmates being moved to institutions around this province and being moved to the federal institution, being moved to Saskatchewan, and some inmates being released on temporary absence. So the member can attempt to call the practice of Corrections in issuing temporary absences wilful blindness, but that

is, in fact, the normal practice, and he seems to have some view that it was different than normal practice.

(Mr. Chairperson in the Chair)

Well, I can tell you, certainly if the criteria were to be changed, then by all means I certainly should know, but the assurances I have are that that has not been the case—and the deputy minister, who I see is reflecting back through his notes to make sure that this has not been overlooked in any way, we come to the same conclusion. Members can attempt to characterize it in many ways, but I can say that the issue of behaviour which I believe should be called into question is the behaviour that took place on the day of the riot by the member for St. Johns (Mr. Mackintosh).

\* (1400)

**Mr. Mackintosh:** I want to deal with an important issue of the minister's proclaiming to the world that the inmates were going to repair the institution, and, by golly, they were going to start within days. The minister, I believe, made that statement on the day following, or two days following the riot. Would the minister tell this committee whether she had, by that time, contacted the insurance adjuster responsible for co-ordinating the repair before she made that statement?

**Mrs. Vodrey:** Yes, I did make the statements that we expected and wanted inmates to assist in the cleanup of Headingley jail and the restoration of Headingley jail. That is exactly what the intention was. No, I did not have direct contact with the insurance adjuster, and, as the member knows, the Minister for Government Services (Mr. Pallister), who actually owns and manages the building, is the department that deals with that area. However, it certainly was my intention then and is my intention now that the people of Manitoba should not be paying for work which can be done by inmates to restore that institution, and that there must be accountability in terms of the restoration of that institution, that that must be done by inmate work, because it has always been our policy that inmates should work a full day and, as I said at the time, that now there certainly appears to be work for the inmates to do to restore their living conditions.

So I did make that statement. Inmates are, in fact, working. I believe that they are doing work which may

save the taxpayer money, and they are doing work which, I believe, brings accountability to the restoration of the place where they live, because, Mr. Chair, if you have something happen in your home, you have to fix it up. You have to make it liveable for yourself and your family again, and it is our view that inmates must be required to do this also.

Now, it seems not to have met quite the criterion of members opposite or perhaps some members of the media who have minimized the efforts to bring inmates into the restoration process, but I think that to minimize is just totally wrong because you can minimize anything. What happens when your children do something, Mr. Chair? You can minimize whatever efforts that you make to have them become accountable.

In fact, I suppose if you continue to minimize everything you did, you would not do anything, and that is what we have from members across the way. We have members across the way who just would not do anything. We have this government which is making every effort to make inmates accountable within a safe and secure system dealing with concerns of correctional officers and yet attending to the fact that there must be accountability.

**Mr. Mackintosh:** Since the minister said that she indeed expected inmates to restore Headingley on the basis of accountability—it is like when children do something to make a mess, they have to clean it up, I think, was her analogy—would she explain how she can supplant the role of the courts in deciding who should be accountable for the wrongdoings at Headingley the day of the riot, how is it that she can supplant the role of a judge in deciding who is guilty, who was an instigator of the riot?

**Mrs. Vodrey:** There was no effort to supplant the role of the courts. We recognize that the police were doing an investigation, that charges may, in fact, be laid against some individuals, and certainly respect that process. I think the people of Manitoba expect that that process will also continue.

So there, in fact, may be some inmates who will not be returned to Headingley because they may, in fact, face other charges, or they may, in fact, be deemed not to be of a risk level to be returned to Headingley.

However, the point was the members across the way, or the member in his question is trying to point to a specific blaming exercise, and what I stressed from the beginning was a measure of accountability, that it must be inmates who provide at least some of the work for the restoration in the place that they live.

Mr. Chair, that is exactly what is happening. There is no effort to remove the role of the courts. There is no effort to change the role of the courts or, in fact, in any way, to change the role of the RCMP in their investigation of who did what and whether or not there may be charges laid. In fact, we are very supportive of that and expect that that process will continue.

The member, though, seems to have a problem with it. It is just like him, to have a problem with it. He would prefer to do nothing. That is basically the whole issue, you know. I really would rather do nothing than do something that I should do that might bring accountability. So, Mr. Chair, I answer again that I do not in any way suggest that this takes the place and role of the courts.

