

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 20 June, 1985.

Time — 2:00 p.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions  
. . . Reading and Receiving Petitions . . .

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**MR. SPEAKER:** The Honourable Member for Thompson.

**MR. S. ASHTON:** Mr. Speaker, I beg to present the Third Report of the Committee on Economic Development.

**MR. CLERK, W. Remnant:** Your Committee met on Tuesday, June 18, 1985, and Thursday, June 20, 1985 at 10:00 a.m. in Room 255 of the Legislative Building. As Mr. Santos was no longer a member of the Committee, Mr. Ashton was elected Chairman at the June 18th meeting. Your Committee considered the 1984 Annual Report of Manfor Ltd.

Messrs. Murray O. Harvey, Chairman of the Board and J.B. Sweeney, President and Chief Executive Officer provided all information requested with respect to all matters pertaining to the Annual Report and the business of Manfor Ltd. The fullest opportunity was accorded to all members of the Committee to seek any information desired.

Your Committee examined the Annual Report for Manfor Ltd. for the year ended September 30, 1984 and adopted the same as presented.

**MR. SPEAKER:** The Honourable Member for Thompson.

**MR. S. ASHTON:** Mr. Speaker, I move, seconded by the Honourable Member for St. Johns, that the Report of the Committee be received.

**MOTION presented and carried.**

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MR. SPEAKER:** I'm pleased to table the Annual Report for 1984 of The Elections Commission.

Notices of Motion . . .

### INTRODUCTION OF BILLS

**HON. A. MACKLING** presented, by leave, Bill No. 53, The Pay Equity Act; Loi sur l'égalité des salaires. (Recommended by Her Honour the Lieutenant-Governor).

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** I did want to add just a few words, that the bill has been printed and will be distributed with the highlights of the bill later on this afternoon.

**HON. R. PENNER** introduced, by leave, Bill No. 63, The Judgment Interest and Discount Act; Loi sur les taux d'intérêt et d'actualisation des sommes allouées par jugement. (Recommended by Her Honour the Lieutenant-Governor).

### INTRODUCTION OF GUESTS

**MR. SPEAKER:** Prior to Oral Questions, may I direct the attention of members to the gallery, where we have 50 students of Grade 9 standing from the Valley Garden Junior High School under the direction of Mrs. Gould. The school is in the constituency of the Honourable Member for Concordia.

There are 45 students of Grade 5 standing from the Ecole Centrale School under the direction of Mrs. Valois. The school is in the constituency of the Honourable Minister of Energy and Mines.

On behalf of all of the members, I welcome you here this afternoon.

### ORAL QUESTIONS

#### Bilingualism in Manitoba - government's position

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker. I have questions for the Premier and it follows upon questions for which I could not obtain answers yesterday. Mr. Speaker, my question is, given the recent judgment or decision of the Supreme Court last week, is it the position of the Province of Manitoba that Manitoba is now a bilingual province?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, my reading of the decision would indicate that insofar as Section 23 is concerned, that English and French are of equal status insofar as their usage in the courts and in the Legislature.

**MR. G. FILMON:** Mr. Speaker, given that reading of the situation as it exists, does that mean that the Province of Manitoba is of the opinion that Manitoba is a bilingual province?

**HON. H. PAWLEY:** Mr. Speaker, I suppose, if we want we can gather like those medieval theologians that used to debate matters of a theological nature, used to debate how many angels would dance on the head of a needle. I know that these kinds of debates are

interesting, they're challenging, and I'm that the Leader of the Opposition wishes to participate in those kinds of debates.

Frankly, Mr. Speaker, I'm too busy and I think honourable members on this side of the Chamber are too busy dealing with the economy, dealing with jobs, dealing with the situation pertaining to the restrictions on hog imports, to worry about such theological discussions.

**MR. G. FILMON:** Mr. Speaker, I'm not interested in any medieval explanations that the Premier may have dredged up. I regret that the Premier wasn't interesting in jobs and the economy for more than a year when he plunged this province into a debate on the French language issue, Mr. Speaker.

**MR. SPEAKER:** Question.

**MR. G. FILMON:** Mr. Speaker, my question though you to the Premier is, given that many experts, some of whom have been advisors to this administration, and perhaps whose recommendations led us into the proposal that this administration put forward on the French language proposal, have suggested that this decision now makes us a bilingual province. Is that the opinion, is that the position of the Province of Manitoba and his government?

**HON. H. PAWLEY:** Mr. Speaker, I'd like the record to be clear so that we don't rewrite history. The Supreme Court decision was handed down last Thursday as the result of a gigantic miscalculation on the part of the opposition in this Chamber, a miscalculation one year ago. Mr. Speaker, how they squirm about the costs. I'm not for one, because they are reacting to Gallup Poll results, I'm sure, released this morning which indicate that Tory fortunes across the country are down by 9 percent, because the Conservative Government in Ottawa is discredited insofar as their economic policies. I understand very well why the Leader of the Opposition, in view of the poll results, wants to navel-gaze in theological discussions rather than talk about the economy and jobs and agriculture in this Chamber.

**MR. G. FILMON:** Mr. Speaker, if the Premier wishes to talk about costs and consequences, perhaps he should be talking about the report of the Manitoba Government Employees Association that said there would be required more than 1,000 bilingual positions if his administration had proceeded with their plans as they were proposing them more than a year ago.

### **Bilingualism in Manitoba - additional obligations re ruling**

**MR. G. FILMON:** My further question to the Premier is, as a result of the Supreme Court decision of last week, are there any additional obligations other than the obligations to translate laws in this province that have been imposed upon this administration and our province?

**HON. H. PAWLEY:** I indeed do think that there is, unfortunately, a forked-tongue approach to this issue.

Mr. Speaker, it was the opposition that wanted this matter referred to the Supreme Court. Now they gripe about the results of the Supreme Court ruling, Mr. Speaker, and it was their request and their desire.

Mr. Speaker, last Thursday the Leader of the Opposition said he wanted wounds to heal. Yesterday, when I was in Swan River discussing the hog problems with the hog farmers in Swan River, the Leader of the Opposition was trying to churn this issue up again in this Chamber. Mr. Speaker, again today he's doing likewise. He will be advised in due course what further obligations there are in a legal way in addition to the translation of statutes.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, I believe the Premier is the one who is sensitive about this issue by virtue of his response. Mr. Speaker, I'm quite happy to ask the questions until the Premier comes forward with the answers.

### **French language services - extension of**

**MR. G. FILMON:** Mr. Speaker, a further question I have is as a result of the Supreme Court decision, as a result of his government's position on the status of this province, does his administration intend to come forward with any proposals to extend French language services in this province?

**HON. H. PAWLEY:** I answered that last Thursday. I don't know where the Leader of the Opposition was.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**SOME HONOURABLE MEMBERS:** Oh, oh!

### **Senior citizens - government mailing list**

**MR. SPEAKER:** Order please, order please.

The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, since the Premier has no answers on that issue, perhaps I'll turn to another issue, one that I raised with him a few days ago and it has to do with the letters which were sent from his office, as I understand it, to 11,000 senior citizens in this province. I wonder if the Premier could indicate whether or not he has yet come up with the cost for that mailing, and what was the source of lists to which those letters were sent.

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I understand this question except for the costs, was answered yesterday.

The costs were in the neighbourhood of \$800 to \$900, which includes printing and folding. The resolutions were included in the same envelope that contained the invitation to the Senior Citizens' Day, Monday.

In case that wasn't mentioned yesterday, that takes place this coming Monday and all members are invited to the Open House in respect to senior citizens, starting at 1:30 on Monday afternoon.

Mr. Speaker, I'm pleased that indeed we have, I believe, through invitation invited just about every senior citizen through different organizations and groups that it's possible to invite for Senior Citizens' Day in the Province of Manitoba.

**MR. G. FILMON:** Which lists of senior citizens were utilized, Mr. Speaker, by the Premier for sending out this information on the government stand on de-indexation? Were these lists obtained from government records, for instance, with respect to SAFER payments or GIS payments or anything of that, what was the source of these lists?

**HON. H. PAWLEY:** Mr. Speaker, the honourable member is concerned about a particular senior citizens' organization, I would ask that he forward that particular list or name to us so we can ensure that the membership of that organization are on the list. I don't know, whether I heard the honourable member correctly, he made some reference to misinformation — (Interjection) — well then, I'm delighted to hear that, because I want to advise the Leader of the Opposition that I am pleased, in fact, that there was a unanimous decision in this Chamber to oppose the de-indexation of old age pensions on the part of the Federal Government.

Mr. Speaker, I am equally pleased that we informed some 11,000 - 12,000 senior citizens of that action by this Legislature, because action on the part of political leadership does not stop with a vote in this Chamber. That action, that protest, must carry on beyond the vote in this Chamber if, in fact, that vote is to be meaningful.

**MR. G. FILMON:** I wonder if the Premier could indicate what were the lists and who were the people they were sent to. Where did he obtain a list of all of the senior citizens in this province? If he has this list, can it be shared with the opposition?

**HON. H. PAWLEY:** Mr. Speaker, if the Leader of the Opposition will refer to the Yellow Pages, as well as the pages of the phone directory, he'll find the list of different senior citizens' organizations, senior citizens' homes in the Province of Manitoba - there are scores and scores of such organizations.

**MR. G. FILMON:** Mr. Speaker, has a comprehensive list of the senior citizens of this province been prepared by the Government of Manitoba?

**HON. H. PAWLEY:** Mr. Speaker, we have lists of senior citizens' organizations, as has the Leader of the Opposition. I think the Leader of the Opposition should, for a moment, stop playing games with respect to this issue, acknowledge that he has lists of senior citizens' organizations - I would hope he would, anyway, although

mind you, by way of example from the Federal Government, I'm not sure whether there's much concern for the senior citizens in the country. We have the lists of the senior citizens' organizations in the Province of Manitoba.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the government has prepared a list of the senior citizens of the Province of Manitoba that numbers some 11,000 or 12,000, is that list available to members of the opposition?

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please. The Honourable First Minister.

**HON. H. PAWLEY:** Last week I suggested in this Chamber that we should ensure there are some additional funds for research for the opposition, Mr. Speaker. I think I should doubly expedite the efforts to ensure there is some research provided to the opposition.

**MR. G. FILMON:** Mr. Speaker, the Premier doesn't understand. If a list has been prepared at taxpayers' expense on behalf of the people of Manitoba, a list of senior citizens, then that, Mr. Speaker, is the property of the people of Manitoba. Will he share that list with the opposition in this Legislature?

**HON. H. PAWLEY:** Mr. Speaker, we responded to those senior citizens that have called, and there have been a number of senior citizens that have been called, protesting the actions of the Federal Government. There have been senior citizens that have called the offices of government in regard to many other matters. Each and every department of government deals with different senior citizen organizations, Mr. Speaker, and we'll continue mailing correspondence to the senior citizens of this province, just as we will continue to do so to the farmers and to labour and to business in this province.

**MR. G. FILMON:** Mr. Speaker, the Premier has sent out from his office, not from all the government departments, not from any particular phone calls, but he has sent out letters to a list of more than 11,000 senior citizens in this province from his office. Mr. Speaker, my question is is that list, having been prepared at taxpayers' expense, available to the opposition?

**HON. H. PAWLEY:** Mr. Speaker, I'm going to put together a list of various senior citizen organizations and send it over to the Leader of the Opposition.

**MR. G. FILMON:** No, I want the list of 11,000.

**HON. H. PAWLEY:** Yes, in which there's been mailings to.

**HON. L. DESJARDINS:** What you want and what you get are two different things.

**MR. G. FILMON:** Mr. Speaker, the letter . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**MR. G. FILMON:** Mr. Speaker, which I indicated in the House earlier this week is not sent to a senior citizen organization. It's individually addressed; name, address, postal code, to an individual senior citizen. The Premier acknowledged that he has this list of more than 11,000 individual senior citizens prepared at taxpayers' expense. Will he share that list with the members of the opposition in this Chamber?

**HON. H. PAWLEY:** Mr. Speaker, the Leader of the Opposition, for his information, prepares lists of names at taxpayers' expense; don't let him try to fool members of this Legislature.

**MR. G. FILMON:** Mr. Speaker, . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order.

The Honourable Leader of the Opposition.

**MR. G. FILMON:** I don't know what the Premier is talking about lists of senior citizens that I have prepared. I know that he has acknowledged that he has a list and that it has been prepared at taxpayers' expense and this Premier has been putting forward a commitment to freedom of information. I ask, Mr. Speaker, this Premier to table, in this Chamber, that list of senior citizens, which is public property, for use of the opposition.

**HON. H. PAWLEY:** Mr. Speaker, I don't intend to send a list of some 11,000 names over to the Leader of the Opposition. The Leader of the Opposition can put together his own list of various names.

Mr. Speaker, even business groups have been expressing concern insofar as the treatment of senior citizens by the Mulroney Government. I can understand very well the sensitivity on the part of the Leader of the Opposition.

**MR. SPEAKER:** The Honourable Minister of Labour on a point of order.

**HON. A. MACKLING:** I'm concerned, Mr. Speaker. I rise on a point of order because, while we've admonished from our seats, the Leader of the Opposition that he should ask questions, he has persistently launched into statements, extensive statements and only after a considerable time has he asked a question.

Mr. Speaker, the rules of this House provide that there may be a short preamble to a question, but then successive questions, supplementary questions should have no preamble. The honourable member has been breaking the rules of this House consistently in question period after question period and I ask you, Mr. Speaker, to draw the Honourable Leader of the Opposition's attention to the rules of this House, abide by them and set an example in this House.

**MR. SPEAKER:** The Honourable Member for Lakeside to the same point.

**MR. H. ENNS:** Mr. Speaker, on the point of order, I merely look to you, Sir, to carry out the rules and conditions that we impose on ourselves with respect to question period.

But I have a question, while I'm on my feet, to the Premier, Mr. Speaker. I wonder if the Premier could indicate to me who is the Acting House Leader at . . .

**MR. SPEAKER:** Order please. The honourable member should not rise on a point of order to ask a question. I'm sure that Beauchesne is available to all members wishing to refresh their memory as to the proper rules of Oral Question Period. They might wish to refer to the guidelines which I sent out to all members for their assistance.

### **Twaddle Report, final - tabling of**

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, I have a question for the Attorney-General. I understand the Attorney-General has now received the final report or opinion from the Government legal advisor, Mr. Twaddle, with respect to the Supreme Court language decision. Could the Attorney-General now table a copy of that report in the Legislature?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, yes, I did undertake to table the final legal opinion of the counsel for the Government of Manitoba. I have not yet received the final legal opinion from counsel for the Province of Manitoba. I expect that will be the case on Monday or Tuesday and it will be tabled when I have it.

**MR. G. MERCIER:** Mr. Speaker, would the Attorney-General not agree to table the report - I take it then that it's an interim report - to table in the House, the interim report that he received.

**HON. R. PENNER:** When I have received the final legal opinion of the counsel for the Government of Manitoba, it will be tabled.

**MR. G. MERCIER:** Mr. Speaker, could the Attorney-General indicate what report he has now received? What possible reason could he have for not tabling the interim report or the report he has now received from Mr. Twaddle, in the Legislature?

**HON. R. PENNER:** When I've received the final legal opinion from the counsel for the Government of Manitoba, which I expect to have in a day or two, it will be tabled. That was my undertaking and it remains my undertaking.

**MR. SPEAKER:** The Honourable Member for Elmwood.  
The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, has the Attorney-General discussed with Mr. Twaddle, the report that he has received to date?

**HON. R. PENNER:** I have not had any such discussions with Mr. Twaddle.

**MR. G. MERCIER:** Could the Attorney-General indicate why he cannot table the report that he has received to date in the House now? Why can he not table this report in the House now?

**HON. R. PENNER:** I've answered that question, Mr. Speaker. I am not hiding anything. Counsel for the Government of Manitoba has raised some questions with respect to which he requires further information in order to give his final opinion. It's as simple as that. And when I have the final opinion, I've said before - and my word has always been my bond in this House - that that opinion, which I regard as an opinion to the people of Manitoba through its Legislature, will be tabled. I had no hesitation in doing that before and it will be done on this occasion.

**MR. G. MERCIER:** Mr. Speaker, yesterday the Attorney-General wrote a letter to you, Sir, with copies to the Government House Leader and the Opposition House Leader, with respect to proceedings in this House based on the Supreme Court decision. Did he do that based on the report of Mr. Twaddle, the government legal advisor?

**HON. R. PENNER:** No, Mr. Speaker, the Supreme Court decision referred very explicitly to the enactment process and said, in words that don't require any further legal opinion, that legislation must be — (Interjection) — No, I'm just using the words of the Supreme Court, which said in words that require no interpretation, or at least I wouldn't have thought so, it may be that the Opposition House Leader can't understand plain English, but I think most people can - that throughout the enactment process legislation from June 13, 1985, has to be done in both languages. It's as simple as that.

**MR. G. MERCIER:** Mr. Speaker, could the Attorney-General advise if the resolution on the Order Paper to be proposed by the Government House Leader is based on advice from the government's legal advisor?

**HON. R. PENNER:** No, Mr. Speaker, the member well knows it's based on advice from the Clerk of the House, because of a procedural rule that's part of our rules and has nothing to do with the Supreme Court decision, other than indirectly.

### Curriculum - Grade 12

**MR. SPEAKER:** The Honourable Minister of Education.

**HON. M. HEMPHILL:** Thank you, Mr. Speaker.

Yesterday I had a question raised about what was recorded in Hansard related to high school mandatory programs. I said I would review what I said. What I said was that our options have always been minimal, that have been allowed in our high schools. For instance we're the only province - I think in the country - one of the only provinces in the country for English and Social Studies where we require those subjects to be

taught in Grade 12. I think we're one of the few in the country that requires a mandatory English program in Grade 12. We're one of the few that requires it in Social Studies.

When I look at the requirements of the high school program, Mr. Speaker, we require English, at least one credit at each level of the high school program, to a total of three credits. We require a Science, at least two credits. We require at least two credits in Mathematics; Canadian History, at least one credit; Geography of North America and Canadian geography, at least one credit, and Physical Education at least one credit.

When I look back at the words I said previously, clearly the mandatory subject for Grade 12 is English, and Social Studies is a mandatory subject for high school, Mr. Speaker, so the words where I combined English and Social Studies together, instead of saying Grade 12, it should have said high school.

### Bilingualism in Manitoba - courts and Legislature only

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I'd like to direct a question to the First Minister and ask him, in view of the remarks of his Deputy Premier, has he instructed his Ministers that the Supreme Court ruling, in effect, is not official bilingualism, but merely confirms the right to speak French and English in the courts and Legislature, which is a country mile from official bilingualism.

