



Fifth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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The Honourable Louise M. Dacquay
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
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MIHYCHUK, MaryAnn	St. James	N.D.P.
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NEWMAN, David, Hon.	Riel	P.C.
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TOEWS, Vic, Hon.	Rossmere	P.C.
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VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 24, 1999

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Ben Sveinson (Acting Chairperson): Madam Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Harold Gilleshammer (Minister of Finance): Madam Speaker, I would like to table the Report of Amounts Paid to Members of the Assembly.

INTRODUCTION OF BILLS

Bill 38—The Registered Psychiatric Nurses Act

Hon. Eric Stefanson (Minister of Health): Madam Speaker, I am pleased to move, seconded by the Minister of Family Services (Mrs. Mitchelson), that leave be given to introduce Bill 38, The Registered Psychiatric Nurses Act (Loi modifiant la Loi sur les infirmières psychiatriques), and that the same be now received and read a first time.

Motion agreed to.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have this afternoon forty Grade 3 students from Emerson Elementary School under the

direction of Ms. Linda Walker. This school is located in the constituency of the honourable Minister of Family Services (Mrs. Mitchelson).

And, twenty-two Grade 5 students from Ste. Rose School under the direction of Mrs. Judy Wolff. This school is located in the constituency of the honourable Minister of Natural Resources (Mr. Cummings).

And, fifty-five Grade 5 students from Garden Grove School under the direction of Mr. Jim Lapp and Mrs. Tracey Smith. This school is located in the constituency of the honourable member for Inkster (Mr. Lamoureux).

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

ORAL QUESTION PERIOD

Flooding All-Party Committee

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, over the last 48 hours, and particularly in the last 24 hours, both parties, all parties have been discussing an all-party solution to the crisis, and there was a resolution put forward today calling on the federal government to take immediate action to deal with the crisis of flooding in Manitoba, and further amendments were being considered to have an all-party committee established by this Legislature.

The member for The Maples (Mr. Kowalski) was directed by the Liberal Leader to not grant leave. Madam Speaker, we believe this Legislature should show our support for the farmers in crisis, no matter who holds the seat. We should also show our support, and we should show unity in this Legislature to Ottawa for those people.

I would like to ask the Premier if the support and unity would not be helpful to the Premier in dealing with the federal government on behalf of people in crisis in Manitoba.

* (1335)

Hon. Gary Filmon (Premier): Madam Speaker, because I am going to be referring to the Minister of Agriculture (Mr. Enns) and because yesterday in this House we acknowledged the impending 30th anniversary tomorrow of the election of the member for Brandon East (Mr. L. Evans), I just want to mention to members that the member for Lakeside (Mr. Enns) yesterday celebrated his 33rd anniversary in this Legislature.

I want to thank the honourable member opposite for raising again an issue that is of absolutely critical importance to the people in a large part of this province. Something in the range of less than a million acres, a very significant area of land, will likely be unseeded this year. The economic consequences are devastating for the people in that area.

I believe that it is important for us, because it appears as though Ottawa just simply does not understand the magnitude of the economic impact on Manitoba in general but certainly on a concentrated area in particular in our province.

I would argue, as I did this morning in my discussion with Premier Romanow, that it is in fact a more significant impact than was the flood of the century, than was the Saguenay flooding, than was the ice storm in Ontario, Quebec, because in all cases they were able to be reconstructed and to create a positive economic reversal of the situation. Nothing will create a positive economic reversal of the loss of seeding of close to a million acres of land. There is a huge hole in the economy that will just simply be taken away from the economies of Saskatchewan and Manitoba.

I appreciate the fact that this is not being looked at in a partisan fashion. Premier Romanow and I have collaborated, have kept in touch and discussed yet again today our approach to it. I would just say to the member opposite that I believe it is incumbent on us to have a nonpartisan approach and say it is because Manitobans, our fellow citizens in southern Manitoba, are hurting and are in desperate need of support that we need to have action by the federal government.

Mr. Doer: Madam Speaker, apparently the reason for not allowing leave for the debate to proceed and the unity position to be taken is the hearing from the people in Melita on Tuesday evening. Don Bromley from that community has already said this program is not going to fix the problem, the announcement on Monday. Don Dewar has said that this will not begin to deal with many of the farmers in crisis. People are stating that it could be \$600 million for the direct communities and \$1.2 billion in the southwest region alone. The Brandon Sun has said that the Vanclief proposal speaks to Ontario. Is it not time that this Legislature spoke for Manitoba so the federal government would know?

Mr. Filmon: Madam Speaker, there is absolutely no question that this issue is not adequately understood in Ottawa. If it were, Ottawa would be taking action other than what was proposed on Monday. We have discussed it in this House in Question Period every day this week. It has been the subject of discussions in the Estimates review of the Department of Agriculture this week. What has been proposed thus far will simply leave many, many Manitobans in danger of losing their economic livelihood in our small communities, our towns, our villages and on the farms.

I believe that it is absolutely essential that the Liberal Party of Manitoba join with the other parties of this House in saying there is a problem that needs to be resolved, it requires the attention and the action of the government in Ottawa, and it must be addressed.

Mr. Doer: Madam Speaker, there is a discrepancy between the release of the Liberal Party that mentioned \$25 per acre being announced by the federal government which was turned down allegedly by Mr. Enns and the Free Press editorial today that talked about Vanclief all wet on this proposal because only 30 farmers have accessed this program to begin with. Our experience has actually been this is not a very farmer-friendly, producer-friendly proposal.

Alan Clark at Melita says—and if we want to hear from the people of Melita—if I lose my farm, I have not just lost my house or my job or my life's savings; I have lost all three things.

Would it not make more sense for us to stand together today in unity with Ottawa and say to the people of Melita next week we are standing together? Let us do this before the meeting so we can tell them we have heard their concerns, and we are going to act on them, Madam Speaker.

* (1340)

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, in all my 33 years, I have never experienced this kind of fabrication of the facts laid out to the public by a Leader, a supposedly responsible Leader of a political party. I am only led to the comment that he is indeed a stranger to the truth. I initiated the request in Mr. Vanclief's first visit to Manitoba three weeks ago for consideration of a \$25-an-acre payment out of the funds allocated that we have allocated for farm relief. On Monday the member for Swan River (Ms. Wowchuk), the member for Arthur-Virden (Mr. Downey), in the company of at least a hundred producers, attended the news conference by Mr. Vanclief where again no mention of a \$25-an-acre payment was coming from the federal minister. I initiated again in that public meeting for consideration.

We are, however, partners in these funds, and there is an appropriate way of doing it. I need to involve the federal government to come to the table with me, and what I will be doing right after Question Period is faxing this to Mr. Vanclief and telling him if that offer is real and true, it is accepted.