**Mr. Mackintosh:** Again, it is our position, this is just another facade. This is, as I have said, the ultimate con game in the sense that these inmates are being asked to do three functions we understand. This is information received from the insurance adjusters: No. 1 is dust cleaning, No. 2 is painting and No. 3 is furniture repair, all three of which are functions regularly carried on by the inmates at Headingley Correctional Institution, whether it is by the paint crew or whether it is by ManCor or whether it is the daily cleaning crew.

So the minister is trying to make something. She is talking about minimizing on this side. She is doing more than maximizing. She is trying to cover up for a statement made that she cannot follow up. I ask this minister, who did she consult before she made the statement about the inmates cleaning up the institution? If she did not consult the insurance adjuster, did she consult any counsel or any official in her department?

#### Introduction of Guests

**Mr. Chairperson:** Before we proceed, may I direct the attention of the honourable members to the gallery where we have with us from Versatech Industries, 10 of the people who are here today visiting, and they are from the

constituency of the honourable member for Point Douglas (Mr. Hickes). On behalf of all honourable members, we welcome you here today.

\* \* \*

**Mrs. Vodrey:** See the member across the way does not think that dust cleaning is very important. [interjection] Oh, and neither does the member from Transcona. You know you get got lots of things, you know, we have heard lots of things from the other side. We have heard that some jobs are McJobs, and we have heard that dust cleaning does not count. We always hear from across the way that whatever is there they do not like it, that job is not worth it, that job is not good enough. The Minister of Industry, Trade and Tourism (Mr. Downey) hears that all the time. So on this side of the House we are used to hearing their comments that some jobs just are not worth anything. The people doing them, however, think that it is important, the people who receive the benefit, whether it is in Headingley jail or whether somebody comes to your house and does it or whether it is done in an office or whether you do it yourself. You have to do it; somebody has to do it. It is still important work. Now you do not seem to think so and it is just typical of the other side that they would minimize.

The skills required to do some of the work—the Minister of Government Services (Mr. Pallister) spoke about that yesterday—and these are skills, this is an area where inmates can, in fact, do work and whether or not the member thinks that furniture repair is an important skill to have, well, you know, it just might be an important skill when you are living in your own home and you are living outside the institution.

I do not know how many times that members in this Chamber have had to do furniture repair; we sure do in our house and I sure do, too. I think that for people to have the ability not to say, gee, if this is broken I am just going to throw it away, but that, in fact, there is something you can do to fix it. That is a very important skill. Members opposite do not seem to think so. There view is, well, do not worry about that. In their view, somebody else will pay for it. Maybe the insurance company will pay for it, maybe somebody else will pay for it, so I do not have to think about that.

\* (1410)

Well, Mr. Chair, that is not the view on this side of the House, and our view is that inmates need to accept some accountability for the cleanup. Now these three tasks, I understand, were arrived at through negotiations which took part on behalf of the Minister of Government Services (Mr. Pallister), Corrections and the insurance person, the insurance agency. There was a list of tasks outlined and agreed upon where safety was considered, where skills were considered. Now members across the way say, well, that agreement does not account, they should not have done anything by way of agreement.

The point is, they are just mad because inmates are in there working. They are just mad about that, they are just mad. Because what have we heard from them? We have heard day after day, even in the labour, and I hesitate, I look to the Minister of Labour (Mr. Toews) that I am actually using the right words in terms of saying a job action by the guards—well, you know, they sort of forget about that and, even in that they are saying, well, you know, gee, why are the inmates not in there working? But we really do not want them in there working, but it would be good if we said that they are not, so we can say that it did happen. Now that it is happening, they are saying, oh, gee, now you have taken that one away from us, you have really gone and done what you said you would do, so now what do we have to complain about? Now we are going to complain about the jobs that they are doing. We are going to say that that is just not good enough.

It is amazing. We have hit a soft spot. They have dwelt on this, and I dare to speculate, this could have been the point of the member for St. Johns' (Mr. Mackintosh) talk earlier this afternoon. They are just sick that this is in fact being done, that a promise was made and a promise was kept. They are in there working so, Mr. Chair, I am pleased to see that.

In terms of the consultation, before that comment was made, it was done in consultation with the Deputy Minister and the Assistant Deputy Minister of Corrections, and I believe also the Executive Director of Adult Corrections. So we held a very strong belief in the accountability. Frankly, Mr. Chair, they are just mad because it happened.