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, we welcome the Honourable Member for Elmwood to this select group of theologians that want to join in this debate.

**MR. R. DOERN:** Mr. Speaker, better a theologian than the village idiot.

**MR. SPEAKER:** Question?

### Statutes of Manitoba - cost of translation

**MR. R. DOERN:** Mr. Speaker, I would like to ask the Attorney-General a question. If he can reconcile something that has been banded about over the past week into the costs of translation - I'm looking now at his "Constitutionally Speaking" pamphlet which went out a couple of years ago, which clearly indicated that the cost of translating the additional statutes, the 4,000 over and above the agreement, would run at \$1.5 million and relate that to figures that are now being banded about - I don't know from what source - that they could run as high as \$20 million.

Can the Attorney-General reconcile these figures or is he still staying with his original estimate of two years ago?

**MR. SPEAKER:** Order please. The question is of an argumentative nature. Would the honourable member wish to rephrase his question to seek information?

**MR. R. DOERN:** All right, Mr. Speaker, I will do so. I will simply ask the Attorney-General whether the information contained in a pamphlet circulated two years ago, that the estimated costs over and above the basic 400 main statutes, the estimated cost of translating an additional 4,000 of so-called minor or other statutes was \$1.5 million. Is that still a realistic figure today?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, the question of the costs of translation was dealt with in this House last week. It was said and need only be said again, that when we have legal opinions, including opinions from in-House Legislative Counsel as to the job that faces us as a result of the Supreme Court decision, at that time, and only at that time, will we and anyone else be in a position to estimate what the costs will be.

At the moment it is substantially unknown and, Mr. Speaker, it is not the function of members on this side of the House to reconcile some statements made at large by people unknown.

**MR. R. DOERN:** Mr. Speaker, I would then ask the Attorney-General on what basis the original estimate of \$1.5 million was made. Was that a ball-park figure? Was that a hard figure? Is that identical to the task to be looked at today?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** I do not intend, Mr. Speaker, to engage in speculation on a matter of such fundamental interest to the people of Manitoba. When we have the information, the Premier, speaking for this side of the House, we will advise the House where able to do so, and what the expected cost will be.

### Twaddle Report, final - tabling of

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** I have a question for the Attorney-General. Would he undertake when he tables, as he said he would do, the final report from the government legal advisor, Mr. Twaddle, would he also undertake to table in the House the report that he has now received from Mr. Twaddle?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Apparently the Member for St. Norbert has problems with the integrity of Mr. A.K. Twaddle, Q.C. I don't. I expect that the opinion that will be tabled will be Mr. Twaddle's opinion. If he has concerns about that, then he need only pick up the phone and tell Mr. Twaddle what he thinks of him, if that's indeed what he is communicating. I will table in the House the final legal opinion of Mr. Twaddle.

**MR. G. MERCIER:** Mr. Speaker, the record should be clear that I have no concern - in fact, the greatest

respect - for Mr. Twaddle's integrity. I simply want the Attorney-General to undertake, when he tables the final report, will he also undertake to table the report that he has now received from Mr. Twaddle along with that final report?

**HON. R. PENNER:** Mr. Speaker, the Member for St. Norbert is making an assumption. It's hypothetical that there will be some difference between a draft that raises some questions and a final report. I don't make those assumptions.

**MR. G. MERCIER:** Mr. Speaker, is the Attorney-General saying that he is refusing to table the report that he has now received from Mr. Twaddle along with the final report? Yes or no.

**HON. R. PENNER:** Mr. Speaker, the Member for St. Norbert may think he's in a court of law where you can answer questions - when did you stop beating your wife? type of thing. I will table in the House, which is my obligation to do, the final report of the Legal Counsel for the Government of Manitoba in the language reference case and in the Bilodeau case.

### Manitoba Economic Conference - cost of to government

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** Thank you, Mr. Speaker.

On the day before last, I took as notice some questions from the Leader of the Opposition regarding the successful Manitoba Economic Conference. The honourable member had asked me what was the cost to the Government of Manitoba for the part sponsorship of the conference. At this point, all the final invoices are not in, so I cannot give an exact accounting at this time. I will provide that to the member once the final invoices are in. However, it appears at this point that it will be basically break-even, give or take a small amount of money depending on the final invoicing.

I was also asked the question, what was paid to Canadian Trend Report as their fee for organizing the conference and that amount is \$20,000.00.

In addition, I was asked if the speakers who were on the panel were paid by the conference organizers or by the province - no, they were not. The only costs that were paid were travel and accommodation costs for speakers who were from outside of the City of Winnipeg.

He also asked whether or not there could be a list of the registrants of the conference, and I will provide him with copies of that.

### Manitoba Economic Conference - contribution by joint sponsors

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Just following on that, could the Minister also indicate what was the amount of the contribution by the others who were listed as joint sponsors?

**HON. E. KOSTYRA:** I don't have that information with me, but I can provide it in due course for him.

### **Judge, Queen's Bench, Brandon - appointment of**

**MR. SPEAKER:** The Honourable Member for Brandon West.

**MR. H. CARROLL:** Mr. Speaker, I have a question for the Attorney-General. We have been without a resident Queen's Bench judge in Brandon since February, when the Honourable Mr. Justice Ferg died. The Federal Government seems incapable of making a decision on this appointment. Would the Attorney-General contact the Federal Minister of Justice and ask him to stop dithering on this matter and make an appointment?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** That's so tempting - you have no idea how tempting that is. Oh dear, Henry, don't hold your breath.

Mr. Speaker, I'm advised that it is likely that the Federal Cabinet, at its meeting this Thursday, will make two appointments to the Bench in Manitoba. It had been their intention to make those appointments earlier, but they seem to have been preoccupied with certain other economic questions which they find rather distressing.

### **Statutes of Manitoba - number translated**

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**HON. G. MERCIER:** Mr. Speaker, a question to the Premier. Last Thursday, he undertook in response to me, to advise which statutes were translated into French prior to the start of this Session and have not yet been introduced for enactment. He took that question as notice last Thursday. Can he answer that now?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, no, I'll check that out.

### **Statutes of Manitoba - government timetable re translation**

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, on that day, last Thursday, the Premier indicated that approximately 83 percent of the statutes had been translated to date; in progress were 12 percent; not assigned, 5 percent. I would ask the First Minister what was the government's schedule for translation of the statutes of Manitoba and the continuing consolidation of statutes prior to last Thursday. Has the government established a timetable for translation of all of those statutes?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, I must point out - and there's been some confusion on this in questions asked

by members opposite - that there is a difference between translation and enactment. The Leader of the Opposition continually talks about their undertaking to translate; the Supreme Court decision talks in terms of enactment.

We have translations which need revision, that is, some of the more learned people in legal translation have to go over the field work. We have a fair number of statutes which are translated but need revision. Revision takes far more time than sort of line translation. Once the statute is translated, it then must be melded with the English. Just for example - and I'll just take a moment, Mr. Speaker - when you have your definitions, the French, which are always alphabetic, the French words may not always have the same alphabetic sequence and there has to be a great deal of work done in melding.

So if things are in flow, and in terms of the continuing consolidation, some excellent work has been done, but there is more to be done and as soon as we can provide the House with precise information, and that will be before we rise, I'm confident, on the continuing consolidation, we'll provide that information, we'll be glad to do it.

**MR. G. MERCIER:** A further question to the Attorney-General, Mr. Speaker. Prior to June 13th, the day of the decision, surely the government had established a timetable for completion of the complete translation of the process of the continuing consolidation of statutes. When was that work to be completed under the government's timetable?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, we were . . .

**MR. SPEAKER:** Order please.

**HON. R. PENNER:** . . . at all times anxious to do it as quickly as possible, but I think members should appreciate the difficulties in hiring and retaining legal translators. We've had two, I think perhaps three revisors and those are the key people who have left after a period of time for personal reasons in each case, so that we may have had an approximate timetable at one juncture and had to alter it.

Now, whatever timetable we may have had has to be looked at in terms of that part of the Supreme Court judgment which says that as of June 13th, everything - which is not only the statutes to be enacted in this and other Sessions, but the regulations - must be done in both languages. There are additional burdens on the legal translators. In the context of the advice that we get and which will be tabled in this House - we didn't have a fixed date. We would hope with respect to the continuing consolidation that we could complete the job in two to five years. It was that flexible in terms of the demands that were seen and the difficulty in hiring.

We have the positions. We allocated the positions to hire legal translations in this year that we haven't been able to fill. You have to pass a federal exam. There were, I don't know, 80 candidates in the federal exam. Less than 36 qualified initially; of those, on interview only three were interested; of the three, only two are coming. It's that kind of a problem that we have.

## Plan Winnipeg - Agreement, province and City of Wpg.

**MR. SPEAKER:** The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** I have a question, Mr. Speaker, for the Minister of Urban Affairs. Have the Minister and the government reached an agreement with the City of Winnipeg regarding Plan Winnipeg?

**MR. SPEAKER:** The Honourable Minister of Urban Affairs.

**HON. L. DESJARDINS:** Mr. Speaker, there is a letter that went to the Deputy Mayor last week. At his request, he wanted to discuss it. We had a meeting and I think we're having another meeting tomorrow. It's very close.

**MRS. G. HAMMOND:** A supplementary to the Minister of Urban Affairs.

In Estimates, the Minister of Housing indicated that MHRC owns 350 acres of land in South St. Vital which is outside the line proposed by the Department of Urban Affairs and that this land is needed for housing development. Could the Minister inform the House what the government's position is now regarding the line in South St. Vital?

**HON. L. DESJARDINS:** Mr. Speaker, the first question was had we reached a final conclusion? I said that we're meeting again with the city. It would be difficult to give you the final decision on that.

I could say that whatever arrangement will be made, it won't be subject to any action of the government through the Housing Department. In other words, the Housing Department will not hold anything back.

**MR. SPEAKER:** The time for Oral Questions has expired.

## ORDERS OF THE DAY HOUSE BUSINESS

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, before the Acting House Leader moves us into committee, I've just announced that the Committee on Statutory Regulations and Orders, to which the freedom of information bill has been referred, will be called for Tuesday morning at 10 o'clock in the second committee room.

**MR. SPEAKER:** The Honourable Acting Government House Leader.

**HON. L. DESJARDINS:** Mr. Speaker, I would move, seconded by the Honourable Minister of Community Services, that Mr. Speaker do now leave the Chair and that the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**MOTION presented and carried** and the House resolved itself into a Committee to consider of the

Supply to be granted to Her Majesty with the Honourable Member for River East in the Chair for the Department of Education and the Honourable Member for Burrows in the Chair for the Department of Labour.

## CONCURRENT COMMITTEES OF SUPPLY SUPPLY - LABOUR

**MR. CHAIRMAN, C. Santos:** Committee, please come to order. This section of the Committee of Supply shall be dealing with the Estimates of the Department of Labour.

We shall begin the proceedings with an opening statement from the Minister responsible for the department.

**HON. A. MACKLING:** Mr. Chairperson, fellow members, I'm pleased to welcome you to the review of Manitoba's Labour Spending Estimates for '85-86. I look forward to a meaningful discussion of our proposed programs for the new fiscal year.

I would like to begin my opening remarks with a tribute to my predecessor, the Honourable Mary Beth Dolin, whose courage in pursuing her political beliefs and in meeting the challenges of her personal life were undertaken with equal determination and dignity.

Her achievements in the areas of consolidating our labour law, undertaking long overdue pension reforms, charting new directions in pay equity and affirmative action, pursuing solutions to the problems of plant closure, technological change and high unemployment have shown her high level of dedication and commitment to public service.

I will do my best to continue the work that she has started and in meeting the high standards that she has set in her years of service on behalf of Manitoba labour.

There have been some changes within the department since our last Estimates were presented to the Legislature. The Advisory Council on the Status of Women and the Women's Directorate have been transferred out of the department. The Honourable Muriel Smith is now the Minister responsible for these programs.

In addition, changes to our labour law have resulted in an increased workload for the Labour Board, which has required an expansion of three new staff years to their office.

The departmental structure remains virtually the same as it was last year, with the exception that the Labour Board now reports directly to the Deputy Minister, rather than through the Labour Division. The Labour and Administrative Divisions, the Research and Planning Branch and the Director of Communications continue to report to the Deputy Minister. The Affirmative Action Co-ordinator for the government remains attached to my office.

The new initiatives for the department in the coming year include working together with other government departments toward the establishment of a Workplace Innovation Centre for our province. The new centre has evolved from joint government, labour and industry consultations and will adopt a co-operative approach to identifying, developing and promoting innovative



solutions to human issues encountered in the introduction of new technologies in the workplace.

The department is committed not only to maintaining and strengthening positive labour management relations, but to ensuring greater equity in the distribution of these benefits.

We have established an Affirmative Action Program for government employees and plans are being developed to ensure that all groups within the Manitoba community have a full opportunity for representation within our Civil Service. We maintain, as a high priority, the humane transition for workers affected by layoffs due to plant closures, while also ensuring fairness for those affected by such action. Among the measures to be taken in this policy area will be amendments to The Employment Standards Act and The Payment of Wages Act. Pay equity is a principle that Manitoba labour is committed to and measures will be introduced to further ensure that women receive a fair share of the economic benefits in the province.

Work is continuing this year on the development and implementation of formalized planning within the department. The purpose of planning is to provide a longer term perspective on the mandate of the department with the objective of enhancing the efficient use of resources and the effective delivery of services to the public.

The process is proceeding in a participative manner with staff from all levels of the department being involved. The focus of this year's planning is on the identification of opportunities to improve individual branch operations.

Through departmental planning, it was recognized that information systems and procedures in many branches required updating and modernizing. Management information systems are presently being developed in a number of areas of the department.

Computer technology is being introduced, where cost-effective, to replace manual systems. In addition, procedures are being streamlined and paperwork is being cut back to the minimum wherever possible. Just as an aside, I include the Minister's Office as well.

The department will be offering research and administrative support to assist external committees, such as the Labour Management Review Committee and the Economic Advisory Council. Such committees consist of leaders from the business and labour communities who volunteer their expertise and advice to government. Assistance from the department in this way helps committees undertake their responsibilities.

Manitoba can be proud of several developments in labour relations in the last few years. Our record on collective bargaining activity, work stoppages, wage settlements, real earnings and unemployment has been favourable compared to previous years and compared to the national performance. A new initiative in our conciliation and mediation services is the introduction of grievance mediation prior to arbitration proceedings. This will expedite the settlement of problem situations during the term of a collective agreement and, thus, contribute to stabilizing labour management relations within industry.

In the last three years, collective bargaining activity has been at an all-time high in Manitoba with some 2,200 agreements being negotiated. Of these agreements, 98.9 percent were settled without work

stoppages. Since the beginning of 1982, only 29 work stoppages have been recorded in the province. The record on person days lost to work stoppages in the last three weeks fell to just over 90,000 person days, compared to 292,000 person days lost in the 1979-1981 period.

Manitoba's record on person days lost per 1,000 non-agricultural workers in 1984 was the sixth lowest among the provinces. Throughout the 1981-1984 period, Manitoba's population and labour force increased significantly faster than the 1978-1981 period. In spite of the faster labour force growth, Manitoba was able to create the jobs necessary to keep Manitoba's rate of unemployment below the national average. The growth in employment opportunities combined with increases in real wages and earnings has resulted in improved circumstances for Manitoba workers.

In 1985-86, Manitoba labour is requesting 222.37 staff years, which represents a net increase of one-half a staff year over last year. Our expenditure request for 1985-86 is \$8,962,000.00. This represents a 1.7 percent spending increase over that budgeted in 1984-85. This modest increase in overall funding is explained by minor salary and operating adjustments within our various branches.

Mr. Chairperson, I've presented to this Committee a brief overview of the major changes that have taken place over the past year and highlighted the major program initiatives that we are emphasizing in 1985-86. I am confident that the members present will have many questions relating to the budget detail of each branch and I would request that these questions be raised by sub-appropriations as we proceed through the Estimates.

Mr. Chairperson, I refer Manitoba Labour's 85-86 Spending Estimates to your Committee for review and passage and, in doing so, I also want to indicate that, as a relatively new Minister of Labour, I am proud of the contributions of my staff; both my personal staff and my Deputy Minister and Assistant Deputy Minister, and all of the staff who will be assisting me in the process of reviewing my Estimates.

Thank you.

**MR. CHAIRMAN:** Consistent with past practice, the leading critic of the opposition party shall make his reply, if he so wishes, to the Minister's opening statement.

The Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Chairman.

I have a few remarks which I'd like to make at this time. First of all, I want to join in the Minister's statement with regard to the former Minister's absence here today. I think that while I was not in agreement with some of the labour legislation that she put forward during her stay as Minister, I think we all appreciated her candor and her conviction that she believed that her efforts in changing legislation and bringing forward changes within the Manitoba labour system would create the type of labour and management relationships, which she believed to be in the best interests of the people of Manitoba. I know that myself and my colleagues, who have been closely involved with the former Minister

over the last number of years, miss her at this table today and would want to register that at this time.

Mr. Chairman, I believe and I think many people are beginning to realize that the top priority of most Manitobans today is one of economic development and jobs. I, for one, do not believe that without having a strong viable private sector in Manitoba, that we can create the necessary jobs that will be required over the next number of years to ensure that our graduates from our universities, that our young people who are coming out of the school system, can and will receive the jobs that they either have training for or wish to enter.

Manitoba has been unique in the Prairie Provinces in being able to have Manitobans who, through their entrepreneurial skills and entrepreneurial ambition, have created many small companies and corporations who make up now, I think, something in the neighbourhood of about - the last figure I saw was about 80 percent of the businesses employ 35 people or less, which indicates that we are not in the position of having very large corporations that are really employing people. It's mostly small business and small entrepreneurs who are taking the risks, along with a good solid labour force, who produce good products and good service.

So having said that, I don't think that the Department of Labour can function in a vacuum without having a very close liaison with the Economic Development people in government. What the Labour Department does with regard to legislation or in implementation of policy has a very big bearing, I believe, on the type of economic activity and expansion within business that we're going to see in this province.

I would therefore say to the Minister that it is my belief that the present government has, to a large extent, done a disservice to the employees as well as the job creation process in this province, because there is a very fine line, when you're talking to entrepreneurs, when they are contemplating expanding a business or opening a business, there only have to be a few things that can be a roadblock in them trying to establish a business here or expand it; and I believe that we have seen a number of those things happen in the last number of years here in Manitoba.