Flooding Compensation for Farmers

Ms. Rosann Wowchuk (Swan River): The situation facing people in the western part of the province is very serious. What those people need is actual answers, and they need the truth to be told, not political games to be played. That is what we are having here when we hear one person say there is \$25 an acre on the table and the minister telling us it is not there. I believe the minister; I was at that meeting. But, Madam Speaker, we have to look at other options.

On June 15, the Minister of Agriculture said that the national disaster plan is in force, all the

provisions that are applicable will be applied, and all of the programs and the national federal funding are in place as we speak. If those things are in place, why are we not hearing some answers about what other programs are in place to help the business community, to help farm families, who are under tremendous stress right now, to get some answers from government of what kind of help they are going to get?

Hon. Frank Pitura (Minister of Government Services): I just want to share with the honourable member that, when we talk about an existing program in place, if we are talking about the Disaster Financial Assistance arrangement that is present between the province and the federal government, under that program there is an automatic type of kickstart to the program that brings it into play right away in terms of the cost-sharing formula to cover the results of damage to property, damage to land caused by erosion or fences that are done away with in flood waters. That is the type of Disaster Financial Assistance program in place under that assistance policy.

Unfortunately, that policy does not address loss of income. As such, it addresses everything else, with the exception of loss of income. This is where we have written to Minister Duhamel, who is the minister responsible for the Western Economic Diversification program, requesting his immediate attention to programs such as the Custom Seeding Program that PFRA totally cost-shared, covered the cost 100 percent. There is also the Business Restart program and also the JERI program which took a look at covering off lost inputs such as fertilizers and herbicides. We have requested that they take a look at those programs.

Ms. Wowchuk: Madam Speaker, given what the people in southwest Manitoba are saying and the Chamber of Commerce executive director is saying, it is a creeping disaster. We know that there are businesses that are laying off people; businesses are closing down. The minister is outlining all these programs.

When are we going to have some answers? When are people going to know whether the JERI program is going to be implemented? When are farmers going to know whether there

is going to be assistance to help them with the fertilizer that they have lost? When are there going to be some actual answers?

Mr. Hon. Harry Enns (Minister of Agriculture): Madam Speaker, a great number of us were expecting some of those answers last Monday when the federal minister came back to Manitoba for the second time, supposedly to tell us. But what did he tell us? He told us he would make the existing programs, NISA and AIDA, more flexible.

I come back to the \$25 an acre. I will accept that offer because, among other things, that maintains the traditional 60-40 sharing of that responsibility that covers those funds. I raised that question specifically with him, and I hope maybe later on in the afternoon we will have an answer.

Ms. Wowchuk: Madam Speaker, I want to ask the minister—and I believe he realizes that AIDA and NISA are not going to work for all the producers. There are many who cannot access funds out of those programs. There has to be some extra.

What step is he prepared to take further? And I ask the Premier: what steps are we prepared to take further to ensure that there are some answers that get to those people so that we do not see further doors closed, and we do not see additional stress on those families who will not have any income for the next 18 months?

* (1345)

Hon. Gary Filmon (Premier): Madam Speaker, I spoke this morning with Premier Romanow who has a considerable area of his province in very similar circumstances. It is our intention, we are currently jointly drafting a letter to the Prime Minister to ask the Prime Minister to meet with us so that we can in fact put this kind of position before him.

The position is being put forward by spokespeople for the Liberal government that this is not covered by the normal programs. The position that we put in response is that in the case of the 1997 flood, many of the things that were initiated were not normal existing

programs, JERI, the cost of fertilizer and chemical inputs that was returned, the Custom Seeding Program, and so on and so forth.

In the case of the Saguenay flood, I spoke with Premier Bouchard during the 1997 flood, and he had told me of their experience a year earlier with Saguenay, and that was that the federal government responded with programs and offers that were specifically designed to recognize a disaster of unheralded proportions, and similarly with the ice storm. There were things done that were not in any Disaster Financial Assistance program or any ongoing program.

That is the message that has to be delivered to the federal government, and because we are obviously not getting any satisfaction whatsoever in our dealings with Minister Vanclief, we have to go to the Prime Minister. I believe that the letter will be generated today that will jointly ask for a meeting so that we can, face to face, give the Prime Minister a sense of the magnitude and the unusual aspects of this, because this again is of never-before-experienced circumstances.

In my discussions with the farmers and the municipal leaders there, particularly the young farmers, one of the reasons for their tremendous despair in that southern area of the province is that they turn to their elders, the people they may have bought their land from, and say: what did you do when this last happened? It has not happened this century that people in that area were unable to plant a crop, and of the magnitude of almost a million acres, it is just unheard of.

So that is what we hope will be the next step, to try and raise the profile and the circumstance of these situations.

Urban Shared Services Corporation Business Plan

Mr. Tim Sale (Crescentwood): Madam Speaker, during Health Estimates I supplied the Health minister with documentation in regard to the business case put forward by the provincial government in regard to the Urban Shared Services food facility. I want to add some

additional information to that today. I want to table this information: a memo of June 23, 1997, in which Joe Sheil requests that by June 30, 1997, the nine participating facilities ratify the material contained in an extended version of this package. He indicates that the business case summary, which I supplied to the Health minister at that time, was indeed the business case on which the whole facility was being based.

Madam Speaker, the Health minister has had a couple of weeks to look at this. He will notice that the renovation costs for the nine facilities were estimated to be only \$1.6 million for patient facility renovations and that, in fact, he has already told us that it will be over \$3.7 million for St. Boniface and HSC alone. I wonder if the minister has had time to calculate the interest rate. Could he tell us the total capital amount and the interest rate that was assumed on this business case? He has the material already, I believe.

* (1350)

Hon. Eric Stefanson (Minister of Health): Madam Speaker, during the Estimates process of the Health department, we had a fairly lengthy discussion on the issue of Urban Shared Services. Not surprisingly, the member for Crescentwood in particular asked a number of questions, asked for a great deal of information and confirmation of various figures and issues. I have undertaken to provide him with that information.

When it comes to the whole issue of the redevelopment of both the Health Sciences Centre and the St. Boniface Hospital, which have not come on stream yet for the Urban Shared Services Corporation services, they are now in the process—when I say "they," the two hospitals and the Urban Shared Services Corporation—of finalizing all of those aspects, of finalizing what the capital cost requirements will be and all of the other implications on doing the conversions.

As I indicated yesterday, both of those facilities are still committed to this service in this fashion. Urban Shared Services Corporation is committed to getting those two facilities

onboard, and that work is ongoing right now. I certainly will continue to provide the member with as much information as I can as it becomes available. He knows there is going to be a revised business plan fairly shortly, and I certainly look forward to receiving that.