**Mr. Mackintosh:** It is so important when the Minister of Justice in particular makes a statement about

consequences that the statement be well founded and that there is follow-through. Otherwise it just denigrates not only her office, which she is only occupying very temporarily and I would think for only a short period of time more, and the administration of justice in the province. When you say something is going to happen, it better well happen.

Is it her intention that the victims of the riot also be accountable for that riot and involved in the cleanup?

**Mrs. Vodrey:** My comments were that inmates would restore the institution, that inmates would be accountable. I fully understand—perhaps the members opposite do not—that some inmates who may in fact be charged will likely not return to the institution, that some of the individuals who were victims will not return to that institution. I am fully aware of that. My statement is that inmates must be made accountable, that it must be inmate labour that restores the institution and contributes to the restoration of that institution, and that is, in fact, what is happening.

So, Mr. Chair, members across the way do not like it. I see some anonymous people in the media do not seem to like it or anonymous people who report to the media that they do not like it, but in our view it is important. Members always have a problem when we follow through on a promise, and we follow through on our promises, this government, all the time. They always have a big problem when that happens.

I think back on the number of times that the member has tried to say something does not happen and even blatantly when it is sitting right there in front of him and it is happening and it is formed and it is active, he goes and calls press conferences, oh, this did not happen. Then people come and we say, well, gee, here is what is happening, this is what is going on. So the member really has difficulty with accountability himself and, in fact, being able to see what is happening.

So, in answer to his question, the inmates are performing some jobs which are commensurate with their skills, and these have been arrived at. [interjection] Now, the member for Transcona (Mr. Reid) does not have the courage to put his comments on the record. He thinks he knows the numbers, and the numbers that he screams across the House, Mr. Chair, are wrong, wrong. You

know, it is really interesting how he is minimizing the work. He thinks it is really funny. He talks about pink feather dusters. He will not put that on the record himself. I guess that is how he sees it. I guess he just could not be bothered to do that himself. You are just unbelievable.

Anyway, Mr. Chair, he does not think it is important. He chooses to continue to minimize it. We do not on this side of the House. There are inmates engaged in the work. There are more inmates today than there were yesterday. There is a plan to involve inmates in the restoration.

**Mr. Mackintosh:** I suggest at some point when the minister does no longer have the burdens of office on her mind, which I suggest will be shortly, that she will reflect that she has confused the important issue of dealing with inmate idleness and the important issue of implementing overdue restitution programming in this province with some statement that she could not deliver on.

**Mrs. Vodrey:** The member across the way should certainly know about idleness and inmate idleness when his party was in government because there was not a program of work. It was this government which moved to rigorous confinement. It was this government which as they moved to rigorous confinement made it clear that the inmates would be working a full day.

That has been exactly what we have been working towards, and I know the member across the way, his party did not do that when they were in government. They missed their chance and now they are frustrated that this government has made it a policy to do so.

**Mr. Gary Kowalski (The Maples):** I have not been here for the entire Estimates process in Justice, so I may cover some ground that has already been covered. I had to attend a powwow for the new community constable in the Lord Selkirk development. It was an interesting experience. Eight years ago, I became the community constable in the Lord Selkirk development, and at that time community policing was just being developed. It is interesting how many of my colleagues who gave me the hardest time are now the ones doing the community policing and singing its praises.

Today in Lord Selkirk, R.B. Russell School put on a powwow for the community constable. When I started

eight years ago and I walked into R.B. Russell High School, I was asked by the principal not to come in anymore because the kids might be frightened and stay away from the school. So it shows how things have changed.

I apologize if I re-cover some ground that has already been discussed in my absence, but I will—seeing as the line of questioning is in regard to the riot at Headingley, I have some questions in regard to that.

\* (1420)

Prior to the end, the conclusion of the riot, had there been discussions with the minister, the deputy ministers and other people from Corrections about contingency plans to what would be done with the prisoners after the riot? Was this discussed before the conclusion of the riot? Were there discussions?

**Mrs. Vodrey:** Though there was an agreement earlier in the day not to talk specifically about cases, yes, we have been discussing some of the arrangements that were made. To the best of our knowledge, as the member knows, we are not at the Corrections line yet, but we have been attempting to discuss to the best information possible.

In reference to the member's question, the information that I have been putting on the record is this: While the riot was on, we were concerned about bringing that riot to a conclusion and found it very important, in the interest of public safety, to support whatever requests were required to bring that to a successful conclusion. As the member for The Maples (Mr. Kowalski) knows, there were no escapes, the riot came to a negotiated end, and we believe that in that time we satisfied that requirement.