The Minister has today made an announcement. We'll be asking some questions later on with regard to that. I know we'll have discussions in the Legislature. The bill was tabled and he has provided us with some notes. We have a number of areas of concern that I know the different groups have raised with regard to payments of wages, with regard to the construction wages and these things we will be bringing forward to the Minister; but I would caution the Minister that we in Manitoba - and I know it's an old cliché - are not an island unto ourselves. We have to ensure that we remain competitive with our labour laws with our sister provinces. If we don't do that, it can mean the difference of someone expanding or even locating here being driven away because of us having a situation where our labour laws are out of whack with what's happening in the rest of Canada.

I guess a graphic example of that is what's happening in the United States right now. We've seen a mass movement from the Northern States into the sun belt, primarily because of different labour legislation and many of the states are now rethinking what they have

done and are looking at being competitive with their neighbouring states.

After all, I think, one of the things that we all have to realize, it's nice to have all kinds of legislation on the books, but if there isn't the jobs there for the people, it finally boils down to the fact that small business and all the people that are in the position of creating jobs within the private sector are the ones that will ultimately make or break any government with regard to an effective employment program.

We've seen what is happening with so-called government job creation, whether it be in business and other places, and it is not a long-term meaningful type of job. While it's sort of a quick fix, it really doesn't, in the final analysis, give us the strength to build a solid future and a solid tax base on. So I say to the Minister that we have a number of concerns; we will raise them during his Estimates and hopefully, Mr. Chairman, he and the government will see the error of some of their ways in dealing with some of the labour legislation and some of the things that they are proposing as far as policy is concerned, so that Manitobans, indeed, will have jobs and not just a lot of legislation on the books which looks good from the labour standpoint but really does not create the management and labour harmony that we are really striving for in this province.

Having said that, Mr. Chairman, we'll get into the Estimates.

**MR. CHAIRMAN:** At this point in time, the Chairperson cordially invites the members of the departmental staff to kindly take their respective places.

Deferring Item No. 1.(a) relating to the Minister's Salary to be the last item for consideration by this Committee, we shall begin with the consideration of the budget item, No. 1.(b)(1) Administration and Finance, Executive Support: Salaries; 1.(b)(2) Other Expenditures - the Member for La Verendrye.

**MR. R. BANMAN:** Mr. Chairman, I wonder if the Minister could inform us under the Executive Support, whether he has hired a communications officer?

**HON. A. MACKLING:** No, Mr. Chairman.

**MR. R. BANMAN:** I wonder, Mr. Chairman, under which section that would be?

**HON. A. MACKLING:** Under Executive Support.

**MR. R. BANMAN:** Isn't that where we're at?

**HON. A. MACKLING:** Yes and I haven't.

**MR. CHAIRMAN:** He hasn't hired any.

**MR. R. BANMAN:** You haven't hired. So the individual that was there before . . .

**HON. A. MACKLING:** We did have someone as a communications officer, but no longer with us.

**MR. R. BANMAN:** Is there an appropriation there for . . .

**HON. A. MACKLING:** Yes, the money is here for that.

**MR. R. BANMAN:** I wonder if the Minister could tell us how much is appropriated?

**HON. A. MACKLING:** There's provision for \$40.6 thousand for salary and 34.6 for other expenses.

**MR. R. BANMAN:** Last year Ms. Smith was hired to do a report. I wonder if the Minister could tell us if the funds for that were taken out of the Executive Support Program, and whether or not the final report has been submitted, and whether the individual is still on staff?

**HON. A. MACKLING:** The source of the funding is from Executive Support. I have reviewed and examined recommendations that she has made and she continues to be advising me as Minister.

**MR. R. BANMAN:** Is she on a contract or is she on a Civil Service contract?

**HON. A. MACKLING:** She's on term till the end of August.

**MR. R. BANMAN:** I wonder if the Minister could give us the details of when the term was initiated and when it will be terminated and the amounts of money involved?

**HON. A. MACKLING:** I'm advised that she was employed under contract which terminated May 31st, and then we have extended her services, on term, to August 31st.

**MR. R. BANMAN:** What is the cost of that term?

**HON. A. MACKLING:** On an annualized basis, approximately \$55,000 last year.

**MR. R. BANMAN:** The contract ran out, did the Minister say May 31st?

**HON. A. MACKLING:** Yes, I want to correct that. Staff now tell me that it wasn't a contract, it was a two-year term that expired May 31st and her term was extended for a further period to August 31st.

**MR. R. BANMAN:** She has received a three-month extension? What was the cost of that three-month extension?

**HON. A. MACKLING:** It would be approximately \$13,000 for the three months.

**MR. R. BANMAN:** Two other questions. Is there any fringe benefits along with that? Are there expenses involved in that, any other expenses or cars or anything like that?

The other question is, is this a full-time job or is she still practicing law on the side too?

**HON. A. MACKLING:** The usual kind of expense allowance, but no car expense and this is construed to be her full employment, full time.

**MR. R. BANMAN:** So these Estimates would include \$13,000 for that contract and would include some 74,000 for the communicator, is that right?

**HON. A. MACKLING:** Yes, that's correct. The \$13,000 would be in there and the 74.6, or whatever it amounts to, for the communications, yes.

**MR. CHAIRMAN:** The Member for St. Norbert.

**MR. G. MERCIER:** Mr. Chairman, in addition to The Pay Equity Act, could the Minister indicate what legislation he will be introducing to the House this Session?

**HON. A. MACKLING:** With the introduction of The Pay Equity Act, that will complete the specific legislation of the Labour Department. I believe that there is a provision in The Statute Law Amendment Act that is there. There may be one or more small items there through our department, but as the member will recall, I have introduced or given first reading to a bill to amend The Payment of Wages Act and Other Acts, and first reading to a bill to introduce The Employment Standards Act. I believe those are now all of the bills.

**MR. G. MERCIER:** So that will be the only legislation, The Payment of Wages Act, The Employment Standards Act and The Pay Equity Act.

**HON. A. MACKLING:** Yes, I believe that encompasses all of the legislation.

**MR. G. MERCIER:** Would the Minister care to comment on the amendments to The Payment of Wages Act, what he proposes to do there?

**HON. A. MACKLING:** The staff is pointing out to me that The Payment of Wages Act administration comes under the Employment Standards Section, if you want to leave it to there. I could discuss it now, but it might be convenient to associate it with that.

**MR. G. MERCIER:** I wonder if he could indicate whether there are significant amendments in The Employment Standards Act?

**HON. A. MACKLING:** I'll be prepared to field some questions under that same section. I would deem them significant.

**MR. G. MERCIER:** Have they been reviewed by the Labour Management Review Committee?

**HON. A. MACKLING:** The Labour Management Review Committee did undertake a review of a number of areas, were not able to make any definitive recommendations. As a matter of fact, there was rather split conclusions, but the Labour Management Review Committee has been apprised of the conclusions that we have drawn from their review. At least a portion of the legislation, albeit a small portion, is as a result of a recommendation by the Labour Management Review Committee.

**MR. G. MERCIER:** A small portion.

**HON. A. MACKLING:** Yes, and I will identify that at the time.

**MR. G. MERCIER:** Mr. Chairman, will the Minister be introducing legislation that will deal with plant closings at this Session of the Legislature?

**HON. A. MACKLING:** As part of the proposed amendments to The Employment Standards Act, there will be measures that affect plant closures.

**MR. G. MERCIER:** Have those aspects been reviewed and approved by the Labour Management Review Committee?

**HON. A. MACKLING:** The Labour Management Review Committee has been apprised of the proposed changes.

**MR. G. MERCIER:** Has the Labour Management Committee approved that legislation or has the Economic Advisory Council to the Minister of Industry and Technology, which I believe has labour management representation, approved the government's proposed legislation on plant closings?

**HON. A. MACKLING:** As I'd indicated somewhat earlier, the Labour Management Review Committee had been looking at or reviewing proposals in that field, had not developed a consensus and we have prepared amendments with which they have been apprised.

**MR. G. MERCIER:** Mr. Chairman, do we have a report of the Labour Management Review Committee for 1984? Has that been tabled in the House today? I don't seem to have one.

**HON. A. MACKLING:** Not that I'm aware of, Mr. Chairperson.

**MR. G. MERCIER:** When will that be tabled?

**HON. A. MACKLING:** I'm not aware of the review. I, later on, will have staff that may be able to confirm that.

**MR. G. MERCIER:** Mr. Chairman, every year there is a report tabled on the activities of the Labour Management Review Committee, and I believe it has been tabled prior to this time of the year, each year. Certainly it was last year. If the Minister is undertaking to make enquiries from his staff and advise the committee later on, that's fine.

**HON. A. MACKLING:** That's so.

**MR. G. MERCIER:** Mr. Chairman, under which section would we deal with the minimum wages set for heavy construction and rural construction?

**HON. A. MACKLING:** I'm advised that, again, that would come under the Employment Standards section.

**MR. G. MERCIER:** Thank you, Mr. Chairman. I have no further questions under this section.

**MR. CHAIRMAN:** 1.(b)(1)—pass; 1.(b)(2)—pass.

1.(c)(1) Research and Planning: Salaries; 1.(c)(2) Other Expenditures - the Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Chairman. The Minister has indicated that he will be bringing some legislation in with regard to the Research and Planning Section. Is there any capability within the department to assess the type of impact, economically, with regard to the general business development and employment expansion, with regard to legislation that he brings in? In other words, is there any attempt made within the department to see what kind of an impact a piece of legislation will have on the job creation and creation of new employment within the business community?

**MR. CHAIRMAN:** Mr. Minister.

**HON. A. MACKLING:** The Research and Planning staff monitor the various Manitoba industrial and economic initiative components within Manitoba but it's extremely difficult to evaluate particular initiatives in any sector because there are so many variables that influence the industrial sector.

**MR. R. BANMAN:** That comes back, of course, to the thing we were talking about before and that is I don't think that the Department of Labour can deal in isolation. If the Minister brings in plant closure legislation, which as the Minister indicated, has not possibly received (1) the support of the Labour Management Review Committee, and (2) has not had extensive consultation with both business and labour, it could have some pretty negative effects on employment creation in this province. Then again, we the province and the people looking for jobs out there would be the losers.

I wonder if the Minister could tell us what predictions his Research and Planning Department has with regard to unemployment next year as a percentage of employment and how many people he thinks are going to be unemployed in this province next year.

**HON. A. MACKLING:** My answer is not meant to be evasive at all, Mr. Chairperson, but I'm given to understand that Employment Services, my colleague's department, plays the lead role in monitoring and evaluating employment, the labour market, the unemployment levels. But staff indicate to me that, generally speaking, we look at Conference Board statistics and evaluations and their anticipation for the Manitoba scene is one of relatively steady performance; not too great a change in the existing unemployment levels; some favourable indication in respect to employment levels resulting from the Limestone hydro-electric initiatives.

**MR. CHAIRMAN:** The Member for St. Norbert.

**MR. G. MERCIER:** Mr. Chairman, on Page 92 of the department's report and photocopy that the Minister was kind enough to provide me with, it indicates that this Department of Research and Planning does an analysis of Conference Board of Canada economic forecasts. Would the Minister table that analysis with the committee?

**HON. A. MACKLING:** I'm advised that staff do an analysis of Conference Board economic forecasts and that is advice to the Minister only.

**MR. G. MERCIER:** Mr. Chairman, the Conference Board Report is one that is used widely across Canada and surely an analysis of a Conference Board Report by the Department of Research and Planning should be information available to the public; surely it would be under the government's proposed Freedom of Information Act with which we have agreed in principle. Why would the Minister try and hide the department's analysis of the Conference Board Report?

**HON. A. MACKLING:** I'm advised that there is no problem with giving the details of that information that the honourable member seeks but the information is styled and contained by way of memorandum to the Minister. I am concerned about the precedent of memoranda to Ministers being the subject of demand for production. If it were contained in a report of some kind that I could table with my honourable friend, I'd have no problem with it. I understand it takes the form of memorandum to the Minister.

**MR. G. MERCIER:** Mr. Chairman, I raised this issue with the Minister of Employment Services and Economic Security and the Minister of Labour has already indicated that it's the Minister of Employment Services and Economic Security's responsibility to assess and do forecasts of long-range employment and unemployment forecast.

In response to my questions to him, we were unable to get from him any indication of what the long-term unemployment forecasts were for Manitoba. He said they looked at Conference Board material but they couldn't get any precise information from him. This obviously is important information for all Manitobans, for all employees in Manitoba, prospective employees and employers, and people planning on doing business in Manitoba.

I raised with him this concern because his department has put out in their labour market informational bulletin figures which have shown that Manitoba has the second-worst job creation record in all of Canada, except for Newfoundland, over the past year or more; and that while Manitoba's unemployment rate is going up, the national rate is going down.

The Conference Board, in their report, have predicted the same thing for Manitoba. Earlier in this year, 1985, they predicted that Manitoba would have the second-worst job creation record of all provinces in Canada. The Minister has published a report in which he says that major activities of the Research and Planning Department include an analysis of Conference Board of Canada economic forecast. I would like to have that information available to the committee and for the public. Why can't we know what the government's Labour Department's analysis is of that report?

Coming from a government that proposes freedom of information legislation, this is a little disturbing to see that a research department's analysis of a report cannot be made public. What happens as a result of that report by government is for government to decide. If they wish to take a certain direction or change policy

as a result of the analysis, fine, then they can go ahead and do that.

The Minister's Deputy Minister, Assistant Deputy Minister, may well recommend or advise him, as a result of the analysis, that they should do something differently to combat this job creation problem in Manitoba. But surely the factual analysis for Manitoba of the Conference Board's economic forecast should be a matter of public information. These people are paid by the taxpayers and the people of Manitoba, and the taxpayers of Manitoba are concerned with employment.

The government ostensibly is concerned about employment. We want to know why this job creation record is occurring in Manitoba and surely a factual analysis by Research and Planning Department should be made available. Surely the Minister is not suggesting that the members of the Research and Planning Department are so politically tainted that their activities are extremely political and therefore their recommendation should not be public? We're talking about a Research and Planning Department analysis of a Conference Board of Canada economic forecast, and that information should be made public. I would ask the Minister to table that analysis of the Conference of Canada forecast.

**HON. A. MACKLING:** Mr. Chairman, I want to disagree with some of the premises that the honourable member makes. To listen to the honourable member, things are pretty difficult in Manitoba, quite to the contrary. We have, in this province, maintained either the lowest or the second-lowest unemployment rate in Canada for some months.

The investors, who the honourable member is always concerned about, the views of investors in private industry say that this is the province to invest in. Very high expectation of economic activity in this province.

**MR. G. MERCIER:** It's all public investment.

**HON. A. MACKLING:** In addition to that, the honourable member knows that while there were thousands of people that were leaving this province during the time of office in which he was a Minister, seeking work elsewhere; quite the contrary has happened since this government has been in office. Virtually a number of people the size of a community like Brandon have been coming back to Manitoba, and despite the significant influx of people coming back to Manitoba, our unemployment levels have remained either the lowest or the second-lowest in Canada.

The honourable member wants to make an issue out of my reluctance, to satisfy his curiosity, as to what our staff see as an evaluation or analysis of Conference Board statistics. Conference Board statistics are public. The Conference Board itself does an analysis and a forecast, that is public.

When those Conference Board statistics come out naturally the Minister of Employment Services or the Minister of Labour is entitled to get some evaluation that is to the Minister alone. It's not something that is developed for public consumption. It is developed so the Minister can respond to the Honourable Member for St. Norbert or anyone else in the comments that they may make about those statistics. As such, they

are not prepared for tabling in the House or for any other public reason.

They are prepared for the Minister and the honourable member now wants to wax indignant that activity that's carried on in a department, for a Minister to be able to respond to a public document, is something again that has to be for his information as well. I strongly disagree.

**MR. G. MERCIER:** Mr. Chairman, without getting into a lengthy argument, and I am certainly prepared to do it about the statistics, let me just say to the Minister, if things are so rosy, let's table the analysis of the Conference Board of Canada report then, so that we can all see how things are so rosy.

**HON. A. MACKLING:** Mr. Chairperson, I've indicated that I would have very little difficulty in obliging the honourable member, and I think that in doing so, in endeavouring to satisfy his curiosity, I am prejudicing the right of a Minister to have information and advice from staff, by way of memorandum to the Minister, that I can expect is for the Minister's eyes only. This is done all the time in government. The honourable member says that every analysis, every argument, every piece of advice that comes from staff to a Minister in relation to anything that is within the public realm must be the subject of disclosure before a committee, I think that's nonsense.

**MR. G. MERCIER:** Mr. Chairman, I'm saying a factual analysis of a Conference Board of Canada Economic Forecast which has apparently been done by the department should be available to the public.

**HON. A. MACKLING:** Mr. Chairperson, let me say this. Let us just assume for a moment, and I don't think that would be the case because I don't recall what the memorandum read; but let us say that the memorandum used some very derogatory or highly critical words of the Conference Board. Would it be necessary that that be tabled? If there was some very tough worded language, I don't think so. That information, advice, is for the Minister.

**MR. G. MERCIER:** The Minister is absolutely refusing to provide that information to the committee which is factual analysis, paid for by the taxpayer, which would be available to the taxpayer to benefit them.

**HON. A. MACKLING:** I am declining to undertake to table memorandum from staff to the Minister elaborating or evaluating or commenting by way of advice to the Minister.

**MR. G. MERCIER:** Mr. Chairman, the Minister's report says that it's an analysis of Conference Board of Canada Economic Forecast. It's not a political strategy document; it's supposedly a factual analysis, which is something that I would expect that would be done in a Research and Planning Department, a factual analysis, and that's all I'm asking for. I'm not asking for any advice that the Minister's received from his administration that may be recommending certain policy changes, etc. I'm just asking for the factual analysis.

**HON. A. MACKLING:** Mr. Chairperson, if sometime in the future it may be possible that what this Minister could do is ensure that any analysis that is made, is made in such a form that it can be made the subject of a public document. That isn't the nature of the documentation.

**MR. G. MERCIER:** Mr. Chairman, on another matter, it says the report indicates that this branch conducts research on union membership statistics. Could the Minister give me the comparative union membership statistics, the most up-to-date information compared to 1981?

**HON. A. MACKLING:** We can give the honourable member that report. I don't have it with me, but we can table that. I don't know under what head that comes, but we'll do that.