Mr. Sale: Madam Speaker, the minister did not answer the question. The question was: what was the total amount that was mortgaged under the agreement with Newcourt Capital? How much was actually mortgaged, and what was the actual interest rate? What was the interest rate? What was the capital mortgaged at the end of the day? It is a simple question, and I am sure you have the answer. Let us have it.

Mr. Stefanson: Well, Madam Speaker, it is a similar question to what I was asked during the Estimates process, along with a number of questions. I have been in the process of compiling a response to all of the questions that the member asked relative to Urban Shared Services Corporation. I expect to be able to respond to him fairly shortly.

I have also indicated in this House that the Urban Shared Services Corporation are in the process of finalizing their discussions and review with the Health Sciences Centre and with St. Boniface Hospital. They are also in the process of finalizing a revised business plan because, as we all know, it has taken longer for those two facilities to come on stream with the new services, and there have been some additional transition costs and one-time costs in terms of the implementation of the new system.

So the member asked for a great deal of information during the Estimates process, and I indicated an undertaking to provide as much of that as I possibly can. We are in the process of compiling that.

Mr. Sale: Madam Speaker, all we have asked for is a simple calculation which you can do off the Internet in 30 seconds. We have asked the minister—and he has refused to respond—what was the loan principal, and how much was the interest rate? I am going to table documents which show the Toronto Dominion Bank's loan calculator that points out that in fact, on the business case submitted by Mr. Sheil, the

interest rate is 11.49 percent, for an amount of \$21 million at the annual interest and principal shown in Mr. Sheil's own business case. Will the minister confirm that interest rate?

Mr. Stefanson: No, I will not, Madam Speaker. If it is such an easy calculation that takes 30 seconds, I am sure even the member for Crescentwood is capable of doing that.

I have indicated very clearly that we had a lengthy discussion on Urban Shared Services Corporation during the Health Estimates. The member for Crescentwood asked a number of questions, asked for a great deal of information which I know he wants to receive.

We are in the process of compiling all of that information, and I certainly will be getting back to the member for Crescentwood very shortly, responding to all of the questions and all of the issues that he raised during the Health Estimates process.

Mr. Sale: On a new question, Madam Speaker. Wood Gundy publishes monthly the cost of borrowing for provinces, and in the month in which the loan was probably put out, the cost for a 20-year loan for the Province of Manitoba was 6.17 percent. The estimated interest rate, based on Joe Sheil's own submission of the business case, is 11.49 percent.

Will the minister confirm that the difference between those two has cost the people of Manitoba over \$15 million more in interest and principal over the time of this mortgage in simple arithmetic terms? Pretty simple math. Will you confirm that, Mr. Minister?

Mr. Stefanson: What a quantum leap, as usual, by the member for Crescentwood. He talks about having cost the taxpayers of Manitoba \$15 million more when this is a process that has been in place now for a little over a year. So he has taken the quantum leap to the end of the mortgage, Madam Speaker. Again I do not necessarily accept any of the numbers he is providing here today because of his past record in terms of issues that we have all seen on many occasions. So I do not accept that at all.

* (1355)

I have indicated very clearly I will respond to the member when it comes to the issue of the mortgage and the issue of the interest rate, but I do not accept his calculation. I am glad he acknowledged, he suggested, the borrowing rate of the Province of Manitoba at just over 6 percent. I think we all know that Manitoba today borrows money at the second lowest interest rates of any province in Canada, and that is a compliment to the overall financial management and economic performance of the Province of Manitoba, something we should all be proud of.

Urban Shared Services Corporation Business Plan

Mr. Dave Chomiak (Kildonan): Madam Speaker, last year, well over a year ago, in this Chamber, because the business plan of the USSC was so out of whack by \$2.5 million, we recommended to the former minister that a new business plan be created. They said at that time there would be a new business plan. Now, over a year later, we find out there is \$3.7 million in additional expenses for renovations, a potential of \$2.5 million in severance costs, a \$2.5-million overrun in which the Auditor is now examining that corporation, and now the member has indicated that there are incredibly higher borrowing costs as a result of the—

Madam Speaker: Order, please. Is there a question here?

Mr. Chomiak: How can this province, how can we trust this government with a business plan, a revised business plan, when the costs have been so horrendous and we are facing such overruns?

Hon. Eric Stefanson (Minister of Health): I do not necessarily accept a lot of what the member for Kildonan—he himself used the word "potential." He talks about potential costs here, potential costs there. I met with the board of the Urban Shared Services Corporation last week. I have encouraged members opposite; we have offered to line up meetings with the board, with the organization, offered them to take a tour of the facility to see what they are doing. I certainly continue to offer them that, Madam Speaker, so they can hear first-hand and see first-hand what is actually taking place at that

facility. I did meet with the board, and as we all know, the board consists of the nine CEOs of the hospitals themselves.

Let us remember that these individuals are not only on the Urban Shared Services Corporation, they are also the clients, so to speak. They are the ones that provide the food to the citizens of Manitoba through the hospitals. They are the ones that are just as interested as anybody in making sure the food is of a quality and of a nutritional value, and that it is done on an efficient and effective basis. They are committed to prepare a revised business plan for some of the reasons I have outlined in this House on previous occasions. I am expecting that revised business plan very shortly, along with the issues relative to St. Boniface and the Health Sciences Centre, and I look forward to having a further discussion publicly, and obviously with members opposite, when that occurs.

Cancellation

Mr. Dave Chomiak (Kildonan): Madam Speaker, does the minister actually expect Manitobans to accept this minister's defence of the corporation who last year we told to have a revised business plan, who have since lost \$2.5 million, who have very clearly indicated that their mortgage costs are going to be far beyond what the provincial costs would cost, who are going to encounter \$3.7 million? Will the minister not do the right thing and cancel this project while we still have some money that we can use on our health care system to try to remedy the 11 years of neglect?

Hon. Eric Stefanson (Minister of Health): Well, again, Madam Speaker, I do not accept a lot of what the member said. He suggests that the member for Crescentwood (Mr. Sale) has very clearly indicated something. I do not agree with that for a minute. I have indicated on many occasions that this operation is committed to a number of things. It is committed to providing quality and nutritional food. We have seen the issues of patient surveys. We have seen that that continues to improve. We have seen comparisons to what the food was like before the changes, and the ratings are higher today. They are committed to avoid capital cost investments and again—

* (1400)

Madam Speaker: Order, please. The honourable Minister of Health, to complete his response.

Mr. Stefanson: Thank you, Madam Speaker. To conclude, members opposite know that by concentrating the capital investment in one facility as opposed to nine, there can be savings in terms of capital investments, and there will be operational efficiencies and savings as a result of doing the services from one location as opposed to nine. The Urban Shared Services Corporation made up of the nine urban hospitals will be coming forward very shortly with a revised business plan, projecting not only the current year but into the years ahead. This is an operation that is a 20-year, at least, investment and can certainly reduce capital costs, improve efficiencies and provide quality nutritional food. That is the commitment of that board. That is the commitment of all of the hospitals that are a part of that service, Madam Speaker.