Senior Corrections officials, and Corrections officials to my knowledge in the institution, were in fact dealing with a plan of what to do with inmates following. We did not know what we were going to find inside until we were able to go in. We did not know what the damage was in total. We did not know what the condition of some inmates who had not come out was. So all of that had to be dealt with. Then Corrections officials then determined, based on their assessment, where inmates would be placed when they were removed from Headingley. That decision was done by senior

Corrections officials. It did not involve myself as minister, in that no options were brought to me about where people should go or what should happen, and it involved the deputy minister in only one instance in a small way which I will describe.

However, it is my knowledge that what then came to me as information was that inmates would be placed in institutions across the province, but I was not informed as to who would go to which institutions, nor was my approval sought. Obviously inmates were assessed, and Brandon Correctional Institution is a more secure institution. Certain inmates went there. There was a requirement of a signature for inmates to go to Stony Mountain, the federal correctional institution. That was provided by the deputy minister, and I was also informed that some inmates would be going to Saskatchewan. I agreed that we needed to contact other provinces for space, and negotiations were begun at the officials level with Saskatchewan. To my knowledge there was no paper required to be signed, certainly not by me nor by the deputy minister, to allow that placement to occur.

In terms of temporary absences, options regarding temporary absences were not brought to me as minister. Temporary absences are decided upon on a regular basis by correctional officers, and that is a regular part of their work. So options were not brought to me. The deputy minister informs me that in a general conversation that he had with a senior Corrections official, the only reference made was this: that in the context of inmates going to other correctional institutions such as Dauphin, Brandon, Stony Mountain and Saskatchewan, he was informed in the general picture that some inmates would receive temporary absences. Nothing further, I am told—he has checked his notes to date that he has with him—was sought from him or given to him as information.

**Mr. Kowalski:** Were there any other provinces, other than Saskatchewan, that offered their assistance as far as housing prisoners? During the riot or after the riot, did Alberta or Ontario, did any other provinces, approach this province and offer assistance?

**Mrs. Vodrey:** I am informed by the deputy minister that there were some—this is to the best of my knowledge; again, Corrections is not here—preliminary discussions with Ontario, but they did not progress, there was no further discussion and that it was basically inmates who

were moved from the western side of the province. Those inmates moved from the western side of the province were moved to Saskatchewan.

**Mr. Kowalski:** The minister said that—she used the word “we.” Sometimes it is hard for me to differentiate, when she refers to the word “we,” who she is referring to, if she means our department, or she means myself and the deputy minister or who. She has used the word “we” in reference to finding out about that there would be a requirement to send some of the inmates to Saskatchewan. When was she first informed of that and by whom?

**Mrs. Vodrey:** The deputy minister is looking through his notes at the moment to find out if he has a dated day as to which day we were informed that inmates were to move to Saskatchewan. He tells me that his notes indicate April 29. In looking at that day, for us, I can rely on the date. The actual day of the week, I cannot tell you because, at the time of the riot, as you are well aware, we just simply met daily. It did not matter what day it was. That happened over the course of several weeks, involving not only the riot but the job action or disturbance, which also happened, which required us to meet virtually every day of the week—that us, meaning me included me as minister, deputy minister and officials. I can tell you, officials worked very long hours. When the approval was sought, however, or the information given and, yes, you support this, it was given immediately.

Having now consulted a calendar, we find that it was Monday the 29th to the best of our recollection and notes.

**Mr. Kowalski:** Would there be standing agreements or would it be an ad hoc agreement as far as costs that would be charged between Saskatchewan and Manitoba for the housing of inmates from Manitoba? What would be the arrangements in regard to those costs?

**Mrs. Vodrey:** The information that we have is our very preliminary discussion information, so I regret, I am not able without Corrections officials here to explain to the member what standing agreements, if any, may be in place or what the cost arrangements for those standing agreements, if any, or ad hoc agreements might be.

I will make it clear to him that when I met with the Saskatchewan minister in Ottawa, I expressed the

gratitude of the people of Manitoba for his willingness, the willingness of his correctional staff and Corrections department to deal with the situation in Manitoba. I can certainly tell you that ministers across this country who I met in roughly the week and a half following the riot certainly were very interested in what had happened in Manitoba, very supportive of the difficult issue which took place and which we had all just lived through in our province.