**MR. G. MERCIER:** It comes under this head. This department does it.

**HON. A. MACKLING:** Oh, the Research. Well, we'll table it; I haven't got it with me.

**MR. G. MERCIER:** When will it be tabled? This evening?

**HON. A. MACKLING:** Likely we can do it this evening.

**MR. G. MERCIER:** Is it then agreed, Mr. Chairman, that when that information is tabled, we can discuss it?

**HON. A. MACKLING:** Sure, you can do it under my Salary. You can do it anytime.

**MR. CHAIRMAN:** it will be done under the Minister's Salary.

**MR. G. MERCIER:** No, Mr. Chairman. I think we should be able . . .

**HON. A. MACKLING:** Anytime.

**MR. CHAIRMAN:** With leave.

**MR. G. MERCIER:** it's agreed now. We don't need leave . . .

**MR. CHAIRMAN:** Is there leave that we can go back when we pass this item?

**HON. A. MACKLING:** Sure.

**MR. CHAIRMAN:** Okay. 1.(c)(1)—pass; 1.(c)(2)—pass. 1.(d)(1) Financial and Administrative Services: Salaries; 1.(d)(2) Other Expenditures - the Member for La Verendrye.

**MR. R. BANMAN:** I wonder if the Minister would tell us if there's any grants under this particular section?

**HON. A. MACKLING:** No.

**MR. G. MERCIER:** Are all the grants at the end? On Page 108 of the Estimates, under Grants, those are the only grants of this department?

**HON. A. MACKLING:** Most of them are under the Appropriation 11.2(j), but there are a few other grants under L.2(c)-2, under Fire Prevention, there's \$1,000 and under L.2(g)-2, under Apprenticeship and Training, there are grants to women in Trades Training Program of \$100,000 and Construction Trades Upgrading Program of \$25,000.00. Those were the same as last year.

All of the grants are the same as last year, on (a) through (d) and then there are . . . that's it. Some grants weren't continued. We can deal with the other grants under that item.

**MR. CHAIRMAN:** 1.(d)(1)—pass; 1.(d)(2)—pass.

There will be no resolution on this item because of the Minister's Salary.

**HON. A. MACKLING:** And the other item too.

**MR. CHAIRMAN:** We just postpone after the last item.

Item No. 2.(a)(1) Labour, Division Administration: Salaries; 2.(a)(2) Other Expenditures - the Member for St. Norbert.

**MR. G. MERCIER:** Mr. Chairman, Page 25 of the Annual Report deals with inspections of amusement rides and booths. Could the Minister indicate under which appropriation we would deal with that? I'd like to ask him questions about that when it comes out.

**HON. A. MACKLING:** We deal with it under Mechanical and Engineering.

**MR. G. MERCIER:** Okay.

**HON. A. MACKLING:** That's (b) I guess.

**MR. CHAIRMAN:** 2.(a)(1)—pass; 2.(a)(2)—pass.

2.(b)(1) Mechanical and Engineering: Salaries; 2.(b)(2) Other Expenditures - the Member for St. Norbert.

**MR. G. MERCIER:** Mr. Chairman, as I indicated, Page 25 of the report deals with inspections of amusement rides and booths and indicates from November 1, 1983 to October 31, 1984, there were 418 inspections and 253 orders issued for remedial action; 102 electrical hazards and 151 mechanical hazards, then that totals the 253 orders obviously; number of rides condemned is zero.

I raise this, Mr. Chairman, because I'm sure like other persons with young children, whenever you pass one of these amusement ride operations your young children indicate a preference for attending, to put it mildly, and you attend. I'm saying this with all due respect to the operators who, I'm sure, are conscientious, etc., and try to do a good job, but these amusement rides appear to be thrown up quickly, operate for one or two days and are taken down. I just wonder - 253 orders on 418 inspections might lead one to suspect that - I don't want to offer any opinion. I ask if the Minister and his department can advise if the department has any concerns about these amusement rides that are set up throughout the province and, indeed, are welcomed and they welcome having them and they want to have them but do these statistics indicate any kind of a problem?

**HON. A. MACKLING:** Mr. Chairperson, the member's concerns are appropriate. That is why there are, I believe, such careful inspection of amusement rides in the province. I'm given to understand that we have a very enviable record in respect to the standards of inspection and the standard of care that is exercised in the province in respect to this field.

There are a large number of minor orders made, but they could develop into serious problems if we weren't very attentive to them. We have been following this practice for quite a number of years and as a result of the very careful attention to this field, I'm advised that the amusement rides that are deployed throughout the province are in very good condition.

**MR. G. MERCIER:** Mr. Chairman, I'm glad to hear that. I'm not trying to in any way make any suggestions about their operations, it's just that the statistics appear to indicate with 253 orders out of 418 inspections that there might be a problem.

Can the Minister indicate - and I'll be happy if he says there were none - if he has any information with regard to the number of accidents, if any, involving amusement rides?

**HON. A. MACKLING:** We've had no reported accidents in respect to amusement rides in Manitoba in the last two years.

**MR. G. MERCIER:** Good. Mr. Chairman, just I think one further question. Are they licensed and are they required to carry liability insurance, and if so, in what amount?

**HON. A. MACKLING:** I'm advised that each individual ride has to be licensed, and that is every year, and that the insurance requirements are generally provided for by the municipal government in which the rides are set up, general liability insurance coverage.

**MR. G. MERCIER:** How much is the coverage?

**HON. A. MACKLING:** I don't know the limits. They're set by city or municipality.

**MR. G. MERCIER:** It's governed by the municipality?

**HON. A. MACKLING:** Yes, we are not involved in that.

**MR. G. MERCIER:** I wonder if the Minister - it's not an urgent matter - but I think it would be worthwhile to conduct a survey to see what the requirements are . . .

**HON. A. MACKLING:** Yes, we'll do that.

**MR. G. MERCIER:** . . . for liability insurance to determine if an adequate amount is being . . .

**HON. A. MACKLING:** Good point.

**MR. CHAIRMAN:** The time being 4:30 p.m., we shall be interrupting the proceedings of this Committee of Supply for Private Members' Hour. Committee members

shall return to this committee room at or before 8:00 tonight.

## SUPPLY - EDUCATION

**MR. CHAIRMAN, P. EYLER:** Committee come to order. We are considering the Estimates of the Department of Education, Item 4.(b) Curriculum Development and Implementation - the Member for Elmwood.

**MR. R. DOERN:** Thank you, Mr. Chairman.

Mr. Chairman, some time ago, when the department was first being introduced, I asked the Minister about where we could discuss the controversy over the magazine, HERizons, and she indicated that this was the place to raise the matter. So I would like to therefore make a number of points and ask a number of questions of the Minister in that regard.

Mr. Chairman, I hope in the meantime, that the Minister has had an opportunity of familiarizing herself with this publication, because she seemed to be suffering from political amnesia when the matter was raised in the House.

When the issue first came about, drawn to the attention of the Minister by the Member for Morris, who had it drawn to his attention by a librarian in his constituency; we put some questions to the two Ministers who sent out a letter recommending this publication and the Minister of Cultural Affairs said that he was in fact familiar with the publication. The Minister of Education said that she was not familiar with the publication, and I believe she said words to the effect, "She has not seen it."

Now I find that a very very strange remark coming from the Minister. I'm not interested, as she knows, in her personal reading habits. I don't know what magazines she reads every night before she goes to bed. That isn't the issue.

The issue is, in her capacity as Minister of Education, has she made herself familiar with these publications? Because, Mr. Chairman, it wasn't very long ago, it was in early January that a letter went out to the school librarians in Manitoba, in which they were offered \$300 worth of books and cultural periodicals. Then there was attached to it a number of pages giving a general description of the periodicals and heading the list, right up there on Page 1, I believe - well perhaps not, maybe at least it's on my list, Mr. Chairman - but I think on Page 1 was HERizons, followed by Midcontinental. They headed the magazine section at any rate.

There were other magazines there: City Magazine, which I'm not that familiar with; Word Loom; Canadian Dimension, which most members of the Legislature are familiar with; Contemporary Verse; and Prairie Fire, which is poetry and fiction, etc., I'm familiar with that; and Arts Manitoba, which I think is a good publication and a cultural publication.

But these were strange bedfellows with HERizons and Midcontinental and in addition to a description provided by the periodicals themselves, were, "Recommended grade levels," suggesting that HERizons was appropriate for Grades 10 to 12, as was Midcontinental.

Now, Mr. Chairman, just to refresh your memory, Midcontinental was a magazine that very few people

had ever heard about, and the Minister was sent a copy because of this letter that suggested that both Cultural Affairs and Education recommended these publications. The Minister was sent a copy of Midcontinental.

Mr. Chairman, I've looked at this publication; obviously a small magazine; obviously with a small circulation; the kind of thing that used to be cranked out once a year by engineers on campus when they were acting like bad boys; and the same with the medical faculty where you had the students one time put out a tremendously controversial publication, I think oh, it must have been at least 30 years ago, if not more, in which the medical students printed something which they knew was pretty risqué, to put it mildly.

So here we have this publication, Midcontinental, and in it was a section with some graphic portrayals of oral sex, which I think most people would think are not appropriate for school libraries or junior or senior high students. So the Minister got a copy of that and within moments, Mr. Chairman, I never saw action in my entire life. The Minister exploded, exploded into action. She left this Chamber like a rocket, read that paragraph, turned red with embarrassment and immediately called a press conference, and within an hour, she had already taken a position that this was unsuitable material for tender minds, including some of the tender minds in the Legislature, and that it should be immediately withdrawn.

Well, Mr. Chairman, that was impressive. I was impressed. The only problem was that she left her colleague, the Minister of Cultural Affairs, holding the bag. He was out there drying in the wind, blowing in the wind, as the song used to say, and he was in Vancouver. He probably left town, caught the first plane out of town when he realized that this issue was being discussed in the Chamber.

**A MEMBER:** One for all and all for one.

**MR. R. DOERN:** Right. It was called every man for himself, or every woman for herself, or as we say in the Chamber these days, every person for themselves. It's very hard to remember that, Mr. Chairman, but that's what we say nowadays. So the Minister, in effect, headed for the hills, I'm talking about both Ministers. — (Interjection) — Right, well I don't have the correct grammar, but we know what we mean.

Mr. Chairman, the Minister of Cultural Affairs was left holding the bag. The Minister of Education was the heroine of the day. She was saving students from, "Too explicit for young eyes, Hemphill says." That's the headlines. She got front page on the Winnipeg Free Press on March 16, and there was a very pretty picture, indeed, of the Minister.

**A MEMBER:** An old picture.

**MR. R. DOERN:** An old picture, well, it was very good looking.

Mr. Chairman, when I saw that picture, I didn't know if I was looking at Dynasty or Dallas. It looked like an ad for one of those TV shows; and there was the Minister saying, "Periodical listed as fit for Grade 7 students." Well, that's what they were talking about, namely, one



of the periodicals, and underneath is the Minister waving her finger saying, "Too explicit, too explicit," and so she was on the ball that day.

Meanwhile, back at the ranch, back came the Minister of Cultural Affairs, looking rather gloomy, and then we started to ask the two Ministers about these publications and, Mr. Chairman, shooting from the hip one day, the Minister has sort of lapsed - I think the word is 'torpor'- if that's the right word, just kind of collapsed after that and could not respond to the question of HERizons magazine.

Mr. Chairman, the Minister is, I would say in my opinion, one of the leaders of the women's movement in Manitoba. By women's movement, I mean the militant women's movement - at least I think she is - and she certainly, I think, purports to know what goes on in that caucus in the New Democratic Party, the women's caucus and is seen by many women in Manitoba as one of the more prominent women and political leaders in our province; and I find it very hard to believe, I do not believe, but I mustn't say that. I don't want to question the Minister's integrity; I don't want to do that and I won't, but I want to tell her that I find it very hard to believe that she did not know about that magazine before this hit and for many weeks after and may still be unfamiliar with this magazine.

You know, this isn't a strict parallel, Mr. Chairman, but I have made it a number of times and I have said that this is like asking a young man, say, from 25-45 whether he has ever seen an issue of Playboy magazine. I suppose there are some people who haven't.

**A MEMBER:** Me.

**MR. R. DOERN:** Well, you're over 45.

**A MEMBER:** Steve's never seen one.

**MR. R. DOERN:** Well, perhaps the Member for Thompson. He's a pretty clean cut young man and he's just fresh out of the university, but most young men in Canada have, at some time or another, looked at Playboy magazine. Some read it, some look at it, some laugh at the cartoons.

Mr. Chairman, any woman in Manitoba . . .

**A MEMBER:** What about Playgirl?

**MR. R. DOERN:** Well, Playgirl, I don't care to comment on that, but the point is this, that any woman who purports to be clued in on women's issues - and there are several in the government - who are, you know, militant feminists or feminists or at least would say, not with false modesty, but would say that they believe that they know what is good for women or what legislation will help the women's movement, etc., and the Minister of Education is surely one of them.

So, Mr. Chairman, I find it hard to believe that she is unfamiliar with this publication. It's almost a contradiction in terms. Mr. Chairman, I want to say that I think that the Minister, if she was right in taking Midcontinental off the stands of our school libraries, I want to ask her why she didn't do the same for HERizons? She can't have it both ways. She can't be a ball of fire and a living dynamo, striking down these

naughty things with a sword one day and then putting her sword back in the scabbard the following day. She has to be consistent, so if she had the right of striking down Midcontinental, telling the librarians what to do, then she could have done the same for HERizons magazine. She can't have it both ways.

If it is wrong to suggest to librarians that they should remove this publication from their shelves, namely wrong to remove HERizons from their shelves, it was wrong to order Midcontinental from their shelves; and if it was right that there was explicit and terrible language and pretty third-rate type of material in Midcontinental, then I think the same applies to HERizons. So I'm going to ask the Minister if she'll respond because then I might respond to her response.

**MR. CHAIRMAN:** The Honourable Minister of Education.

**HON. M. HEMPHILL:** Yes, we've been waiting for this opportunity, both of us, I suppose, for four or five days, Mr. Chairman.

I want to ask the Member for Elmwood to be careful and watch his language because I have a son in the gallery and I want him to make sure that he's . . .

**MR. R. DOERN:** What grade is he in?

**HON. M. HEMPHILL:** He's past the regular grades, but nevertheless.

I want to thank him for recognizing the ball of fire that was here in the Chamber that moved very quickly. As soon as we received very clear evidence that there had been material distributed and that it . . .

**A MEMBER:** Who gave you that estimate??

**HON. M. HEMPHILL:** Well, it didn't come through the normal channels, Mr. Chairman, and I might say, I've had a letter from the superintendent of the school division apologizing, indicating that he was very sorry that normal channels and procedures for handling matters like this were not followed. Normal channels would have been for inappropriate material to have been identified for that information to be taken probably just to the principal of the school. — (Interjection) — I'm talking about educational procedures.

Mr. Chairman, I am saying that I got a letter from the superintendent of the school division indicating that he was sorry that they had not followed the normal procedures, normal procedures being those procedures within the education system for dealing with matters like that; and those normal procedures would have been — (Interjection) — oh, well that's a very negative comment on the principal of the school, on the superintendent, on the school board. Of course they're quite capable and able to handle it, as was demonstrated by the fact that all the school divisions that received the material reviewed it, recognized that it was inappropriate and didn't put it on their shelves, so the system works very well.

Anyway, I think the Member for Elmwood was trying to get at the point of why did I act in the one case and not act in the other. I think it took him about 15 minutes to make it, but I think that was his question.

**A MEMBER:** Will you take a shorter time to answer it?

**HON. M. HEMPHILL:** And the answer to it is that there was a reason for it. First of all, we had very clear information that showed us that there was what I described in my letter, I think, material that was totally inappropriate and unacceptable for our schools and I don't think anybody that saw that material would disagree with that. I mean, you just had to see it to know that it was totally inappropriate; and the reason that I acted as quickly as I did on that is because we believed there was a possibility that there could have been some misunderstanding through an error that was created in the letter that went out from Cultural Affairs, that there could have been some misunderstanding and belief that that periodical had been recommended by the Department of Education.

Because of that possible misunderstanding and because we had the material in front of us, it was clearly unacceptable, I moved very quickly to inform school divisions that they may have received this material, they may have believed that it had been reviewed and was recommended by the Department of Education, but that it had not been and that they should look to see if it was there immediately and, if it was, it should be removed from the schools.

I'm glad to say that in the checking that we did with schools from one end of the province to the other, I'm glad to say that one of the things that happened is we found out the system that's in place is working very well, that it had been caught by librarians and teachers. In some of the cases where it had gone out they had looked through the periodical, as they should do with every periodical. I've made this point before. Just because there's a magazine or a periodical or a newspaper that is credible and generally accepted, that doesn't mean that each one that comes through the school should still be examined for the content of that particular periodical or magazine. It's quite possible to have one that has acceptable material 99 percent of the time and for one issue has material that is deemed to be unacceptable for one reason or another.

When we checked, we found out that the system worked extremely well and people were calling back and saying either they hadn't sent for it, or if they had, they had reviewed it when it came to them, had found the material not to be acceptable and didn't put it on the shelf. The system that we're supporting where we're relying on the teachers, relying on the professionals, relying on the librarians to do the job that only they can do at the classroom and the school division level is working.

When the question of HERizons came up - and the member continues to have a great deal of trouble accepting this. He says he will accept it but I think he doesn't understand it. The fact is that I had not seen the periodical, had not read it and still have not to this date. His interpretation and suggestion that my personal reading material - because there's no reason that I should have read these in terms of my professional capacity as a Minister - has anything to do with my role as a woman in a leadership position in terms of women's rights or women's issues has nothing to do with it, absolutely nothing to do with it at all.

The role that I take, and I do take a role both in my position as Education Minister and as a woman in this province, is done in many, many other ways, but I'll tell you it is not done by what I do or do not read. It is done by what I do.

The reason that the HERizons Magazine was handled in a different way is that there was no evidence at that time, no particular example of material, the evidence wasn't there as there was in the other periodical and we were leaving up to the librarians and people at the local level to do the judging that our procedure says that they should do. On the one hand we had clear evidence that there may be very inappropriate material, and on the other hand we had a magazine among dozens, in fact, I would even say hundreds of magazines that are constantly being reviewed by teachers and librarians at the school division level where judgments are made about what material to have on the library shelves. We were prepared in the case of all other magazines and periodicals to let the normal procedure be followed.