Labour Disputes Impact on Pan Am Games

Mr. Gary Kowalski (The Maples): Well, on a completely different topic, Madam Speaker, my question is for the Premier. The Pan Am Games appear to be on the way to great success and will be a great benefit to the economies of Winnipeg and Manitoba, yet significant problems may still rear their ugly heads. Winnipeg paramedics are still in labour negotiation, and we know that, given the size of this event, their services will be needed. The Manitoba Telecom Service, one of the event's major sponsors, is also facing a labour dispute. I have also been informed that the strikers, possibly on political advice, may decide to disrupt the Games. Can the Premier tell this House what steps this government has taken to ensure a safe Pan Am Games for all Manitobans?

Hon. Gary Filmon (Premier): Madam Speaker, obviously our preference at all times, with all public services, would be to avoid disruption. We have worked very, very diligently to resolve many outstanding issues with respect to labour negotiations this year and avoided strike circumstances in the near past

with the nurses' union and more recently with the CUPE agreement, which I understand has been ratified, for which we are very grateful. I understand that the paramedics are in mediation right now. We are hopeful that a resolution will come of that. Our Minister of Labour (Mr. Radcliffe) has written to the federal Minister of Labour urging involvement in the settlement of the MTS strike so that—

An Honourable Member: Lockout.

Mr. Filmon: Lockout, I beg your pardon. I apologize to the member for Wellington (Ms. Barrett). She is absolutely right, the MTS lockout—so that dispute can be resolved. It is not in anybody's interest to have these disruptions of services in the public sector, and we would hope that people will get back to the table, that with the assistance of mediation and other forms of compromise, they will be able to find a resolution.

Mr. Kowalski: No conclusion in negotiations between the paramedics union and the City of Winnipeg has been reached. If negotiations fail, is the Premier going to consider the Pan Am Games an essential service and encourage the city to force paramedics to provide their services?

Mr. Filmon: I think it is really important to take these things one step at a time. There is no sense in our making assumptions and hypothetical responses to hypothetical questions. We are supportive of the process of mediation, and we have indicated that we hope that it leads to the conclusion that all of us want, which is a settlement of the dispute. There is no point in our taking speculation further to raise people's ire over interference or speculation about what might be done.

Mr. Kowalski: A number of other groups have indicated that they are going to use the Pan Am Games as a platform for their protest of displeasure with this government. What is the Premier doing to assure that these protests do not disrupt the Pan Am Games?

Mr. Filmon: Thousands of Manitobans have been involved in the effort to make the Pan American Games an opportunity to showcase

our city and our province. All the things of which we are very proud will be shown to 100,000 visitors, 8,000 or so athletes, coaches, officials, and participants in a way that will create a profile for the city that it probably has not ever received to an audience of hundreds of millions of people.

This obviously is something that is in the best interests of all people who believe in Manitoba, who are committed to Manitoba and its future, and who are able to see the opportunities that we have through the Pan American Games to have more people become aware of just the tremendous assets that we have to offer to everyone. The economic impact, as the member well knows, is expected to be in excess of \$350 million. This is something for which we should all be very proud and very excited to be a full participant.

Anybody who uses the Pan American Games for their own partisan purposes, for their own particular grievances, I think would probably be losing a lot of good will for whatever their purpose, for whatever their cause, and I would hope that people would evaluate that very, very carefully before they took any action that would be designed to disrupt the Games and to harm Manitoba.

Education System Addiction Counselling Services

Ms. Jean Friesen (Wolseley): My question is for the Minister of Health. Our office has received copies of letters from hundreds of Manitobans in the southern part of the province, representing churches, municipal councils, parent councils, student councils, health officials, a great number of people, Madam Speaker. They are drawing the attention of the government to the rapid increase of drug and alcohol use amongst young people, and they are asking for assistance to the Addictions Foundation of Manitoba to provide counselling to the over 1,200 students of the Prairie Spirit School Division. I would like to ask the Minister of Health what response he has given to those hundreds of letters that he has received.

Hon. Eric Stefanson (Minister of Health): Well, Madam Speaker, I would certainly

welcome any additional information that the member for Wolseley herself has received on this issue. We are in contact with the Addictions Foundation currently about all of the services they are providing, and I will get back with further details to the member.

Ms. Friesen: Well, Madam Speaker, would the minister, who has received these letters, who has heard me raise this issue with the Minister of Education (Mr. McCrae) in Question Period—I subsequently raised it with the Minister of Education in Estimates when he had his staff here and was referred—I mean, talk about passing the buck—to the Minister of Health. I now raise it with the Minister of Health on behalf of those hundreds of Manitobans in the south-central part of the province, and I am looking for an answer. What response has been given? Are they sitting there in some file drawer?

Mr. Stefanson: Well, Madam Speaker, we have indicated very clearly, and I believe, as the member herself has just indicated, she has brought the issue up as well during the Department of Education Estimates. We are in discussion with the AFM on that very issue in terms of the services to be provided. So, as soon as we have further information, we will get back, obviously to the member, and inform her and this House.

Ms. Friesen: Madam Speaker, could the minister give us an estimate of when he will have a response for the people of south-central Manitoba who have written? Are they going to have to wait the two years that the people in the Interlake had to wait on exactly the same issue?

Mr. Stefanson: Madam Speaker, I would expect that we can get back to the member for Wolseley and to this House very shortly on that issue.

Youth Advisory Council Status Report

Mr. Gord Mackintosh (St. Johns): Madam Speaker, yesterday I asked the Minister of Justice to tell us whether the Youth Advisory Council, announced by this government before the last election as part of its get-tough-on-youth-crime promises, had ever met. After

hearing the responses, and particularly after reading the Hansard today, there is no doubt that the mystery has heightened.

I wonder if today the minister can tell this House, tell Manitobans: has the Youth Advisory Council ever met? Yes or no?

* (1410)

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, I understand that the Youth Advisory Council was announced as a part of the government's February of 1994 plan on youth violence. There were some initial arrangements made in terms of carrying out that particular council, and I know that various other matters have in fact been done.

As I indicated yesterday, the Provincial Council on Youth Crime, whose membership has in fact included youth, is a very important aspect of the Council on Youth Crime to ensure that our government receives timely advice on the development of its policy. I know I could also indicate that through the Child and Youth Secretariat there are two—

Madam Speaker: Order, please. The honourable member for Thompson, on a point of order.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, I hate to quote Citation 417 of Beauchesne once again, particularly with this minister, but answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate. He was asked: yes or no, did it meet? He was not asked to give a rambling description of various other committees. Did this Advisory Council that was announced in 1994 meet? Yes or no?