\* (1430)

**Mr. Kowalski:** Yes, and I am starting to realize that most of these questions probably would be a lot better asked once people from Corrections are here, but I will ask one more that possibly the minister might have knowledge of. In regards to numbers, was there a ceiling as to the number of prisoners, inmates that Saskatchewan could receive? Was there a limitation? The one question I know the minister could answer is, was there any direction given to Corrections as far as a ceiling as far as costs, the number of inmates that the department would authorize transfer to another province?

**Mrs. Vodrey:** In our early discussions we spoke about a number—the deputy minister spoke about a number with senior correctional officials in the range of 25 inmates. He tells me that at that time there was not a ceiling placed on the number, that it was simply those considered best to be placed in that other institution.

The cost issue we were not sure at that time if, in fact, it might be recoverable through insurance. I would have to have Corrections officials here to give the member an updated answer on that.

**Mr. Kowalski:** Because I think it gets to the crux of, and I will be very straightforward with what the official opposition has come forward with, is criticism of the TAs and the releases of some prisoners that I guess the suggestion is that it was a way of managing the number of prisoners, but if I understand the minister correctly, what she is saying is that through the co-operation of Saskatchewan she could have put as many prisoners there so there was no need to assign any inmates to TAs or early release, there was no pressure put on Corrections, there were no monetary pressures, so there would have been absolutely no motive whatsoever for releasing people early on TAs or early releases as inmate management

because they could have gone to Saskatchewan. Am I understanding the minister correctly?

**Mrs. Vodrey:** As the deputy minister informs me, again, the discussion was no ceiling placed, certainly on our side. Now what the capacities may be, of course, is an issue for another province. But I can tell you that—well, again, I want to be very careful—temporary absences as the member knows are granted on a regular basis through Corrections and there is a criterion in place. What I want to make sure, as all citizens want to make sure, is that I have been given an assurance that the criterion was not relaxed, but if there is any question about that, then I want to know.

As the member also knows very well, temporary absences can allow the recall of an inmate for any breach, can have an inmate recalled. As I have explained during the course of the day, there has been an ongoing review of those inmates who were released on temporary absences and some had been brought back. So we now want to consider exactly what happened with inmates who have been brought back for whatever. Some of the breaches of temporary absences may be things such as a person having been drinking when they were told to stay away from intoxicants.

It is not as if we have ever said the matter was totally over, they are out there and they are gone, they are there and they are wherever they are. That is not the case. There were arrangements made at the time. There is review of inmates who received temporary absences ongoing. Some of those inmates have in fact reached an early release date or reached their legal release date, statutory release date, so it is a fluctuating issue of numbers on a daily basis because some people become eligible, some people reach the end. That is why the matter has been so complex for Corrections to deal with, because it is not a static group of individuals or a static number or a static eligibility in any way. I know the member's experience will help him understand the context of the remarks that I am making.

**Mr. Kowalski:** I appreciate the answer, but the main crux of the question was that there were other options. If that was the motive, just to manage the number of inmates—and I am giving the minister a gift here in the fact that the insinuation has been that there was a motivation to release prisoners because they somehow

had to handle the numbers. What I am asking from the minister is confirmation that if there was a problem, she could have put more prisoners in Saskatchewan, she could have negotiated with other provinces, that there were other options. So in fact there was no motive to release any inmates prematurely. Am I correct in that assumption?

**Mrs. Vodrey:** I appreciate the member's question in terms of the fact that there was no ceiling placed on where inmates may go and, to our knowledge, to my knowledge certainly, that the cost of that was not the issue in our consideration. We looked at Stony and we looked at other provinces and we looked at our own capacity.

There was no question, however, and I have said this from the very beginning, that there was a pressure, there was a pressure of space. Those were the exact words that I have used continually and, in looking at that, the correctional officers, I am informed, made an assessment of certain individuals, and it was their decision, and I am not trying to suggest that, you know, I should have been there to do it because I do not think I should have been there to do that. I am not a professional correctional officer. There were some decisions made to release inmates on temporary absences. There were some decisions made to send individuals to the federal penitentiary. There was some decision made to send inmates to another province, but those decisions had to be made by the correctional officers who were in charge of the situation, and I am doing my best to answer the member's questions. I do not have correctional staff here.

I think the most important facts are, I said from the beginning, this was a time of space pressure. Decisions were made, and we looked at all of our options—sorry, they looked at all of the options. I was not involved in that decision making. The decision making was made by professional correctional officers, and it was their decision that some individuals were eligible for temporary absences.