In terms of the point he made about my colleague being left to hang out to dry, I can indicate that I was in communication with my colleague, the Minister of Cultural Affairs, even though he was in Vancouver. We both agreed immediately, we were both in complete agreement that this should be withdrawn and that it should be handled that way. I remind members that the day he arrived back in this Chamber, the Minister of Cultural Affairs stood in this House and said that there was a problem and some inaccuracies with the letter that had gone out from Cultural Affairs. The letter had suggested that the Department of Education had reviewed and approved books and periodicals and that it was not accurate that we had reviewed periodicals. We have not reviewed periodicals in the Department of Education since 1979 and there are good reasons for it and I've listed what they are.

The Minister of Cultural Affairs stood and indicated that that was not accurate, that we had not reviewed and we had not recommended. That's one of the reasons that I moved so quickly to correct any misunderstandings that there might be related to the Midcontinental Magazine.

**MR. R. DOERN:** Well, Mr. Chairman, the government has a standard answer when it gets into a tough spot. The answer is it was a typographical error. We've heard this before in this Chamber a number of times. When you corner a Minister, then a good response is, it wasn't my fault, somebody farther down mistyped it or made a mistake.

Remember when the Honourable Member for Swan River brought a very important letter up here on the official language debate from the Premier and the Premier made a mistake. Instead of saying, I think either language or one of these languages - no, it was "these" languages, the word "official" crept in by accident. Nobody who knows how to type can possibly type one word for another when there are tremendous differences in the basic components of that word. If it was one letter of a word, we could understand it. If you know how to type and the S is beside the D and the E and the F, etc., then one could understand how that could occur. The argument, Mr. Chairman, is I think at best feeble.

I want to say to the Minister that three months ago when this issue first hit, I sent her excerpts from HERizons Magazine. I wonder whether she could indicate with a nod of the head where she actually read those excerpts or looked at them. No, she didn't. She was too busy. Mr. Chairman, that's disappointing. Here I was trying to help the Minister, help her in her development as one of the foremost feminist leaders in Manitoba and she wouldn't even take the time to look. She was too busy, Mr. Chairman. She wasn't too busy to take time out that particular day to read that naughty section in Midcontinental, but she was too busy to look at those excerpts.

I'm going to remind her briefly what was in those excerpts or since she didn't look at them and hasn't looked at them for three months, I'm going to give her an idea of what is in this magazine. I can tell you, Mr. Chairman, if I were to read the original Midcontinental paragraph, not only would the Minister blush but I would blush as well and so would the Member for Kirkfield Park. If I were to read from this excerpt from HERizons we would have the same result. It would prove highly embarrassing because of the language that is used in this publication. There's no improvement, Mr. Chairman, there's no superiority in this glossy, slick magazine which started out on somebody's kitchen table in newsprint and now has ballooned to a national magazine. — (Interjection) — That's right, it's the grease on the table.

Mr. Chairman, of course, a part of the reason that the magazine is successful is because of a person named Mr. Axworthy who pumped tremendous sums of money into this publication. I want to, Mr. Chairman, — (Interjection) — Yes, it's going to be "Lloyd who?" but that's still to come; a couple of more years and maybe another election will be required for that.

Mr. Chairman, I want to just make a few passing references to what I sent the Minister three months ago. There was a letter which began the March issue at that time. You know, Mr. Chairman, some people I think have been fooled and bamboozled by this magazine. I always find it painful, painful in the extreme, to look at this magazine and see that particular issue with the photograph of Sybil Shack, because I have a lot of respect for Sybil Shack and she is on the cover of that magazine. There are some people around, I think, who think that this is a good publication. Why? Because it's for "women." If they were to examine it, I think they would realize that it's not so good for women; it's not so good for the women in Canada or in Manitoba. It's the very kind of thing which I think totally discredits this particular movement.

Mr. Chairman, here is a letter from somebody named Collette Bishop, this is their "Letters to the Editor" in that first issue that I really looked at. The first time I really looked at this magazine, Mr. Chairman, was about a year or so before, when they took some real cheap shots at the Pope and there was a controversy in the newspaper. So I went to the library - this is a year or two ago - and asked for some back issues and looked at them and thought, this is really dreadful stuff, and simply put it away.

I wasn't that concerned about it, Mr. Chairman, because I assumed that it was a private publication, that some women got together, put some money into it, and then published it. And, of course, we were to find out now that tremendous federal sums of money

have gone into this and a lot of encouragement from this government, through advertising, through letters, through programs, encouraging people to subscribe to, what I can only describe in the kindest language, Mr. Chairman, as garbage, unadulterated garbage.

Now, Mr. Chairman, I want to give you a couple of excerpts from this magazine of March, when the Member for Morris first raised this issue, and he didn't raise it on his own. He got a complaint from a librarian in his area who said, look what the government's peddling, and it was drawn to his attention. As a result the issue was made public.

The first letter in here complains about two articles that appeared in this magazine. The first one which I won't read from, because it's too obscene, called "Wolf Whistles and Catcalls," and this tells you what you should do if you're a woman or if you're a mother who has a daughter, and somebody on a construction site says something naughty to your daughter as she's walking by. It gives you examples of how you, too, can be more foul-mouthed than any construction worker or truck driver or the foulest of the foul. This is the kind of advice that is being suggested in this magazine. Women shouldn't sit back. They should develop garbage mouths that are equal to, or better than, the foulest men around. Well, that's certainly one approach. That's certainly one way of becoming equal, but not a very good way.

The second part of her letter is where she complains that in an article about prostitutes, that prostitutes are made to seem like wonderful people, terrific people, the old heart-of-gold business, and also that they are, of course, forced into this tawdry profession, forced into it by men, naturally, by men, by their customers, by their husbands, by their boyfriends, by their pimps, etc. It's men who force women into prostitution, of course.

So this woman is saying, in effect, what about the rest of us? And she says, some of us are waitresses, shop assistants, typists, secretaries, cleaners, etc., trying to earn an adequate amount of money and this article is putting us down. It's making the prostitutes the glamorous, hard-done-by, working women of the world. Well we all know that theory, Mr. Chairman, it's good for a Hollywood movie and it's good for an article in a magazine.

Then we got to one of the more interesting letters by somebody named "jessica" who doesn't spell her name with a capital letter, because it's just not trendy to do that. She, of course, has to spell women in the trendiest way, W-O-M-Y-N, because poor old jessica, it would kill her if she had to spell women, and have the word "men" or "man" in it. That would just kill her. Some women spell women, W-I-M-M-I-N, that's another way of spelling it. We must get away from that horrible stuff. Or like the trendy Minister of Labour who goes to Washington to meet "congresspersons." He's a very contemporary guy, a with-it kind of fellow. He doesn't look it, but he sure talks up a storm. He talks to "congresspersons."

Mr. Chairman, I remember that terrible time when I picked up the Ottawa newspaper and they had an article and a photograph. It was in the middle of winter and there were some children, who had taken a bunch of snow, and rolled it up - you know how kids do that when the snow is just the right texture - and made a

"snowperson." There on the front page of the paper was a "snowperson" made by two children.

Well, we know all about that sort of thing, Mr. Chairman, the latest jargon, the trendy kind of stuff and here's old Jessica writing in and she's a lesbian and she is really hot because she is angry with some of the stupid members of the women's movement who don't realize the facts of life, and she tells them the facts of life here. She's complaining about somebody. She's muttering with "rage and frustration." She's "holding and shaking her head" in regard to a letter or an article that was in the previous issue, the December 1984 issue, a couple of months before. She says to these people who don't know what's going on in the world, "You will be surprised to find out that most group efforts, those started yesterday, today and tomorrow, were started by dikes," and then she says a little further on, "I'd also like to criticize the editors of HERizons for letting such unknowing anti-lesbian, hence anti-women attitudes to be printed." Well there's Jessica, she's a lesbian and proud of it, and she's getting a little sick and tired of these weak-hearted sisters in the movement who don't recognize the place of lesbians in the forefront of the women's movement.

Well, Mr. Chairman, then there's the usual articles about "Help the gays in England with their newspaper which needs funding," and then the lesbian computer group ad, and the older lesbian ad and the lesbian archives of Manitoba - I never heard of that - they'll probably get a grant - and then the lesbian news journal in Kenora, and I'm sure they'll get a grant too.

Then, Mr. Chairman, just one or two more brief examples. A cartoon here about "Susy Homemaker." Well, here's old Susy Homemaker, working away with her kid at home, when there's a knock at the door and in comes her friend, who's leading this exciting life. She has lunch with famous people and travels around and makes money and leads a glamorous life of a working woman, and then she leaves poor old Susy, the old housewife, with Junior and slams the door. Old Susy thinks about what's going on in the world today and realizes what is going on and takes Junior and drops her baby into a garbage can. That's, of course, the trendiest of the trendy, Mr. Chairman.

So I'm simply saying that if you look through these magazines - and I've looked through them - and I say that it's not much. It doesn't take you very long to come to the following conclusion: that HERizons is full of foul language; that it supports a militant feminist program; that it's pro-lesbian; that it's anti-male; and that it's anti-Catholic.

I say to the Minister, and I'm going to ask her to respond because I have I think one more remark to make to her. I want to ask her whether she thinks a magazine like that, which is always pushing this militant, feminist line, which is always taking shots at men, which is always taking shots at the Catholic Church and the Pope, in particular and the pro-life movement, in particular, whether she thinks it's appropriate for her or her colleague in Cultural Affairs or her other colleagues in the Cabinet who put ads from Tourism into this publication, who make special grants, as the Minister of Cultural Affairs did not too long ago for \$10,000, etc., whether she thinks her government should be supporting this type of publication.

**HON. M. HEMPHILL:** Mr. Chairman, as has been the case for a number of days in Education Estimates,

members opposite stand up, and while they do ask a question at the end, they deal with a number of issues and points in their lengthy presentation and I'd like to respond to some of them.

I appreciated and enjoyed the show and the theatre and the grandstanding or whatever it was - I'm not sure what it was because I'm not sure what points he was making on either side of the issue. The issue is the question of procedures and controls for evaluating and approving materials in the schools and that's the issue we should be dealing with. The content of one particular magazine or another particular magazine or any of the hundreds that are out there are not the issue.

What the issue and the question is and what we should be dealing with is how we handle the evaluation and recommendations and approval of material in the schools because as I said in a press release that was put out yesterday, Mr. Chairman, when I was describing some changes in the procedure that we have made in the Department of Education for approval of materials, which hasn't been mentioned at all but which I think is of some interest, I said that we have a system in place that protects our children from inappropriate or unacceptable material. I agree with that, but we don't want a system that censors or that interferes with the responsibility of the professional people at the local level, teachers, school librarians and school trustees to make decisions about what material is appropriate to their school and meet their community's values because we know that there are different values from neighbourhood to neighbourhood and community to community.

Nor do I want to limit - in fact, I think we would be going into the Dark Ages if we had a system that where a list was put out by the Department of Education and the Minister dealing with textbooks, resource and support materials, magazines, newspapers and periodicals that said, this is what you can read and this is what you can't read, and anything that is not on the list is not allowed for use in the teaching in our schools. What a great loss that would be, a great loss. So we don't want to limit access of either students or teachers to valuable and useful material that can be added to supplement to the curriculum that is being taught. I submit to the Member for Elmwood who is - I won't say an old teacher - a former teacher, and he knows the professionalism that is brought to bear by those people in terms of knowing how to judge material and making those judgments about what is appropriate material in the schools.

That doesn't mean they're never going to make a mistake; it doesn't mean that he's going to agree with every judgment that's made by every teacher, the 12,000 in the province but, overall, it's the best system that we have. We have one where the department takes the responsibility and we leave a fair amount of responsibility to the school divisions, and in communicating with members of the Education community, it's my feeling that, in general, they want it to stay that way.

In fact, we had calls from school divisions and school trustees saying, don't take that away, don't start putting out a list, don't tell us, don't go into a procedure that doesn't allow us to make those decisions ourselves. I met with the representatives of the Library Association who were quite prepared to look at procedures and

guidelines to see if we could make any improvement on the procedure for approving materials, but said, for goodness sakes, don't take it away, that it's at the appropriate place. We are trained and we are the best people to help make those judgments.

As far as I can see, there was general agreement that we had some deficiencies and we've been prepared to admit that, in terms of evaluating material between departments in government. We have said that from the beginning, from the first day that the Minister of Cultural Affairs stood in this Chamber and said that there was a problem with the letter that went out to school divisions by the Cultural Affairs Department, that was not accurate and did not reflect the role or the actions of the Department of Education. Also, we recognized and said immediately that we would be meeting between the departments to see if we could improve the procedures so this wouldn't happen again.

In fact, we admitted right off the bat, not only did I take quick action on that one periodical, but admitted immediately that there was a problem in terms of interdepartmental procedures. We've since had a group that has met and studied it and yesterday I announced some improved procedures interdepartmentally between government, and these are . . .

**A MEMBER:** Why didn't you announce it in the House?

**HON. M. HEMPHILL:** Why didn't you ask a question about it?

**A MEMBER:** You should make a Ministerial Statement with all your other . . .

**HON. M. HEMPHILL:** I outlined four steps which we will be following and dealing with materials originating from other departments. No. 1 is that other departments have been notified that they must clear material that they propose to send to schools, through the Department of Education. No. 2, we're going to have regular meetings with other departments to exchange information and discuss activities they may be undertaking, materials or otherwise, that may have an impact on Education; and we've established a liaison between my consultants in the Department of Education in specific subject areas with other departments to determine appropriateness of materials proposed for distribution to the schools; so if it's in the Language Arts area, it will be discussed with the Language Arts consultants, if it's in Social Studies, it will be discussed by the Social Studies consultants.

We will be distributing a list of materials of interest to school from other departments. This allows the Department of Education to check information before it reaches the school division level.

So, Mr. Chairman, what have we done? We said right away when this came out, we've got a problem. There is a deficiency in terms of our controls, not in the Department of Education. That is a good procedure that we have and it's stood the light of day and the test for a number of years and I continue to stand by it, as do I believe, all of the people in the field.

We take responsibility in the department for evaluating and requiring and approving textbooks. We take responsibility for reviewing books and texts that

are added as supplementary material to curriculum. We take the responsibility for reviewing other resource materials that can be seen to be valuable resource materials, additional resource materials to curriculum and we leave the periodicals, the magazines, the newspapers which number in the thousands I would think, up to individual schools, individual teachers, librarians, principals, staff in school divisions to decide what to put in their libraries.

So we've corrected the deficiency interdepartmentally; we've got a much tougher, much clearer procedure that makes it clear that no other department in government can approve or recommend materials to education or the schools without going through the Department of Education and it will require our examination prior to a recommendation going in.

It's important to say though, I think, that the program that is being criticized so greatly on the one hand by the Member for Elmwood - there's been no mention of the usefulness or the purpose of the program. It's been recognized as a very good program. We had a problem here with this particular aspect of it, but the purpose of that program was to get Manitoba materials and Manitoba publishers and people who are writing in Manitoba, art and poetry and essays, make them available and have them distributed in the schools.

Now that's something we all want and I recollect the Member for Elmwood even saying in this debate that he agreed with that, that he thought the recognition of Manitoba artists and writers was important and that one of the problems we've had before is Canadian content and Canadian materials and we do want our own people and we want to recognize the quality of work that they are doing.

So, in general, the program was recognized as a good one; the purpose was a good one. What we had was a problem where we had a procedure that was not as strong as it could have been, although there were no terribly negative results. I mean, let's not overreact to this. Although we saw material that we would be very concerned about if it was in the schools - in fact, it wasn't. The librarians and the teachers were catching it and keeping it off the shelves. Let's not overreact to a potential problem and make it an issue way out of context of what the issue is. The issue is that we had deficiency in our procedures in terms of approving material that goes out to the school divisions. We recognized it and we've corrected it. The issue that we should be dealing with is the procedures for approving materials, not the content of HERIZONS or any other book.

**MR. R. DOERN:** Mr. Chairman, I agree with one point that the Minister has made. I don't agree with her main point but I agree with her point she made in passing that the thrust of the program which was to attempt to support Manitoba publishers is a good one. I agree wholeheartedly with that. The thrust of the program I agree with, but in spelling it out there is judgment and discretion which comes into it. Somebody decided that certain magazines and certain publishers qualify. I say whoever decided that HERIZONS was a suitable publication went wrong, went array. That is my point.

The fact that something is published in Manitoba doesn't make it good per se; it helps in terms of job

creation; it helps in terms of printers and typists, etc., but I mean if somebody is turning out pornography or obscene material then the government has no place in supporting anything like that.

Mr. Chairman, I just want to make a couple of general comments and then draw a couple of conclusions. I want to also say to the government that when Lloyd Axworthy, the former Minister has shown to have pumped in massive amounts of money into this publication, the last thing they need is additional financial support and encouragement from the Manitoba Government. Mr. Axworthy under the guise of employment creation gave \$111,000 to these people a couple of years ago, increased it to \$196,000 and then to \$232,000.00. That, Mr. Chairman, has allowed them to go from a tabloid in newsprint to a glossy, slick, monthly, bilingual publication. They're rolling in dough, Mr. Chairman. They are hiring staff. They pay people to write articles for them because they have an average of almost a \$200,000 a year federal supplement not to mention ads, not to mention monies that flow directly and indirectly from the Provincial Government.

I want to also remind the Minister that the Archbishop of Winnipeg, Adam Exner himself, said that he was not in favour of support for this publication and the Manitoba Association of School Trustees and the St. James School Board, etc., etc., etc.

I have to tell the Minister that her government and she herself, at least on this occasion, is too prone to wiggle out of something by simply saying well it was a mistake, Mr. Chairman. Mr. Chairman, in my opinion, the Government of Manitoba is fully behind this publication in their current attitude. I don't think it's a mistake. It's one of the following. Either the government didn't know what it was doing, and I refer to the Department of Education. I want to remind you, Mr. Chairman, what was said in this letter. I want to give you the pertinent quote. It said, "Please note that each book title and cultural periodical has been assigned recommended grade levels by", it says, "the Manitoba Education." This new trendy, bilingual name that the Minister has decided to slap on to her department. It says that each periodical has been looked at and assigned grade levels by her department, with the assistance of the Manitoba School Library Audio-Visual Association. This information has been kindly produced as an aid in your selection of these cultural products. Boy, this is cultural products?

Mr. Chairman, is that whole paragraph a typographical error that it was not only the department wasn't involved but the Manitoba School Library Audio-Visual Association wasn't involved, that these people in Cultural Affairs were mistaken, that they fumbled the ball so badly they pumped in a whole paragraph of information and grade levels and so on. I don't think, Mr. Chairman, that's really what is behind this. I think what is behind this is that the government supports this cornball brand of militant feminism that is around. Either one of two things; they either don't know what's going on; they don't read these publications, in which case, they are showing and demonstrating their ignorance or they do know what they are doing, in which case, I regard this as a somewhat sinister action on their part.