Madam Speaker: The honourable Minister of Justice, on the same point of order.

Mr. Toews: Yes, on the same point of order. I am simply providing the member with information on how the particular policy was carried out and, Madam Speaker—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Toews: Madam Speaker, as I was about to say, in addition to the Provincial Council on Youth Crime which carries out those activities, the Child and Youth Secretariat has also established two youth advisory councils.

Madam Speaker: Order, please, on the point of order raised by the honourable member for Thompson, the honourable member did not have a point of order.

Point of Order

Mr. Toews: I was giving my answer when—

Some Honourable Members: Challenging the Speaker.

Mr. Toews: No, I am just seeking clarification, Madam Speaker.

The member for Thompson rose on a point of order. I have no difficulty in waiting for the next question to complete my answer. I just wanted to ensure that the record was appropriate.

Madam Speaker: The honourable Minister of Justice was, I assume, on a point of clarification. I was of the impression the honourable minister had consumed his time and had given his response to the question asked.

* * *

Mr. Mackintosh: Would the minister, rather than referring to some other organization, simply tell Manitobans: has the Youth Advisory Council, to have been chaired by Craig Morrissey of Thompson, based on the B.C. model, ever met? Simple one-syllable answer, yes or no.

Mr. Toews: Well, Madam Speaker, the member has in fact referenced a Mr. Morrissey, who was referenced in the question from the member for St. Johns, who was asked and initially agreed to chair the council. I understand, however, that when contacted later on, Mr. Morrissey indicated that he no longer wanted to chair the committee. As a result of that, different developments took place in the department.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Toews: Madam Speaker, all I have been trying to do is explain what happened, and every time I do so, members opposite stand up and object. Do they want information or not? I am simply here to put the information on the record.

Madam Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Flooding—All-Party Committee

Mr. Glen Findlay (Springfield): I rise today on a rather unusual day when we tried to have a debate on the farm crisis in southern Manitoba earlier in the day and, lo and behold, although both the opposition and the government agreed that that debate should happen and we should be going forward to Ottawa with a very strong proposal, the Liberal Leader of Manitoba, who does not sit in this Legislature, prevented the debate from happening, which I find exceptionally unfortunate because there is no question that in southwest Manitoba and other regions of Manitoba the excess moisture that has happened this spring is something that has never happened in the history of settled Manitoba, never in its history.

No program that man could have designed could deal with the economic impact of this wet, unseeded land that is in southwest Manitoba. Not only does it affect the farmers involved, but it has a significant effect downstream and upstream from the farm gate, from the suppliers of goods and services to the farm, the livelihood of the communities, and the product that was to be produced that would be processed in Manitoba or exported.

There is a large economic impact that goes on for many, many months, and it has been projected at at least 18. I say, as a farmer, it will be at least 18 months. So for the member who does not sit in this Legislature, who is a Leader of a third party to ask his one member in this Legislature to deny the discussion—it was not going to be a debate. It was not going to be

finger pointing. It was a discussion of how we would work together for the good of the flooded area of Manitoba and Saskatchewan to get some federal support. The fact that he denied it I think is really, really a serious blow to the Liberal Party. It contravenes our ability to have a logical discussion, particularly on what has become a very nonpartisan issue.

So for a member who has been involved previously as a minister dealing with these crises, I find today's events most unsatisfactory, and I wish the Liberal Leader would reconsider his position and allow that debate, that discussion to happen in Manitoba.

Nemihitowok Hoop Dancers

Mr. Gerard Jennissen (Flin Flon): The Nemihitowok Hoop Dancers are a well-known dance group from Flin Flon. They have been chosen to participate in the entertainment portion of the 1999 Pan Am Games. The hoop dancers have been quite successful in sharing their aboriginal culture through their hoop and jingle dances. Their youngest member is Cailie Church, who at the age of four performs with seven hoops. For this group it is not a competition, merely a demonstration dance often performed at opening ceremonies or at special pow-wows.

I am sure that all members in this Chamber are happy to join with me in expressing congratulations to the Nemihitowok Hoop Dancers as well as the parent association for their commitment and dedication on behalf of these young dancers.

* (1420)

Flooding—All-Party Committee

Mr. James Downey (Arthur-Virden): Madam Speaker, I rise on a member's statement to bring to the House's attention again, as I did earlier today, and to, first of all, try to put the position forward that each and every one of us should clearly understand the pressure and the problems that members and families of farm people are facing when they are faced without having any income for 18 months. I do not care where you are in society, no income for 18 months is a

terrible, stressful situation. That is the situation people are in.

We have asked the Premier (Mr. Filmon), our colleagues, all of our colleagues in this House have continually pressed for some consideration from the federal government and at least to work the AIDA program or to come forward with programs equal to the 1997 flood programs to bring some relief to those individuals. Yes, we have made a move with some support in hiring of seeding done, but there has to be considerably more done and done quickly.

Thirdly, what I really am troubled with today is that elected members of this Legislative Assembly, for political purposes, were denied the right to speak on behalf of the people that we are elected to represent. An unelected member put his political pressure on a sitting member to not allow this to take place, and I feel extremely sad for the member who was put under that pressure. I feel terrible for that.

If this House allows itself to be captured by such a situation, Madam Speaker, then it cripples democracy, the very heart of what we all support and stand for. If that is what that Leader stands for, I feel very, very sorry for the people that put him in that position, and I even feel sorry if he gets anywhere in the political scene in this province further than where he has been.

I am really depressed and troubled by that, and I have to speak that today in my member's statement.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, this Chamber has dealt with crisis before, and we have put aside the seats we represent, the parties that we represent, even sometimes the ideologies that we represent in order to put the human face and the human crisis as the priority of this Chamber.

We have worked co-operatively in the '97 flood. The member for The Maples (Mr. Kowalski), we have worked in his community; the member for St. Johns (Mr. Mackintosh)—I am going to leave a lot of people out. Everybody worked, but I know the member for St. Johns and the member for St. Norbert (Mr.

Laurendeau) were running flood protection lines, and ministers opposite were in the Red River Valley.

People work together in times of crisis. That is the Manitoba way. That is the community way. We may disagree after the crisis about how we dealt with it or could we have done better or not, but the essence of this Legislature is we have the responsibility to be free of any other pressure except those of the people of this province to represent their crisis. This Legislature cannot be a surrogate to the Parliament of Canada. We are a united Legislature, Madam Speaker.

Today was not the Manitoba legislative way, and we have to again regroup because it is better for us to go to Melita and Ottawa united, together, rather than being divided. Surrogacy, no; united, yes, for the crisis here in Manitoba.

Mr. Gary Kowalski (The Maples): Madam Speaker, I rise to take advantage of my opportunity to made a member's statement, and I will be speaking about the Elizabeth Fry Society, of which I am a board member, that will be having their annual general meeting.