\* (1440)

**Mr. Kowalski:** When the minister invited myself and Her Majesty's official opposition critic for Justice to a meeting with herself and the commissioner from the RCMP and the deputy minister, one of the things that I mentioned at that time was a practice in federal

penitentiaries about when once inmates are returned to the facility, quite often there are a number of reports filed of allegations by prisoners of guards taking retribution, physical retribution against them, of guards feeling that inmates are being more aggressive and assertive, so in federal institutions after such an incident they have citizen volunteer overseers that would go into such a facility. At the time I made a suggestion that after the riot was over a similar program might be necessary in Headingley.

Has the minister looked at that or discussed that with any of her staff, looked at having some group go in there when inmates are returned there to make sure there are not any conflicts that result from the riot between guards and inmates?

**Mrs. Vodrey:** I do remember the member raising this issue and I can tell him that as of yet, no, we have not had the opportunity to do that. It is not that it is not a good idea. The reality is that in the past four weeks we have had the riot, we have had a job action. We have had another matter around an inmate who has been charged with a murder, and we have been very aggressively reviewing all of our inmates, any of whom were out on temporary absence.

(Mr. Mike Radcliffe, Acting Chairperson, in the Chair)

That happened before I even requested that. I had requested that there be a review when we became aware that one inmate who was on a temporary absence—out now—faces a charge that is before the courts. But Corrections tells me that they have been aggressively reviewing inmates even before that time.

So at the moment we are still in the process of restoring the institution, because we need that to happen, inmates working in the institution, managing our other institutions to be sure that things are working in those institutions, monitoring individuals who may be out in the community. However, I would expect because I do see the point that I will have a discussion with my correctional officials when we are back to what would be almost regular business. If the member wants to raise this with me again, I mean, it may occur at a time that we are not in the House, then I think you should. I will do my best to follow through, but certainly leave it open to you raising it with me at another time as well.

**Mr. Kowalski:** Well, it is bright and sunny outside, and we are coming to the conclusion of today's Estimates. Maybe we will change the subject from Headingley just for a little while, so we leave the Chambers in maybe a better frame of mind.

I was looking at the organizational charge for the Department of Justice last year's and this year's, and it differs slightly in the way that it is drawn out. I am just wondering if it is just the way of graphing or if, in fact, there has been some change in reporting responsibilities? In this year's organizational chart, it shows that the Executive Director of Administration of Finance, Mr. Sinnott, is reporting to the Assistant Deputy A.G., wherein last year it had Mr. Sinnot, according to last year's organizational chart, reporting to the Deputy Attorney General Bruce MacFarlane. Is that a change in reporting?

**Mrs. Vodrey:** I just would ask the member if he could check the date of the chart that he is referring to. We think he might be looking actually at 1994 and not 1995. The actual change did occur in—we are wondering if it is the annual report perhaps which actually reflects the work of 1994. The change took place in 1995. The reason the change took place in 1995—I will just draw the member's attention to the actual title of Mr. Perozzo. He is associate deputy and he is not assistant deputy. Associate deputy is a different classification. He is in charge of the overall administration. He took that position, or was promoted into that position, in 1995 and has since that time then taken responsibility for that part of the department.

**Mr. Kowalski:** Just to bring me up to date, Stu Whitley and Bruce Miller, who are their replacements now?

**Mrs. Vodrey:** We are very pleased that Mr. Allan Fineblit has taken the place of Assistant Deputy Minister, Prosecutions, and in Mr. Bruce Miller's place who was director of Winnipeg Prosecutions, we have Mr. Rob Finlayson acting in that capacity, and there will be a competition for that particular position.

**Mr. Kowalski:** For that competition, will there be advertisements just within the civil service, or will it go across Canada? Where will you be advertising for that position?

**Mrs. Vodrey:** To the best of our knowledge, that competition will be Canada-wide, but if I find that there is any change in that, then I will make sure I report it at the next sitting of Estimates.

**Mr. Kowalski:** On the organizational chart, are there any changes that have been made since the last Estimates process as far as the organization of the Department of Justice? I was reading last year's Estimates, and there were comments about a number of changes in recent years to what prior had been a very stable bureaucracy. A number of people had been there for a long period of time.

Are there any major changes since last year's Estimates as far as the organization of the Department of Justice?