Mr. Chairman, I am not prepared to believe that this was a mistake or that this was somebody fumbling the

ball or that procedures had to be tightened up. I'm not just pointing the finger here at this Minister because there are other Ministers in her Cabinet who, I think, are very, very prone to push any extreme form of militant feminism that they can find into this Chamber and into this government and into our society.

The rest of them, Mr. Chairman, are as far as I'm concerned simply fellow travellers who are going along, sitting silently by while this element in the government is having their way. Mr. Chairman, I believe that this government to a large extent is controlled by labour and by women; that those are the two strongest forces in the New Democratic Government of Howard Pawley; that labour is No. 1 and when they bang the table then people jump to the ready and when the women bang the table the same result. The people who are in neither camp; they're simply going along; they're afraid to speak up; they're afraid to stand up for what they believe in.

Mr. Chairman, I have to say to the Minister that I regard her and her colleague from Cultural Affairs as two of the foremost symbols in the government. The Minister of Cultural Affairs being a symbol of the labour movement and more than a symbol, a direct link; and that the Minister herself is a symbol and a leader, I would hope that she has better sense than some of her colleagues. I believe that she is more intelligent than the Member for Wolseley who demonstrates little intelligence of any kind on any issue. I believe that the Minister has more common sense than that.

I do not believe that this is a case of the government unknowingly and unwittingly made a mistake, so now we'll tighten up procedures. I think what happened is the government put some money into a program and backed a horse and when things went wrong everybody headed for the hills. Everyone wanted to disclaim any association with it. I think the government knew perfectly well what it was doing by supporting this magazine. They believe that this magazine complements and is a part of their entire program. I think on that account, they can be condemned. So the Minister can say she's going to tighten up procedures, well, let her tighten up procedures. Let her make sure that this kind of garbage is never again promoted by people in her government and recommended for kids in junior high and senior high.

But this is only one fragment of a whole package and we see it in legislation that's coming down and we see it in appointments that are being made and we see it in government programs. As I say, in conclusion, it is in fact the New Democratic administration demonstrating its weakness, demonstrating the fact that it has sold out completely to the labour movement and to the women's movement, Mr. Chairman, and I think that that's a far cry from the political party that a lot of people built up in this province over 50 years and are going to pay the supreme penalty for so doing.

**HON. M. HEMPHILL:** Mr. Chairman, to deal with a few of the specifics raised by the Member for Elmwood, I continue to say that I am sorry that he's using something that is as important and serious as this to do his usual grandstanding such as he's done here today. He's thrown in everything but the kitchen sink - grandstanding I said, which is what I said before. He's thrown everything in here but the kitchen sink and is

laying it - we're talking about one small issue actually and he's thrown everything into this discussion.

I'll deal with a few of the points that he made. When you said that you agreed with the purpose and it was for job creation and for printers, to give work to printers. As a writer of a book, and I make no judgment on his authorship or his writing, he should know that the issue wasn't publishers and printers, although that was one of the things. But it's to recognize and appreciate and give some platform and place for our artists, our writers and our poets and people to have their material and work recognized, not just to give work to publishers. If somebody who had printed a book, who knows that we have not done as much as we could do to to recognize our own Canadian artists, that was one of the basic purposes of the program.

**MR. R. DOERN:** Show me an artist who writes . . .

**HON. M. HEMPHILL:** I'm talking about the purpose of the project and the Member for Elmwood said that he thought the purpose was for jobs and printers, to give printers work. I'm saying there was much more to it than that, and that giving recognition to our Manitoba and Canadian artists and writers was one of the very important elements. As a writer, he should recognize and appreciate that, because we have not given them the recognition and support and appreciation over the years that they should have.

In terms of MAST taking a position against HERizons - it's true that they came out very strongly against HERizons initially, took a very strong position. I think it was about a 7-page letter about the book, but after that they wrote another letter, not dealing with the magazine HERizons, but the issue I am talking about which is procedures for control. They did not want censorship and they did not want judgments and that right and responsibility taken away from school divisions.

So while there was some concern about the magazine in particular, there was still a feeling that the local control was still very important and should not be interfered with, which is what I have been saying all along. That school divisions, teachers, superintendents, trustees and principals are in the best position to make those decisions.

In terms of the women - saying that women control the NDP, women and labour. Is the member gone? No, sorry, I just couldn't see you for a minute. I don't want to get sidetracked into side issues that are not relevant to the Department of Education's Estimates, but I feel that I have to say something in response to that.

There's one thing this government does not have to apologize for and can take a great amount of credit for, it's their recognition of the position that women have been put in in Manitoba and across this country at every level where they were not recognized and not given the same opportunities.

It doesn't matter whether you look at educational opportunities; it doesn't matter whether you look at wages and payment; it doesn't matter whether you look at pension plans; it doesn't matter whether you look at the family and who is there caring on the family, without support and without help; it doesn't matter whether you look at elderly women, the large number

of whom are below the poverty level, this government has done a lot to improve the position of women in every arena, and we have nothing to apologize for.

In fact, I would say that while we've made grounds, we certainly haven't done everything we want to do or should do, and to suggest the things that have been done on behalf of a disadvantaged group, and women are one of the largest disadvantaged groups in this province and in this country - about 51 percent of the population - is a suggestion that they are lead or controlled, the party is controlled by them, is not the case. What is the case is that there were disparity, inequity, disadvantages that had to be corrected and this government was brave enough to begin to correct those and I'm proud of that.

I have to also say that I'm not prepared to accept the insult that was made on behalf of my colleague, Myrna Phillips. He gave a compliment to me, on the one hand, by insulting a colleague of this Chamber, and I think that kind of personal insult is inappropriate in this Chamber, is unparliamentary, and should not be accepted. He may not want to apologize and he may not want to withdraw it, but I do not accept it and I tell him it's unparliamentary, unacceptable behaviour and I'm sorry he's stooping to that kind of behaviour.

I will get back to the point about the recommended grade levels. He quoted from the letter that went out from Cultural Affairs that was inaccurate, and he said, was the whole paragraph inaccurate? No, it wasn't inaccurate. The paragraph said - and I don't have the letter here in front of me - that we had assigned recommended grade levels to books and periodicals, and the inaccuracy was the periodicals. We had reviewed some books that we had been asked to review, and those books that we reviewed, we stand by our evaluation and our recommendation of them.

But we did not review any periodicals. It is not our job to review periodicals. It is not our responsibility. There was no review of periodicals. The mistake in the letter was that it said books and periodicals, and should not have said periodicals. — (Interjection) — Keep you after 4:00 for your behaviour. There are young children in the audience too, and not my son - there are about Grade 4 and 5 students in the gallery and I ask members to remember that.

**MR. R. DOERN:** Mr. Chairman, I will only make this comment to the Minister because I don't want to get into lecturing each other here. But I want to say to her that she talks about problems that have been encountered by women over the decades and so on, in our province and in our country. I have to tell her, in short, that those problems will not be rectified by taking provincial money and provincial support and provincial programs and pouring them into garbage like HERizons Magazine. That will not help the women of Manitoba or the women of Canada. That will only discredit them and their better aims.

**HON. M. HEMPHILL:** Mr. Chairman, nor will it help the women of Canada to have statements made in this Chamber by an elected representative about programs that are brought into place to give women a more equitable and a better position and a fairer position, nor will it help their cause to have members like the

Member for Elmwood downgrading the works and the programs that have been designed to improve their lot.

**MR. R. DOERN:** Mr. Chairman, I then have to ask the Minister whether she is now endorsing and supporting HERizons Magazine? I am attacking HERizons Magazine. I am asking her whether now we may understand her words as support of this publication because, Mr. Chairman, poignantly, because it is written by women and it is written for women. Is she now telling us that anything that has the word women in it merits her support and is she specifically telling this Chamber that she endorses and supports this publication? That's what she appears to be doing.

**HON. M. HEMPHILL:** My words were in support of the work of the government on behalf of women in my previous comment.

In my role and responsibilities as Minister of Education, it is not either my responsibility nor my job to review and approve periodicals; it's not our procedure; it's not accepted procedure; it's not required. I don't believe that we should be moving in that direction. The procedure is that periodicals and magazines are approved at the local level by teachers, librarians, principals and school divisions and I intend to leave it that way.

In terms of my personal life it is not necessary for me to respond or explain to the Member for Elmwood what my reading material is and what my position is on magazines.

**MR. CHAIRMAN:** The Member for Morris.

**MR. C. MANNES:** Mr. Chairman, I have only a few questions with respect to the Minister's new screening program. First of all, I have to take some exception to the Minister on behalf of a superintendent in my school division saying, I'm sort of apologizing that, in fact, this whole matter of inappropriate material finding its way into the public school system; apologizing as he did because it didn't come through normal channels.

Mr. Chairman, let me tell the Minister that I and she are elected by some 10,000 or 15,000 eligible voters. The superintendent is a paid employee of the division. I never ever believed that my position as an elected representative of the people isn't anything other than normal channels. I'd ask the Minister if she feels as a representative, elected duly by the citizens of her riding, that they don't have the right to bring to her any issue of the day?

Mr. Chairman, when the Minister says that somebody in my school division didn't take the proper channels, I ask her specifically what she means by that statement? Is she saying that the people, parents of children that go to school in any school division do not have the right to come to their elected representative and address and talk to him about any issue? I'd like to know her view on that matter.

**HON. M. HEMPHILL:** Mr. Chairman, I have no objections. First of all, I think the superintendent was indicating that he was sorry that they didn't follow the normal procedures because there are educational

procedures that are acceptable and they were not followed and they should have been for their information. Let's separate that first of all. They had a right to know and there is a procedure to follow that lets the principal and the superintendent know when material has been identified that is inappropriate, so they as the professional people responsible for the education in that community know what is going on so that they are informed. The concern was related to that; they should be informed; they should know; and they should be dealing with it and helping make a decision and take a position.

Keep sitting down because I'm not finished.

**MR. C. MANNES:** I'm not standing.

**HON. M. HEMPHILL:** Okay, you're getting ready to stand. On the point that he made about elected representatives, yes, I have no quarrel with members of a community taking anything to their elected representatives. In fact, I certainly encourage people in my constituency to do so even when it isn't in the area of my responsibility. They don't always know where to go and they don't always know whose responsibility it is, and even if it's civic or even if it's federal or in some other arena or department, I say you can come to me and tell me about your problems and if I don't have the responsibility or I don't have the information, I will get it for you.

In this case, I have no quarrel with any information that is brought to an elected representative on any issue and then raising it or getting information or helping them find out how to deal with an issue that is of concern to them. The problem with this one is the difference in - I heard a voice behind me say motive and this is the difference. In this case, had this been handled in a way - because it was an important issue and it mattered and it was important to the education system and the information was brought in that light to try and correct and improve something that was important and something that was of concern to parents, I would have no quarrel with it. In this case, we know it was not used for the betterment and improvement of the education system. It was not used to help improve procedures and identify a problem. It was used for political embarrassment and that was the reason it was raised, the way it was raised, instead of through the normal procedures. That I object to!

**MR. C. MANNES:** Mr. Chairman, the Minister says that it's accomplished nothing but political embarrassment. She can come and attempt to arrive at any motives that she wishes to direct against us, but the point being, Mr. Chairman, it has caused some good. It caused the Minister within two hours to pull something that should not have been in place. Secondly, she announced a screening procedure yesterday. Obviously, it did accomplish something, Mr. Chairman. How can the Minister say it accomplished nothing?

Mr. Chairman, the new program for screening - I wasn't listening totally to the Minister - will it now deal with periodicals? Have any of the listed periodicals that came with the announcement of the program other than Mid-continental been removed from the list under that program?



**HON. M. HEMPHILL:** Yes, Mr. Chairman.

First of all, I tried to make it clear that the changes in the procedure were related to controls and changes Inter-departmentally, departments between government, so that the procedures are there if any other department other than Education wants to promote or distribute or recommend materials or books to the schools. That is where the procedural change has come in. After the review, and we did a lengthy review of the existing procedures, in terms of recommending and responsibility for the Department of Education and school divisions, we decided that there was not a deficiency there and we are leaving the procedures as they were. I went to fair lengths to describe what they were, how the department takes responsibility for reviewing, evaluating and approving textbooks and requiring textbooks. We take the responsibility for reviewing, approving and recommending additional texts that are supplementary texts to the curriculum, not the exact textbooks for curriculum but supplementary material.

We also take the responsibility for reviewing and recommending support materials that could be in a variety of forms that are recognized as good supplementary materials for curriculum. We have not moved away from the existing procedure for periodicals, magazines and newspapers that come in by the thousands where we have said that responsibility has been since 1979 through your government and ours and over a long number of years, the responsibility of the school division and that's where it belongs; and all our discussions with - in fact, that's one of the points I made about the trustees. They were concerned about HERizons but when the crunch came, they didn't want censorship and they didn't want interference with local control, and local control being that right to make those decision at the school division level, so that procedure remains the same as it was. The responsibility belongs to the teachers, librarians and school boards.

**MR. C. MANNES:** I take it then, Mr. Chairman, out of that answer, that the new screening process will make no attempt whatsoever to review periodical material, in fact, I take it that Midcontinental still has a right of access into the schools. Maybe not under the program, not under the program of the Minister of Culture, but it still in itself, has a right of access to the schools; that indeed all the other periodicals listed under the program, including City magazine, HERizons, Canadian Dimension and so on, Arts Manitoba, still have access to the schools to be reviewed, as the Minister says, by librarians, principals and then the school board and whoever else.

**HON. M. HEMPHILL:** Yes, Mr. Chairman, that's the case and that procedure is one that is supported and agreed to by, as far as I know, all the people in the Education community. The Library Association believes that's the way it should be handled, that they have been trained, they are the professionals and there is agreement too that every periodical and every magazine should be reviewed individually.

I want to make this point again, because I said before, it is quite possible to have a magazine that's a credible magazine and an acceptable magazine, or even a new

one, that has not yet been established or isn't that well-known, accepted because they review one or two of them and it looks like good material and then have one that doesn't have appropriate material in it.

I've talked to librarians and the Library Association and they all agree that every single magazine and every single periodical must be looked at and must be reviewed at the school level prior to putting it on the shelf, even though they have ordered it and they may think that it's an acceptable or appropriate magazine. So clearly, with 714 schools and I don't know how many classrooms and 200,000 kids and 12,000 teachers, there isn't anybody in their right mind that could believe that the Department of Education, in some practical way, could read and review and examine everything that is up for consideration by the principals or by the teachers for introduction into their classroom. It clearly has to be done by them.

**MR. C. MANNES:** Mr. Chairman, on April 16th, the Manitoba Association of School Trustees wrote a letter to the Minister asking her for a policy with respect to the screening of periodicals coming from the department or through the Department of Education.

Is this the answer now that the Minister has given or will give the school trustees? Maybe she can tell me whether or not she has even answered that letter which they wrote to her such a long time ago.

**HON. M. HEMPHILL:** Yes, Mr. Chairman, clearly, the length of time for the answer as they knew, was that the procedures were under review. We took a reasonable amount of time to do that and had quite a lot of discussion with a lot of people. Yes, that is going to be the answer and I think if the letter hasn't gone out, it's very close to going out or it's in the process of going out with that information.

I might just say that it's my understanding that although they indicated initially a lot of concern about the magazine, in particular, HERizons, they came back at a later date and said, although we're concerned about that magazine, we don't want censorship and we don't want interference with local control.

**MR. C. MANNES:** One final question on HERizons, and I haven't ask many, but I only have one. How did the publishers of that newspaper obtain the list of students within the St. James School Division in order to direct some subscription opportunities to them?

**HON. M. HEMPHILL:** Mr. Chairman, I do not know but they did not get it from me.

**MR. C. MANNES:** Did they get that from the department? Did they receive that from the school division office?

**HON. M. HEMPHILL:** Mr. Chairman, I'm sorry, when I said "me" I actually wasn't meaning me, personally. I was talking as Minister of Education, which includes the department. No, we do not have lists of names of students, individual students in school divisions in the department, so I don't know where they got the list, but they did not get it from me, as Minister, or the Department of Education.

**MR. C. MANNES:** Mr. Chairman, the Minister indicates that the procedure for periodicals has not changed. Maybe she can tell me, even though it's a question that probably could be best answered by the Minister of Culture, is Arts Manitoba still one of those magazines or periodicals that has been recommended reading by some arm of government and is being supported under the program announced by the Minister of Culture?

**HON. M. HEMPHILL:** Mr. Chairman, I agree. I think that question would be more appropriately addressed to the Minister of Culture at an appropriate time, which is not Department of Education Estimates.

**MR. C. MANNES:** Mr. Chairman, I call the Page over here. I noticed both Ministers are in the House. I'd like to send over to the Minister of Education and the Minister of Culture some poetry that's now in Arts Manitoba. For the Minister, I can tell her that this is Grades 7 to 12. This periodical was recommended for Grades 7 to 12.

To show the Minister that it's not for political motive that I hand this out, Mr. Chairman, I do so now and choose not to do it in question period. The poetry, Pages 26 and 27 - this comes from the May-June issue of 1985. As a matter of fact, it came right out of the Department of Education Library on Portage Avenue, Mr. Chairman.

I would ask the Minister to peruse the article and give comment - maybe not at this time; tomorrow would be fine - and tell me whether she again believes that her screening process, which makes no reference to periodicals, basis her announcement yesterday, whether or not she thinks that's the best course of action and the best way to handle these periodicals.

"Arts Manitoba," to quote, "is a quarterly review of the arts, featuring informative and provocative articles, artists, profiles and interviews covering the full range of the contemporary arts." And yet, Mr. Chairman, can somebody tell me why the sex life of vegetables, under the guise of poetry, and illustrations which, of course, cannot be depicted adequately by way of xeroxed reproduction, but I wonder if the Minister can tell me and I'm going to read one of these into the record. It's by Lorna Crozier, it talks about peas, the sex life of vegetables. Peas - and I'll look around in the gallery, Mr. Chairman, and I feel I'm safe to read this. This is the poetry that the Government of Manitoba and firstly, the Minister of Culture feels that we can support by way of program. The Minister of Education says that there's no way that she should have any influence over this type of material.

To quote: "Peas never liked any of it. They made you suffer for the sweet burst of green in the mouth. Remember the hours of shelling on the front steps, the ping into the basin, your mother bribing you with lemonade to keep you there splitting them open with your thumbs. Your tongue finds them clitoral as it slides up the pod. Peas are amused. They have spent all their lives keeping their knees together."