But I have to say that today's events—I want to make sure that the people of Melita, of Virden, of that area know that my dad was an implement dealer for John Deere. He worked for John Deere. I used to travel with him when he used to take movies around to different John Deere dealerships, and I remember travelling around and how well people treated me.

I have a lot of empathy for what people are going through in that area. I know, having gone through some difficult times myself, that when you are in a crisis, it is not knowing how much you are going to get or that, it is just to know that there is going to be help. Those people need to know that there is going to be help as soon as possible. We talk about how we are nonpartisan, but there are some political games being played. In the end, I do not think any human wants to see another human being in Melita and Virden suffer.

I will let Jon Gerrard speak for himself, and I am sure he will explain his actions, the reasons

why he did what he did today. But I want it known how I am concerned about the people in that area. I wish them no suffering, and I hope that as soon as possible they get everything that this community of Manitoba can deliver. Just as when any emergency—I have seen it countless numbers of times as a police officer, when a child falls down a well, everyone rushes to help. They do not ask what political stripe or what colour. They help, and I think we all should help the people of that area.

Thank you.

Point of Order

Mr. James Downey (Arthur-Virden): A point of order, Madam Speaker. I appreciate that I may be just stretching it a little bit, but I know that it is a challenge for all of us to deal—and I am not sure how this was circulated, but it is representing a political party not officially in this House. I do, quite frankly, think it has to be dealt with, and I really take an affront to the fact that this document was put out by a party Leader what is so totally unfactual that it has to be corrected by somebody. I would hope that the member who is responsible for the Liberal Party would correct the document that I have that said that the federal government did offer \$25 an acre to the farmers.

I do not know how to deal with it in this Assembly; it may not be the appropriate place. I do think it is certainly a very unfortunate situation, and maybe you could give me some direction.

Madam Speaker: It is definitely not a point of order. There is one avenue available, and that is the honourable member could use his grievance privilege. Every member is entitled to one each sitting.

Committee Changes

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments (for Monday, June 28, 1999, at 10 a.m.) be amended as follows: the member for Rossmere (Mr. Toews) for the member for Charleswood

(Mrs. Driedger); and the member for River Heights (Mr. Radcliffe) for the member for Kirkfield Park (Mr. Stefanson).

Motion agreed to.

Mr. George Hickes (Point Douglas): Madam Speaker, I move, seconded by the member for Burrows (Mr. Martindale), that the composition of the Standing Committee on Law Amendments be amended as follows: Selkirk (Mr. Dewar) for Wellington (Ms. Barrett), Wolseley (Ms. Friesen) for Concordia (Mr. Doer) for Monday, June 28, 1999, for 10 a.m.

Motion agreed to.

ORDERS OF THE DAY

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, just by way of notice to the House, the opposition House leader (Mr. Ashton) and I, in planning business of the Assembly, would just like to serve notice that on Monday we will likely be calling the Committee on Law Amendments to meet for Tuesday morning to consider a number of bills. A formal announcement will come when this House resumes sitting on Monday, but I like to try to give members as much notice as possible when we are gathered at this particular time. I know a number of bills were passed through today, and it is likely many of them will be proceeding to that committee, but a complete list will be announced formally on Monday.

I would ask, firstly, if you could canvass the House. I am sure you will find a will to waive private members' hour.

Madam Speaker: Is there unanimous consent of the House to waive private members' hour today? [agreed]

Mr. Praznik: Madam Speaker, secondly, I would ask if there would be leave of the House for the Estimates of the Department of Justice to be considered in the Chamber this afternoon.

Madam Speaker: Is there unanimous consent of the House to consider the Estimates for the

Department of Justice in the Chamber this afternoon? [agreed]

Mr. Praznik: Madam Speaker, I would also ask if there is unanimous consent for the Estimates of the Department of Consumer and Corporate Affairs to be considered in Room 255 until 4:30 this afternoon and to be followed thereafter by the Estimates of the Seniors Directorate.

Madam Speaker: Is there unanimous consent of the House for the Estimates of the Department of Consumer and Corporate Affairs to be considered in Room 255 until 4:30 p.m. and then to be followed by the Estimates for the Seniors Directorate? [agreed]

Mr. Praznik: Madam Speaker, for information purposes only, just to remind members that the continuation of the Estimates of the Department of Family Services will be held in Room 254 this afternoon.

I would move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that Madam Speaker do now leave the Chair and that this House resolve itself into a committee to consider of the Supply to be granted to Her Most Gracious Majesty.

* (1430)

Motion agreed to.

COMMITTEE OF SUPPLY (Concurrent Sections)

FAMILY SERVICES

Mr. Chairperson (Gerry McAlpine): Order, please. Will the Committee of Supply please come to order. This afternoon this section of the Committee of Supply meeting in Room 254 will resume the Estimates of the Department of Family Services.

When the committee last sat, it had been considering 9.4.(a) Child, Family and Community Development (1) Salaries and Employees Benefits, on page 68 of the Estimates book. Shall the item pass?

* (1440)

Mr. Doug Martindale (Burrows): Mr. Chairperson, I think I should probably put on the record my apology to Mr. Lance Barber. He indeed mail me the information I requested. My trustee constituency assistant had put my mail in a file, and I had not read it yet. So my apologies to Mr. Barber.

I would like to go back to the Children's Foundation. I want to thank the minister for the information that she already provided me. I cannot remember from before lunch, but I wonder if the minister had identified how much money was transferred to the Winnipeg Foundation?

Hon. Bonnie Mitchelson (Minister of Family Services): I do not think I had. I have some additional information here now. Mr. Chairman, the organization received \$714,000 in November 1998, so that would have been the Children's Foundation of Winnipeg Fund that was transferred over to the Winnipeg Foundation. The funds are considered a "field of interest fund"—that is in quotations, I am reading this into the record—in the Winnipeg Foundation, which means that it must focus on a particular area. General applications are received by the Winnipeg Foundation who determines which fund the grant may be paid from. No special committee exists for this particular fund. The agreement between the Winnipeg Foundation and the Children's Foundation of Winnipeg Inc. requires that the Winnipeg Foundation use the earnings on the fund for provision of grants to charitable organizations on the condition that financial support is utilized to support programs that enhance the quality of life for the children of Winnipeg by—and I guess these are the criteria—funding projects that benefit children in their own community or funding projects that focus on the training of community members who will provide programs that enable the community to become self sufficient.

It is expected that approximately \$36,000 will be available on an annual basis. Organizations that have previously accessed the fund will be given priority, and since November, only one grant has been provided: \$15,000 to the Winnipeg Boys and Girls Club for bridge funding. In 1998-99, the former foundation had funded four projects: three parent support

networking projects and one training and co-ordination project.