**Mrs. Vodrey:** There have been two changes since last year. First of all, the Public Trustee has become a special operating agency, and then property rights which is Land Titles and Personal Property Registry has moved to the Department of Consumer and Corporate Affairs, because it has been seen as regulatory, and in my opening remarks I commented on that change as it left the Department of Justice and moved to Consumer and Corporate Affairs.

\* (1450)

**Mr. Kowalski:** I am going to ask some questions with regard to where I will be asking in Estimates, what lines for certain things with regard to—I forget the name of the advisory group she has that advises youth justice committees. I have a number of questions with regard to the mandate of that group, the number of meetings, any minutes of meetings.

Where would be the best place in Estimates to ask questions with regard to that, or does the minister have the information available now?

**Mrs. Vodrey:** I am informed that the best line to examine that Provincial Advisory Committee is in Community Corrections; that is line 4.(d).

**Mr. Kowalski:** Yes, and also I will be asking some questions about what are called unloading stations. Because the Winnipeg Police Service has recently moved to automatic handguns in order to make them safe. When they are put into storage, it is required that an unloading station is used. Now in all the city police service buildings here in Winnipeg, they have unloading stations;

but in the Remand Centre, in Headingley and other provincial institutions there are no such stations. I understand there has been some discussion between the city in regard to this. But now that the RCMP are moving towards automatic handguns, this looks like it will be a requirement for all police officers to have unloading stations so that they will be able to escort prisoners into custody areas. Where would be the appropriate place to raise the question in regard to this matter?

**Mrs. Vodrey:** I am informed that the best line to deal with that is in 4.(b) in Adult Corrections.

**Mr. Kowalski:** In last year's Estimates, the official opposition critic had a number of questions in regard to the Crown attorneys assigned to the infant death inquiry at the Health Sciences Centre. On reflection, what was the total amount of time that—I believe it was Don Slough, who from Youth Court, was assigned as the Crown counsel—what was the number of months that he was away from his duties in regard to being the Crown attorney in charge of youth prosecutions?

**Mrs. Vodrey:** I am informed the best line for details on Mr. Slough's assignment to the cardiac inquest would be on 2.(a) when Prosecutions is here and will be able to give the member details.

**Mr. Kowalski:** Last year when we were discussing this line in Estimates, there were a number of questions raised in regard to the evening court for Youth Court. Has there ever been a document released as far as a study done on the success or failure of that project, or has there ever been a document created that the minister could share with the opposition?

**Mrs. Vodrey:** We did operate night court on a pilot basis, and that was an effort of this government to allow for an opportunity for young people to be accompanied by their families through the court process, and also as another opportunity of when court would be available.

However, I can tell the member that the results of that pilot project did not provide us with the success that we had hoped in order to continue. There appeared to be some reluctance on a number of fronts for the use of the court, and so at that point a decision was taken that that pilot project then simply should, at the end of its time, at

the end of the term that the time that was decided that we would look at it, that then we would not continue with it. So that is the result. There has not been a public document produced in terms of that.

I did have the opportunity to meet with the chief judge. I am aware that our Legal Aid system participated very fully, but I understand that some other members of the bar were not finding it useful. So at that point it was discontinued, at the end of its pilot.

**Mr. Kowalski:** Although there was not a public document, I imagine the minister received a written report from someone. Would she be willing to share that with the opposition, so we could see the concerns expressed by the person who wrote the report about why it did not work, and any suggestions that were made as far as how it could work, what changes could be made, or is this the end of the project forever?

**Mrs. Vodrey:** The information that I received was preliminary in nature, in terms of its reporting, and it was information to the deputy minister and to myself. So I will, at the time, attempt to provide some of that information to the member if he would find it helpful, and we do have some ideas of other possibilities. I want to be careful about how much I say publicly since it does involve working with other groups to receive their support in order to provide other venues or options, particularly for youth court, and that is what we were talking about.

So I am hesitant to say too much on that side publicly, and on the other side, there is not a whole lot more to say than I have already said. Some groups were simply not interested in using it, and you need the lawyers to be willing to come forward to participate, and so at that point that is the information that I have.

**The Acting Chairperson (Mr. Radcliffe):** The hour being three o'clock, committee rise.

Call in the Speaker.

## IN SESSION

**The Acting Speaker (Mr. Radcliffe):** The hour being after 5:30 p.m., this House stands adjourned until 1:30 p.m. Monday next.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 24, 1996

## CONTENTS

### ORDERS OF THE DAY

#### Committee of Supply

Agriculture	2641
Justice	2681