Mr. Chairman, I ask the Minister, does she not feel there's a place within the Department of Education to review her stated policy of yesterday, and to again take on the responsibility, by way of the Department of

Education, and screen periodicals before they're given free access into the public school system?

**HON. M. HEMPHILL:** I must say it isn't difficult to find in today's world, with the amount of material that's being put out, I guess thousands of examples of questionable literature or pieces of literature in a document that are unacceptable, which is exactly why I, in my letter to school divisions, reminded them of their responsibility and how important it was for them to be vigilant.

I'm going to quote from that, after I dealt with the Midcontinental and told them to remove it, "I wish to remind you that my department does not review or recommend periodicals and has not done so since 1979. It is therefore the responsibility of school librarians and teachers to review all periodicals before they are circulated to students. I would ask you to be vigilant in exercising this responsibility."

Mr. Chairman, I have no knowledge or information that suggests that we have a problem with the procedure that we have. We do have a problem with some periodicals or we do have a problem with some literature that is not appropriate literature for the schools or the classroom, but to my knowledge we don't have a problem with the procedure. There isn't anything I know that suggests that we can't trust the librarians, can't trust the teachers, can't trust the school boards, can't trust the principals, to be vigilant, as I have suggested, in exercising their responsibility.

In fact, the opposite is true; all the information that we have suggests that they're doing it and doing it very very well. So while I don't mind and there's no problem with identifying this as an issue that needs continuing vigilance and care and concern, why suggest a total change of procedure if the procedures seems to be serving us well and there doesn't seem to be a problem with it? So that I suppose I would say, because you're getting very close to censorship when you move in that other direction, when you're talking about the amount and the kinds of materials. I think that it is simply an example, or a reminder would be a better word, for people at the local level in classrooms and in libraries, to remind them to be particularly vigilant and make sure that they're checking every periodical and magazine prior to putting it on the shelf.

In terms of volume, I don't know how we would handle the volume and the capacity, just in terms of practical terms, even if it would seem to be a thing that was desirable to do, and I'm not sure it is, I'm not sure the volume of the numbers of magazines and newspapers and periodicals would make it even possible. But even if it were, I don't think it's desirable, because I think there are different values in different communities and we often talk about this and usually the Member for Morris is on the side of wanting us to be very willing to recognize the different community values in the different communities and not prescribe . . .

**MR. C. MANNES:** There are communities that this would be fully acceptable, you are saying?

**HON. M. HEMPHILL:** No, I'm not talking about that. I'm not relating it to that, so don't put words in my mouth, Mr. Chairman, because I was not saying that

some communities would find that acceptable. I think all communities would find that unacceptable. I'm talking about the procedure for approval and he asked me about the procedure. I am saying that one of the other reasons to allow this to be done, one of them is that they're the professionals; they're trained; they're there in the numbers; they're there at the school; they make decisions about what goes into the library; they see it and they're in the best position to do it for all of those reasons.

But the other reason is that there is a difference and there is a variety of community values and it is possible - not this one that he's quoted from - would seem by some to be acceptable, but some others. We know, we've heard lots of cases where a book that was accepted by large numbers of the population or a lot of communities might be found unacceptable or inappropriate by one community and it may be for religious reasons they may have different values.

I think that's one of the reasons to leave that at the local level, is not only are you allowing the professionals, you're allowing a variation in community values to be brought to bear on that. Certainly when he makes the point about how important parents are, that's one of the roles and one of the places where parents can communicate to teachers and to principals and school divisions about what they think is appropriate material for their students and their kids.

So to want to correct a potential danger - it hasn't been identified as a big problem, these things aren't on the library shelves, to my knowledge, nor was Midcontinental on the library shelf, to my knowledge.

**MR. C. MANNES:** Oh yes.

**HON. M. HEMPHILL:** One.

**MR. C. MANNES:** No, more than one.

**HON. M. HEMPHILL:** So that he wants to take what hasn't been identified as a major problem, it's a concern, but it's not a major problem, and totally redo the procedures and the processes that have been in place and served us well for years. I think that this is just a reminder to be very careful with the procedures that we've got and not a requirement that we change them.

I can tell the Member for Morris that there will be a lot of concern by principals and teachers and people in the field who are making these decisions, and I think members of the community, if there was to be taken over by the department, total control over this, where we said we are right, we know, we will review, we will tell you exactly what you can read and exactly what you can't read. That would be a move to the dark ages.

**MR. C. MANNES:** Mr. Chairman, the Minister is right in part. Certainly, when it moves into the area of books, literature, reference material and supplementary reading, she's correct. But, Mr. Chairman, we're talking about periodicals. I ask the Minister if she could perceive of one school division in the province that would find that acceptable. She says no. Well, Mr. Chairman, if she believes that, then why doesn't she censor it, because it's censorship. I don't care if it's done in the

Department of Education or if it's done in the library of any school division. If it's pulled away from the students, it's censorship.

So let not the Minister wash her hands and say, well, I don't want to censor it, but the local librarian can censor it. Because, Mr. Chairman, the point is, if every school division in the province would not accept the material I've just handed the Minister, then why doesn't she have her staff scrutinize it right at one local place?

The Minister talks about the hundreds of periodicals. Who is in the best position to review it? Who has the resources available? A librarian in a high school that has 200 students, or at central where there are three or four? What she is saying by her answer is that every librarian, part-time in many schools, has the sole responsibility of screening the material. Yet, Mr. Chairman, she admitted here today on the record that there is some material that no school division in this province should accept. She says if we do it, we'll be accused of censorship.

Mr. Chairman, we're not talking about adults. We're talking about young children, Grades 7 to 12. I'm shocked by her statement. What she seems to say is, I don't agree with this, I wouldn't want my children to be exposed to this material and I can't believe whether there would be one school division in the province that would accept it. Nevertheless, I don't ever want to be caught in the position of censoring. I can't believe the Minister would abdicate her responsibility in that fashion, Mr. Chairman.

I'm not talking books. How many book situations have I brought to this House because I accept the Minister's argument? This is a completely different issue. These are periodicals that in most cases, almost all cases, are for adult consumption. Mr. Chairman, I don't have any desire to prolong the discussion other than to point out to the Minister that the procedures that she announced yesterday abdicate her responsibility totally and, much more than that, show that she's prepared to direct any material, anything that's printed, into the public school system. She's not prepared to have her department review one item. She says if it's written down it can be anything. It can have free and total access to the libraries and the children of this province, given that local people, librarians, understaffed in many cases - given that they are prepared to do the job of censorship to reflect their own community values.

Mr. Chairman, that's incredible. I can't believe that any Minister of the government of this province would so totally abdicate responsibility on an issue like this. What the Minister fails to realize is that every one of these issues that come up just heap more and more criticism on the public school system. She fails to realize that - every one of them that comes to light. She can say, well, you're doing your share to sensationalize it. I sure am.

The fact is, Mr. Chairman, the loser in it all is the public school system. The Minister has a role and it's a delicate one; I acknowledge that. But the point is she can't totally just back away and say I don't care who you are, where it comes from, what you print, it has access to the librarians in the public school system. If she does that, then she's destroying the credibility of the system.

**HON. M. HEMPHILL:** Mr. Chairman, first of all, I didn't either wash my hands of the issue or abrogate my

duties or responsibilities. I take them very seriously and what I have always been willing to do is share those responsibilities with other people because the education system cannot be run from the top down with the Minister of Education or the Department of Education being total dictators or prescribers.

What I have said is that in this system, those people who are in the best position to do that screening, to do that evaluating, are the people in the schools. It's not that I am washing my hands of it. I am saying that I trust them, that I trust the teachers and the professionals and the librarians, that I believe that they are in the best position to do the job. He talks about them being understaffed. I've got two staff people, I've got one library consultant and a material selection person. You tell me, Mr. Chairman, how we can possibly, with the amount of material that we must review that is related to curriculum, that is not outside supplementary material but is support material or curriculum material that must be reviewed, how we are going to do that with that staff and the number of provincial, national and international periodicals and magazines that are around?

I've got a copy of Maclean's which I think is probably in every library and is recognized as a credible magazine - Maclean's and Time and there are a number like that - and I'm looking here at a nude woman. I don't know if that one should go on; I haven't taken a lot of time to look at it. The point I'm making is that any magazine, even one like Maclean's or ones that are credible and recognized, can at some time have inappropriate material and that they all have to be screened individually and they have to be at the local level by the people who are ordering them.

I don't know what they want to order. One school division might order 10 periodicals and magazines to put on all their shelves and another school division might order none of those and a completely different set of magazines and periodicals. It's up to them to decide what suits their curriculum and what suits their program and what they want to have, and having made that decision, it's up to them to screen it.

I would not want to see us getting into a position where we - because this happens too often - come up with a simplistic solution. It's like provincial exams to solve the question of quality of education. Now he wants another simplistic solution for the problems of screening and evaluating material where I come out with a procedure that says we'll do it all and then he would be satisfied. It wouldn't be done nearly as well as it will be done by all those responsible professional people out in the field.

Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Order please.

The hour is 4:30, time for Private Members' Hour. I'm leaving the Chair and will return at 8:00 p.m.

Call in the Speaker.

## IN SESSION PRIVATE MEMBERS' HOUR ADJOURNED DEBATE ON SECOND READINGS - PUBLIC BILLS

**MR. SPEAKER:** Order please.

The time being 4:30 and Private Members' Hour, Adjourned Debate on the Second Readings of Public Bills.

**MR. SPEAKER:** On the proposed motion of the Honourable Member for River East, the Honourable Member for Virden, Bill No. 29.

Are you ready for the question?

**MR. H. ENNS:** I wonder if we could just, Mr. Speaker, have a moment. I know the Member for Virden would like to speak to this.

**MR. SPEAKER:** On the assurance that the Honourable Member for Virden is on his way to the Chamber, we'll wait for his arrival.

The Honourable Member for Lakeside.

**MR. H. ENNS:** I apologize, Mr. Speaker, that Mr. Graham is not available.

**MR. SPEAKER:** Do members wish this matter stood? Stand.

## PROPOSED RESOLUTIONS RES. 5 - RESTORATION OF CAPITAL PUNISHMENT

**MR. SPEAKER:** Resolution No. 5. The Honourable Member for Kirkfield Park has 20 minutes.

**MRS. G. HAMMOND:** Thank you, Mr. Speaker. On the proposed resolution which states

WHEREAS a person who commits murder in the first degree deserves the death penalty; and

WHEREAS Manitobans overwhelmingly support the restoration of capital punishment;

THEREFORE BE IT RESOLVED THAT this House recommend to the Government of Canada that the Criminal Code be amended to provide capital punishment upon conviction of first degree murder.

Mr. Speaker, I have chosen to speak a few words on this subject because it is an area that I know has great concern for people in Manitoba and my constituents. Today I think when you look around our province and you look around the city, and everywhere you see people forming neighbourhood watches, where you look on homes, they have stickers indicating that this is a neighbourhood watch. The people are greatly concerned about crime.

I think even the fact that there's so much violence today, it makes everyone very nervous about where our society is heading and I feel if someone takes an action to kill someone, and it's premeditated, I believe then that they, too, should lose their life. I don't feel that that person should be able to stay in prison 25 years, I think life should be taken from them. Because what you have, in many cases, when it's premeditated - and I'm not talking about crimes of passion or crimes in the home - I'm talking where someone goes out to deliberately kill someone, whether it's with armed robbery or just how the occasion is. I don't think that that person deserves to live.

What you have are families that are left, and in many cases it will be women with children, especially in the case where it's police officers and the majority are men - although we have had cases in Canada now where women are on the force and have been shot or have been knifed - I do believe that in the majority of cases though, what we have are families, whether it be men or women and children, they look and see the member of their family who, through no fault of their own, has had their life taken away.

What you have is people sitting in anguish and many of them in poverty, because that's pretty well what happens; the breadwinner is gone in so many cases. You have women and children living in poverty and yet they see the person that committed the crime in jail, where they also see their strikes, where these people are paid for work; where is the equality of the situation? There is none at all.

While I don't believe in hanging, I must say, I don't think that we need in this day and age, be as brutal as that. I think that there are modern techniques in medicine today that would allow an execution to be carried out that is not as brutal as hanging. I don't think because the state is taking someone's life that they need to be as brutal as the person that has committed the crime. So I think there are methods of taking a person's life that are certainly better than hanging and the electric chair, as it is in some states.

But what I am saying is that I really feel that there should be a penalty for these criminals who deliberately take someone's life. We have prison guards; we have policemen; and we just have the person who is in his own home; whose day is not safe anymore. I know there was an article in the - and I just happened to pick up one in the Winnipeg Sun - where it's talking about the police unit helping the victims of criminals. It says, "The units work extends far beyond providing the sympathetic ear, as it tries to balance out a justice system that is too often heavily weighted in the criminal's favour." I think the community genuinely believes that today. This is a very sad state in our province and in our country that this is what we've come to, that people look in the paper and they look at a sentence and it's not strong enough, because they're so afraid.

It just seems like five years ago - and probably was - I never thought of locking my car, never thought of locking a door. Now we're looking after Neighbourhood Watch Program, of bars on windows in basements, of double locks on your home. You feel like you're in jail yourself in your own home. In some of the instances, in the locking systems, they are insisting that you must keep the key right in the lock if you have that kind of a system, in case you need to get out of your home.

There's something terribly wrong with the way our society is today, and I think this is one way, I don't believe that capital punishment is not a deterrent. I don't care, you can give me all the stats you like, Mr. Speaker, I don't believe that. I believe that there are many cases where someone would not commit a crime and take a life, if they knew the punishment was going to be their own life. It's amazing how people fight to survive and I don't believe, for one minute, that it's not a deterrent.

I think if you accept it there should be no death penalty in law, that you accept some of the things like a jailed murderer who kills again - his second, or third,

or more victims - should face no punishment. He's already doing life; what more can happen to him?

A rapist who tortures and kills his victim is owed his life by society. And speaking of that, when the Member for Elmwood introduced this resolution, he talked about doing an interview in the street about capital punishment, and that women in particular, without being asked, suggested that the lash be brought back. Now there were a lot of titters, I remember hearing from the other side, particularly at that time. But I want to tell you, a number of years ago - and I remember this from someone who just surprised me no end - some elderly woman was knocked down in the street, had her arm broken while someone was just trying to grab her purse - this was happening more often than not and is happening today constantly - this person, and I'm still amazed and I think of it often, said they should bring back the lash and I think that women today in a lot of cases, and especially when you talk about rape, I want to tell you that you ask if they would like to see rapists lashed and you would be very surprised at the answer. I wouldn't be surprised, but I want to tell you there is nothing more devastating to a woman than to be raped and the lash is too good for them, as far as I'm concerned.

So to think that that's not a possibility is crazy and to think that women, especially, don't think that is very naive on the parts of the male members - I won't say to women members of the opposition of the government side - because I know that if I talked to a number of women and asked that question just straight out, I know the answer that we'd get and I think you might try it on some of the people around you, because there's just no way that you wouldn't get that reply.

The other incidents, and this is happening more, it's in the news right now - terrorists who explode bombs or hijack planes and kill. Do they deserve to have their lives preserved? Not at all, and yet people persist in the notion that the state can't take a life. I don't think that's an issue that anyone would deal with lightly and I don't think they do. I think when you have juries and the death penalty is there, I think it's a very very difficult decision. It's not one that they come to a snap decision on.

Mr. Speaker, I don't want to go on in great length about capital punishment, but I did feel that I wanted to put on the record just a few of my thoughts; and when I look around at our society today, it's time that we did something to help the average citizen, because I think the person on the street, the average Manitoban, is pretty disillusioned with the justice system today and that's a pretty sad commentary, I think, on what we are living with and what we've been brought up to believe in Manitoba.

When we moved back from the East, I couldn't believe that I would end up in a province where I would have to have bars on the windows, where it's recommended by the police, where they come out and they talk to neighbourhoods and we're getting together and watching one another's homes, which is good, because we are neighbours; but this is what's happened to our society today and Manitoba certainly isn't a place that I could say after dark and even in the area I live in which is supposedly a nice family neighbourhood, I'm not going to take a walk by myself down the street.

I hear the Member for Inkster sort of thinking that this can't be, but this is true with women today, that

they're not going to go for a stroll by themselves after dark and I really feel this is an instance where the talk of capital punishment is one area, certainly, but I think that crime itself and the safety of our citizens in Manitoba is the main issue.

I want to say that I agree with the proposed resolution and heartily endorse it.

**MR. SPEAKER:** Are you ready for the question? The Honourable Attorney-General.

**HON. R. PENNER:** Thank you, Mr. Speaker. I too feel that I would like to put some of my thoughts on the issue on the record. In doing so I start with one of the last remarks made by the Member for Kirkfield Park who said that the average Manitoban was disillusioned in the justice system. I'm sorry that she said that; it is not a fact.

However, she said earlier give me all the statistics you like, I won't believe it, and it may be that she's not interested in the statistics here but in fact poll after poll - and I'm talking about polls done very scientifically by people at the university - poll after poll shows, whether it's in connection with the Conference Law and the St. Nicholas Society, that indeed people in this province think highly of our justice system. That is a fact. They think highly of our courts. They have some criticisms here and there, in many instances justified. They think highly of our courts; they think highly of our police; they think highly of the rule of law and they think highly of the justice system.

It is simply not true and I think we would be making an error if we started from the premise that the average Manitoban is disillusioned in the justice system. I have no doubt that there are some Manitobans who are. We hear from them fairly regularly where they have been an individual party to an action and have not been happy with the results; but the average Manitoban thinks highly of his or her justice system.

In fact, this notion of some snowballing crime wave is, with respect, Mr. Speaker, not a responsible statement for a member of the Legislature because in fact the incident of crime overall in Manitoba in 1984 went down and it's part of a national decline in crime which is taking place. One can give egregious examples that we all deplore, of terrorism wherever it may be, but to say that in Canada we don't live in the safest society in the world - we do - and people are not free to walk the streets at night, and they are and they do, is to put down our society.

I live in the centre of the city, an area that mixes a stable with a transient kind of population and I walk those streets in the early hours of the evening or after dark, as the case may be, to go to a local store for a quart of milk, and there are all kinds of people who live in the area, all kinds of people walking the streets of that society of that particular community and feeling free to do so.

I belong to Neighbourhood Watch. We have a very good system of Neighbourhood Watch. In the last couple of years there's been no one in a district that used to be noted for break-ins because of the proximity to the river, who's had a break-in. So I think it's regrettable that one should start off what has to be a very measured discussion in the area with this notion of some kind

of crime wave, of people not feeling free to walk the streets in a city and in a province which we have to be thankful that we live in it, is a safe city in which people do respect the administration of justice.