Mr. Martindale: I would like to go back to The Family Support Innovations Fund. I wonder if the minister can tell me where the money comes from for this fund. Is it from her department? Is it from within the agencies?

Mrs. Mitchelson: It is a fund of \$2.5 million and it comes from my department.

Mr. Martindale: I have had some reports about concerns that staff have about directives from senior management. I presume this is within Winnipeg Child and Family Services. Because of the pressure not to put children in hotels, there was a directive that sibling groups be split up so they do not have to use hotels. I am told that workers were quite upset by this directive, that it was contrary to everything that they were taught in child welfare and everything they believe in terms of practice. They were forced to follow this directive, but they were very unhappy. I am wondering if the minister is aware of these complaints; if so, what her view is of this kind of directive.

Mrs. Mitchelson: The first we knew about any directive was as a result of an article in the Free Press. After discussion with the agency, it is our understanding that the directive would have been: Do your best not to put children in hotels; do your best not to split families. Our understanding is from reports from the agency, there was very limited splitting of families; in fact, it is not a directive or a policy. We do not see it as a common practice within the agency at this time.

Mr. Martindale: I am wondering if the minister can be a little more specific. She says it is not common practice. I guess I would be interested in knowing whether it is a prohibited practice or whether it happens occasionally because of circumstances like not being able to find accommodation for a number of siblings either in a foster home or even in a four-bed unit.

Mrs. Mitchelson: We are informed that this is not a common practice within the agency. There are from time to time instances where siblings have to be split for therapeutic reasons. That of

course would happen or would take place, but it is our understanding that it is not common practice. We could try to get numbers and more information from the agency and report back, if my honourable friend wants that.

Mr. Martindale: I have in front of me a copy of Volunteer Times, Volume 9, No. 4, Winnipeg Child and Family Services East, April 1998. I am not sure why I did not use this last year in Estimates other than the fact that we got shut—

An Honourable Member: Maybe you did and do not remember.

An Honourable Member: Oh, that was a good shot, Bonnie.

Mr. Martindale: I hope that last remark was not on the record, Mr. Chairperson. Probably it was because the Minister of Justice (Mr. Toews) was in trouble and Family Services got shut down in a hurry, so I did not get finished all my questions last year. I hope that does not happen again this year because Justice is following us.

However, I would like to quote from this newsletter. It says: "Kids going to school without lunch; babies being fed diluted formula; moms not eating because there isn't food to go around. Sad but true stories that CFS workers hear often." I am told that frequently when children come into care, workers are responding to their immediate needs. That often means getting authorization for food vouchers or however it is that the workers buy food for children, buy diapers, clothes or whatever. I am wondering if the minister has figures on emergency expenditures in Winnipeg Child and Family Services on these kinds of items.

Mrs. Mitchelson: We have a number here that says: day care and emergency assistance \$5,821.

Mr. Martindale: I would like to ask the minister if that is the total.

Mrs. Mitchelson: I should clarify, that is per month.

Mr. Martindale: I would like to ask the minister if she can tell me what happens to money that parents would normally get or

income parents would normally get such as the child tax benefit. When children go into care, what happens to that money and who gets it?

* (1450)

Mrs. Mitchelson: If in fact the question is, if there is a child in care, does the family still get the money that would be allocated to them from the federal government or from the province on assistance for that child? Is that the question?

Mr. Martindale: Well, it would be my guess that maybe they do not get the money anymore, in which case is that a saving to government or where does the money go?

Mrs. Mitchelson: If they are on social allowance, there is a certain X number of dollars for a child and that child is not in that home, the money comes, is not paid out in social allowance.

Mr. Martindale: So it is really a saving to government or money that is not expended.

Mrs. Mitchelson: That is right.

Mr. Martindale: Just one more question for clarification so that I can explain this to the person who asked me. Then it is not going to the Child and Family Services agency instead of to the family.

Mrs. Mitchelson: No, it is not going to the Child and Family Services agency.

Mr. Martindale: I wonder if the minister would be willing to comment on the urban aboriginal strategy team for Child and Family Services. I have a copy of their community action plan, dated February 1999, and there are a number of recommendations in it. I am wondering if the minister has positions on any of these recommendations, and, if so, are there any that she would care to comment on?

Mrs. Mitchelson: Mr. Chairperson, we did get a report on the urban aboriginal strategy for Child and Family Services, and I did meet with the committee that had been pulled together as they presented that report to me. I guess sort of the broad recommendations were that we make

board changes that would be more reflective of the community that is served by the Winnipeg agency. Then the advisory committee was wondering whether they could continue to be an advisory committee to me.

One of the recommendations did include, too, that we put more dollars into the front end and that the aboriginal community have some say in how we administer those dollars for aboriginal families.

On that recommendation specifically, I guess we asked for action plans to be developed as a result of that recommendation to give us some indication of what that might look like. They have gone back out and tried to develop a little further what action would need to be taken. We have received reports from MKO, for instance. We have not received a report from the southern bands. We are awaiting that report. I think it was due around mid-May, and we understand that it will be here very quickly. As a result of those action plans coming back, the committee will get together again and develop one action plan.

I think it has been a good process. We have engaged, certainly, the aboriginal community both on and off reserve in this process, and I am hopeful that we will have a plan of action that we can follow through on.

As far as the board composition, I think I indicated that we would very shortly be making that announcement, and it will certainly be more reflective of the population that is served.

Mr. Martindale: Mr. Chairperson, I guess I have some specific questions following up on that, but the minister seems to indicate that things seem to be rather positive and co-operative. Does that indicate that there has been a change since, I think, it was June or July of last year? There were stories in the media about people, I do not know, walking out of meetings and not being very co-operative. Has that turned around?

Mrs. Mitchelson: I think that things have improved. There are always different dynamics. Certain individuals with certain agendas from time to time tend to not be terribly pleased if

their point of view is not the point of view or the direction that is taken. We all know, I am sure, from time to time my honourable friend experiences that right within his own caucus. Even though there are philosophical similarities from time to time, there are people with very strong opinions on a certain issue, and I know that happens within any organization or group that comes together to try to develop a new direction or a renewed direction, I guess.

*(1500)

I do want to indicate that I did have some differing opinions with some of the people that we had asked to be gathered around the table, but I think they have come together and cooler heads have prevailed. We are hopeful that the continued good will and good working relationship will result in something that everyone can have piece of and be a partner in.

We had some differing points of view, I guess, from the political leadership on reserve and the urban aboriginal community where the urban aboriginal community felt that they needed to have some input into the issues dealing with aboriginal people in the city. I guess the aboriginal leadership on reserve felt that the children in the city of Winnipeg were their responsibility and theirs alone, so there was some conflict. I believe that we have come to grips with the understanding at least that for the sake of the children involved we all need to be working together to find the solutions, and I am hopeful that will indeed occur.