Mr. Speaker, there is a duty on legislators surely when addressing an issue of any kind but certainly of this kind which is highly charged emotionally, to try as much as they can to get at the facts and to study those facts. To say, as the Member for Kirkfield Park did, that no matter what the stats say she's going to believe something different is, with respect, not I believe a measured way in which to address the issue.

Mr. Speaker, there has to be on those who are asking the state in a measured cold-blooded way to take a life, the onus is on those persons to demonstrate a valid and substantial reason for doing so. Particularly, those of us who are legislators must come to that issue with facts in hand and stand back and look at all of the facts and then say, well, in the light of these facts, even though I may have some emotional view or a gut reaction, this is a conclusion which at least is a tenable conclusion with respect to capital punishment.

Is the capital punishment a deterrent? Well what has been said is that it may be so with respect to something that we all deplore, and I no less than anyone else, the killing of police officers. The argument is often used in that context. But look at the stats. These are official Canadian stats; 1962, Sir, was the last year in which there was a hanging in Canada and there was a double hanging in December of 1962.

In that year in which the capital punishment was not only enforced but was being applied, 12 police officers were killed. The following year when capital punishment was suspended, zero in terms of the number of police officers: 1964, three; 1965, two; 1966, three; 1967, five. Then in 1967, they restored capital punishment for a five-year trial period, they restored it. The previous year, five; the following year, five; the following year, five; the following year, three. At least, take into account these statistics. That's all I'm saying. It's our duty to do so, not to say well no matter what the statistics are I believe otherwise. That is not, I think, sufficient.

If, in fact, we want to follow any argument other than vengeance, and that's a moral argument - and people may believe that vengeance is the state's rather than the Lord's and if they do so, then say so that it's vengeance - the Member for Kirkfield Park, in fact, said that there are many women who feel, with respect to rape, that the lash should be the penalty. I don't doubt that for a moment; but in terms of whether or not that should be an argument for the lash, or that people feel horrified with respect to murder, that should be an argument for the state; in fact, putting itself in the same shoes as the murderer is not an argument at all.

There, we're dealing with the natural feelings that people have. People often say to me, well what would happen if you came home and your wife and child were killed. What would you do if the person was there? I have no doubt that I would want to leap at them with all of my force and take vengeance as an individual, but I am a legislator trying to pass laws in the light of facts which are available to us.

Now if we're talking the language of deterrents, then I would say to members and particularly the Member for Kirkfield Park who does have a keen feeling for

women - and I respect her very much for that - she enunciates that very clearly in this House. Who is at risk in our population? Women are at risk. The highest number of those who are killed, murdered, are in the home, women.

Manitoba statistics, in two years that are germane to the argument that I am making, show 1982, 17 domestic homicides, 53 percent of the total, not one police officer, but 17 domestic homicides, all women. So if you want to argue the case for capital punishment as a deterrent where it appears to be needed, then you would argue not for capital punishment in the kind of cases which is being supposed but with respect to the murder of women in the home - and in 1983, 16 women, 41 percent of the total.

Let me relate that, Sir, to a case which is well known, the Thatcher case. What was interesting about the Thatcher case? No. 1, it was a domestic killing. It's before the Court of Appeal, but the finding of the jury is still a finding that we're entitled to respect as a finding of the jury. The member says it's before the Court of Appeal. Now what's interesting is that there are a very substantial number of people who believe that Mr. Thatcher is innocent. His friends and his family and his constituents in the hundreds came out to protest his conviction.

These are in the main - in fact, an examination of that question was made - people who believe earnestly in capital punishment. But that's for everybody else, you see. But when they're faced with a real case of somebody they know and a jury verdict where the jury was carefully instructed to respect . . .

**MR. SPEAKER:** Order please, order please. Order please.

Since the matter about which the member is speaking is still before the court, I would think it better that the member did not discuss something where the persons involved might be prejudiced before that court.

The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, I respect and will follow your ruling. I make no assumption of guilt or innocence one way or another. I simply was talking about how people in his community feel about that verdict in a case where a jury was instructed about the rule of reasonable doubt. I have no more to say more about it, Sir. I respect your ruling, of course.

But let us assume, as many people do, that there was a mistake there. That certainly is not the only one. There are some mistakes about which we know. The Donald Marshall case, and that was a capital murder charge because it was in the course of a robbery and with capital punishment, the fact that it was a mistake could not be redressed. He would have been killed. Lorowich (phonetic) was not a murder charge; it was a rape charge, but it was a clear mistake, no question about it. Had it been a case where there would have been a death in that particular case and it would have been capital, because it would have been in the course of a rape, he would have been killed and 20 years later they would have said: Oh, it was a mistake.

I want to talk for a moment about a notorious case because it leads me to consideration of yet another. There has recently been published a book by somebody

whose name may be familiar to members opposite - the Member for Lakeside who reads a lot, usually the wrong thing but he reads a lot. It's called, "The Airman and the Carpenter," by Ludiwich Kennedy. Does the name mean anything to you? He's the one who exposed the fact that Timothy Evans had been wrongly convicted and hung, and later . . .

**A MEMBER:** In Britain?

**HON. R. PENNER:** Yes. . . . the Queen subsequently granted Evans a free pardon but, of course, he had been killed. Now Kennedy publishes a book which, according to the review, says that there can't be a shadow of a doubt but that Richard Hauptman, in the Lindbergh case was wrongly convicted, that he was an innocent person. And in an area, where the fact that he was an alien was contrasted with the great image of Lindbergh and there was an atmosphere in which, in fact, one Texas judge wrote that it was better that Hauptman should die, whether guilty or innocent, he is, after all, an alien; there was that kind of an atmosphere. And now the facts are coming to light which, at the very least, cast very grave doubt on the conviction and, of course, the execution of Richard Hauptman.

I cite another case, and it's not that these are all that infrequent, but one is enough, in my view, to make the point. I have in my hand a decision of the Supreme Court of Canada in 1977, Regina vs Paquette, and a case came before the Supreme Court involving whether or not a person in certain legal circumstances was liable to be convicted of murder, even though that person did not, himself, commit the murder, but may have been a party to another crime in the course of which a killing took place which, although not intentional, made it murder by the operation of law.

What went on to - well, the Member for Elmwood should read the papers a little more carefully than he does; he is very selective in the gas station killing. It was admittedly a deliberate killing.

In any event, in 1936 a young man by the name of Dunbar was convicted of capital murder in those circumstances and ultimately sentenced to be hanged. Ultimately his case went to the Supreme Court. The Supreme Court refused to grant his appeal and he was hung. In 1977 the Supreme Court said that the Dunbar case was wrongly decided.

So, Mr. Speaker, I have given a number of examples, and there are others where, in the relative safety of one of the best legal systems in the world, under the doctrine of "no one should be found guilty unless that guilt is proven beyond a reasonable doubt," there are a number of cases in which people have been wrongly convicted and, at least in one case that I have cited; there are others - they were cited by John Diefenbaker in his day - were in fact executed. So that is something which must be brought to bear when we consider the consequences of the action it is proposed to take.

Mr. Speaker, earlier in my remarks I said that there is - and I believe most people who have any sense of a moral code would agree - that there is an onus on those who ask that the state depart from a practice that has been in existence now for 23 years of no one having been executed in Canada, that we should go

back, in effect, 23 years; that there is an onus on people to establish in a factual way a basis for doing so. It's not enough to say I have a gut reaction, people out there have a gut reaction, and we should follow that gut reaction. I don't think that legislators acting responsibly should address an issue of that kind in the way that is being proposed.

There is available to anyone who wants to take the time, study after study conducted throughout this country, both in the universities and by the Department of the Solicitor General, nationally, studies which show that there is no basis upon which one can come to the conclusion that the capital punishment is a unique deterrent; that is a greater deterrent than other forms of deterrent.

If people say — (Interjection) — Well, yes, that may be so, but why should we keep people for 25 years at \$40,000 a year, that's x-number of dollars and, therefore, we should have capital punishment? Well, what they are really saying is that a life is worth so many dollars. That's a mercenary approach to a moral question which I hope no one in this House who thinks about it or reflects on it really urges.

So if there are no substantial facts supporting the deterrence theory, if you abandon, as I think any right-thinking people must, the mercenary approach - it just costs too much not to kill them; if, as I think we must, abandon the notion of vengeance, and people quote the Bible - Leviticus - "an eye for an eye and a tooth for a tooth" - and if you go back and you read that whole passage, then you would suggest that it's a better system of justice in 1985 to have the thief's right hand cut off because, in effect, you have scriptures of that kind in Leviticus in the Old Testament. But we don't follow a judicial system and a notion of punishment of several centuries ago.

Surely — (Interjection) — Well, I don't think that many of them do, and I won't want to reflect on the motives of any of them. I think that they, as we, are troubled by a problem. But I say to them that they have a duty, as do we, to assess the facts and to come at it, not from the point of view of gut reaction or somebody else's gut reaction, but on the basis, as I say, of facts.

The recent statistics with respect to homicides in this country show that the long-term average since 1962 - the last year in which capital punishment was in fact carried out - do not in any way demonstrate, Sir, that there is a case that can be made out for capital punishment as a deterrent.

The only thing that can be said is that it is in fact incapacitation. That is, if you kill somebody, they are not around to do it again, but - and I conclude, Mr. Speaker, with this remark because it was advanced by the Member for Kirkfield Park - in fact, homicide has the lowest recidivist rate of any major crime in the books. It's about a 3 percent recidivist rate. What does that mean? — (Interjection) — Well, that's right. That is the statistic. It's no use giggling about it; it's a fact.

Now, if that is so, and there are no facts to the contrary on that, then that means that for every 100 convicted murderers, there are three who may be at risk. On the theory that is being advanced in some arguments, we would kill 97 who are not at risk in that way on the statistical probability that we might prevent three who in fact might be at risk from doing so. What

kind of system of justice is that? Kill 97 in order, arguably, then only arguably, to prevent three from committing.

Mr. Speaker, I have in a few moments put my thoughts on record with respect to capital punishment. I oppose this resolution and I hope, in fact, that when the vote is called that it will be defeated.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Thank you Mr. Speaker.

I intend to be very brief addressing this resolution because I don't expect that any member of the Chamber is going to change their minds from the mind set that they presently have. But it's not my intention to support this resolution and I simply want to put on the record why that would be. The reason is very simple. I don't believe that the state has the right to take the lives of its citizens and that argument really needs no embellishment on my part because, as I say, I don't intend to change anyone's mind, or expect to change anyone's mind, and so I won't attempt to elaborate on it.

I believe that my position is a consistent position that I hold also with respect to the issue of abortion. It's an issue that I would hope perhaps some of the members opposite would address from that point of view where I see an inconsistency between their position to support the abolition of capital punishment where we're dealing with people found guilty of murder and will not support capital punishment for them, yet will support the idea of taking the life of a living human fetus. I find those two positions inconsistent. I would hope that although this resolution is dealing with capital punishment, I'm sure that to address a moral question of that nature that it would be appropriate for members to stray somewhat and address that question. So that is simply the position that I want to make, Mr. Speaker.

We have debated this before, I think some six or seven years ago, that a resolution was before the House and I opposed it at that time and I continue to oppose it today for the same reason. I don't believe that the state has the right to take the lives of its citizens because once they cross that line of deciding that they do have that right, it then becomes the question, for what sort of crimes then will the state take the lives of its citizens? We have seen many examples throughout the world where states take the lives of their citizens for making a profit, for instance, in some Communist countries and that is an example, an extreme example, Mr. Speaker, of how states can rationalize then their right to take the lives of their citizens. I think that if the state starts from the position that they have no right to take the lives of their citizens for any reason, then we will not ever see those types of excesses. So, Mr. Speaker, I will not be supporting this resolution.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Member for Burrows.

**MR. C. SANTOS:** Thank you, Mr. Speaker.

I'd like to make a little contribution on this issue which I perceive as basically a moral question, rather than a political one. I tend to agree with the Member



for Lakeside that it would not be good policy to allow the state to have the legitimate right to take the life of any one of its citizens.

**A MEMBER:** The Member for Turtle Mountain.

**MR. C. SANTOS:** Pardon me, the Member for Turtle Mountain.

It has been said that death is denominated as the extreme penalty "mors dicitur ultimum supplicium." It is a penalty that no earthly authority I think should have a right to impose, for the simple reason that no earthly authority have the power or the right to give life. He who has no right to give has no right to take away.

The moral law had been written a long time ago. It's one of the ten commandments. It says thou shalt not kill; and the commandment was absolute. It makes no exception. It did not say thou shalt not kill, except in case of rape, or except in case of murder, or except in case of kidnapping; there is no exception to that rule. The moral law is clear, "thou shalt not kill," and the law was given by the one who is the source of all life and He, alone, can give life; logically, He alone can take life.

If the state wants to take this right from him, and arrogate unto himself the legitimate right to take life away, I believe that the state would be usurping the function of the Lord of the universe. It will be a usurpation of a divine power and a divine right by the secular institution known as the state which is a creature of man in this earthly world of ours.

In fact, many people have raised five states, they have five states, and granted unto the state certain powers that can only be exercised by one who is greater than any power in this world. It would be, indeed, a mistake and a dangerous policy to allow the state the legitimate right to take the life of any one of its citizens. Because, if it can in one case, then the state can do so in other cases, even in borderline cases; then we will be justifying the use of force and the use of violence in order to pursue the purposes of the state.

But since the state is simply a machinery that is run by humans as we are, frail beings as we are, we as human beings are sometimes overwhelmed by passions and other desires that are not truly rational or morally justified. There will be cases and circumstances in which those people who control the machinery of the state will use that legitimate power to take away life in order to persecute their enemies, their political enemies. And that has been going on in many of the nation states of today. They use the legitimate machinery of the government to get rid of their political enemies. And that leads to more escalation, more violence, because when you are confronted with all the resources of the state, with all the legitimate and legitimized power and force of the state, then you have no recourse except to resort to violence itself, because fire can only be resisted by fire, violence can only be resisted by violence. And then we will have to justify the use of violence in political debates and political contests of the various ideological groups in our society.

What about justice, we shall say? What about the principle of justice? Is it not just that a man who takes away the life of a fellow human being should be asked to lay down his life because a life taken away must be

repaid by a life, as well? That is strict justice. That is the old law, an eye for an eye, a tooth for a tooth; that is the old law of Moses. You shall stone to death.

But justice which is strict can be justice without mercy. Justice is the universal disposition to give to every man his due. "Justitia est constant perpetua voluntas jus suum cuique tribuendi." Is it a man's due that he gives his life when he takes somebody else's life away? According to strict justice, it seems that it is. But we live in a modern, civilized society where we temper strict justice with mercy; where we have to temper the strictness of justice because then the forces of violence will have to be justified and counteracted and resisted by forces of violence, and there will be nothing but escalations of violence on both sides to the detriment of our humanity and of the human family itself.

It has been said that we should apply strict justice because then they deserve it, but that is not truly what we are doing. What we are truly doing is to allow ourselves to be swayed by our passions and our desire to take vengeance in our hands. But it has been said a long time ago, the Lord said, "vengeance is mine." It's not yours, it's mine.

So vengeance is of the Lord. And I believe that there is some eternal principle that will rectify the injustice and that will be the operation of the universal moral law, because it has been written a long time ago, that he who shall live by the sword shall also die by the sword. That is the universal rectification of injustice, of someone taking the life of another through violence, that somehow there will be something that will happen to that person to rectify it in order that the moral law shall be fulfilled, that those who live by the sword shall die by the sword.

The real question is, what shall we do with the person who takes away the life of another? Should we extend the resources of the state in order to put that person in jails, institutions? That if he is relatively a young person that we sustain him and support him, give him his little room and his three square meals a day, and his protection from guards, and other things that he needs,

**MR. R. DOERN:** Television.

**MR. C. SANTOS:** Television, the Member from Elmwood said.

**MR. R. DOERN:** University courses in criminology.

**MR. C. SANTOS:** Take some courses in criminology, maybe take courses in Law, later on maybe appeal and defend himself. Should there be a limit to what we can do to those unfortunate citizens who have violated the law? Is it fair for society, for the rest of us, the taxpayers, to financially support the life of a dangerous citizen who lived by violence and without any scruple, can easily take away the life of another citizen? That is the question.

That's a difficult question. What would you give for your life? What would a man give for his life? Is there a monetary limit to the value of a man's life? Many ordinary citizens will say, oh, take away his life, as long as it's not my own. But when you are confronted with your own life and somebody else will be taking your

life without your consent, then you will say, no amount of money in this world can buy away my life. There is no monetary value to human life. So it is not "what is good for the goose is good for the gander." If the state has arrived to take away the criminal's life, then the state will also have the right to take away somebody else's life who is not really a criminal but, by mistake, by force of circumstances, has been suspected of such, and proven of such, with human mistakes, there are some people have been convicted of murder without any factual justification even if it is proved before the court that they have done so. We have heard such cases like Stephen Truscott, and there are other people like that who have been convicted.

If the state had this power and has already taken away the life of such unfortunate citizens, can the state restore the life again? It cannot. And for that reason alone, we should not adopt the policy that the state has the power to take away life.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**MR. C. SANTOS:** I'm talking about the death penalty, and we shall have the necessary forum for another moral issue like that of abortion.

Let me make a quotation: "Who alone can take life?" It is stated in the Old Testament, "I, and I alone am God; there is no other God. I kill and I give life. I wound and I heal. And no one can oppose what I do. As surely as I am the living God, I raise my hand and

vow that I will sharpen my flashing sword and I will see that justice is done."

Only He will see that justice is done. Any human being, even under the auspices of the artificial institutions of society, like the state, who assume such sole power and right of the Creator will be a usurper of the Throne of the Almighty, because He alone is the source of all life, and all forms of life derive from Him, and nobody else but Him can take away the life of anyone.

Everything that happens in this world happens at the time that God chooses. He sets a time for our birth; He sets the time for our death. He sets the time for planting; He sets the time for pulling up of what we plant. He sets the time for killing; and He sets the time for healing. He alone has the right and the legitimate power to put man to his own death.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Call it 5:30, Mr. Speaker.

**MR. SPEAKER:** Is it the pleasure of the House to call it 5:30? (Agreed)

When this matter is next before the House, the Honourable Minister will have 20 minutes remaining.

The time being 5:30, I am leaving the Chair and the House will reconvene in committee this evening at 8:00 p.m.