We have tried, as we changed the board composition, to include all factions in the new board, and I think that probably we will have a pretty powerful dynamic group of individuals that really are committed to putting the interests of children first and trying to set aside some of the differences that they may have from time to time to ensure that we have the best programming that we possibly can have for children and families. I know we had a tough meeting and there were some tempers that flared, including mine. You know that I do not often get angry, but I have to say that things have improved since that time. Sometimes when you vent a bit, you get things off your chest, and then you can then get down to working in a more co-

operative fashion. So I have every hope and expectation that that is occurring and will continue to occur.

Mr. Martindale: That reminds me that there was actually a hurricane with the first name as the minister. I even have some clippings that the minister might appreciate. I will not put them on the record or table them. I hope the people that are on this new board are really representing constituencies rather than factions. I would hope that "constituencies" might be a better word than "factions." [interjection] Yes, your staff might appreciate these even more.

I have a report called Report from the Urban Aboriginal Strategy Team dated September 30, 1998, and it has a list of all of the organizations that were participants. One of them is listed as the Manitoba Assembly of Chiefs, so I presume that they are still part of the process.

Mrs. Mitchelson: Yes.

Mr. Martindale: Mr. Chairperson, one of the recommendations is that there be a Metis family and community institute, and I am wondering if that proposal is still on the table or under discussion.

Mrs. Mitchelson: Mr. Chairman, I think when we talked about—is it a Metis institute as one of the recommendations? I guess we have to go back a little ways to the Fox-Decent report that indicated that we should explore the possibility of an urban aboriginal agency. We have had dialogue and discussion with the Metis community for years and years around a Metis child and family services agency.

I think we have come to the conclusion that maybe we need to be trying to ensure that we are all working together to ensure that all children regardless of background are served in a way that we can all support. I believe that the conclusion from the dialogue and discussion has come around to trying to figure out how we can make that happen.

If we are talking about bricks and mortar, I am not sure at this point in time that that kind of thing is on. I think what we want to do is focus our energies and our efforts on trying to ensure

that we provide the best service possible for all children, ensuring that the Metis community has a stake in that, that the aboriginal leadership on reserve has a stake in that, that the urban aboriginal leadership has a stake in that. I have said many times in meetings that it cannot be an "us" and "them" kind of thing. We all need to be working together. I am prepared to work with everyone, but we cannot be setting up separate structures and separate bricks and mortar, because then you create a whole new set of issues and complications. Where do people call? We do they not call?

*(1510)

Is there a difference whether you have a treaty number versus a nontreaty Indian status versus Metis? Where does it start and where does it end? I think that we have to all come together around the table. I think that is what we have tried to do with this process, is bring everyone together and whether a Metis institute is something way down the road I do not now, but it is not something that is on right at this point in time. What we want to do is have everyone involved in finding the best solutions for the best reasons for the families that Winnipeg Child and Family serves. That is my feeling or my sentence on where we are going. I think that there is something to be said for everyone still being around the table and trying to figure that out.

Mr. Martindale: Another one of the recommendations is for a community plan which would be directed towards 100 families. It would be the intention of the project to work with families who are at risk of their children coming into care. The proposal I guess is that you take money that normally would be spent on children in care and you redirect it towards what sounds like a preventative program. There are some details here and it sounds rather interesting. I am wondering if the minister has considered it and what she thinks of this plan.

Mrs. Mitchelson: I think that recommendation looked at taking 100 families sort of out of the intake process and seeing whether there was a better way to try to deal with families to ensure that they did not need to enter the Child and Family Services system.

So it would be an intake sort of sensing whether there was another kind of diversion or another way to work with families, whether it be through mentoring, things like the Andrews Street family project, finding community solutions, seeing whether there was the support within a community to find a better solution to taking children into care and moving them out, dislocating them and very often creating other issues for children, such as isolation and completely strange neighbourhoods and families.

It is something that I really kind of like conceptually, so I have instructed the committee to go back and look at an action plan on whether we could broaden that even more in a more comprehensive way. Rather than just looking at a hundred families in a demonstration project, is there a better way of trying to provide the support at intake and do the analysis and see whether there is not a community capacity that could be built to help support and strengthen families, and that is a preventative model that is sort of up front?

I have to ask myself sometimes whether once we take kids into care we do a better job of providing support for them and we end up with healthier kids as a result or is there a better way, and I think this is a model that has been brought forward that merits significant consideration to see whether there are other options and opportunities for us to do things better right at the intake, before families get separated. I mean, we know that there are kids who get moved from foster home to foster home to foster home, and I am not sure that that serves those children well. So how do we try to find the child-centred focus that we need to ensure that everyone is around the table right at the beginning when the issue surfaces that there are some problems within a family to find the very best solutions that we possibly can?

So this sort of looks at that kind of a concept, and I certainly think it merits some consideration and some further development.

Mr. Martindale: I still receive complaints from aboriginal people, mostly from staff of aboriginal agencies about program standard 421. Until we have either a mandated aboriginal agency or we transform an existing agency into a

mostly aboriginal agency, I think we need to pay attention to the concerns that I am hearing from the community.

As the minister will know, program standard 421 provides direction to agencies regarding their priorities in placing children in care. The first priority is to place with the extended family; the second is to place in a culturally appropriate home; and the third is to place in the same community as the parents.

Now, the information that I have suggests that program standard 421 is being honoured more in the breach than in anything else and that sometimes aboriginal agencies are being told the day before a nonaboriginal agency goes to court that one of their children is the subject of a hearing, which does not give them adequate time to find an appropriate foster home or any kind of a placement and have meaningful input into the decision making.

I guess my question is why are non-aboriginal agencies not following the program standard 421? Since the minister must be aware of these concerns, what is being done to encourage them to follow this program standard?

* (1520)

Mrs. Mitchelson: Mr. Chairperson, our branch did do an independent review of this issue, because it was an issue that was coming forward as a significant issue, and did find that there were certainly some concerns. As a result of that, we raised the issue with the Winnipeg agency specifically, I guess, which was probably the worst agency in dealing with this issue. As a result of that, I think we have had much more co-operation and collaboration.

We have had Winnipeg, especially under the new leadership in Winnipeg, working more closely with native agencies, especially in the North where this seemed to be the biggest issue, and we have seen much better practice and consistent outreach to native agencies as a result. We have worked with both Winnipeg and the native agencies to develop a draft standard that will be going out as a part of our new standards, our standards that have been revised and will be implemented.

So, certainly, I think my sense, or information that I have from the department is that within the last nine months or so, there has not been an appeal or an issue raised. So it basically is sort of the nature of the new relationship that has developed as a result of new leadership in the Winnipeg agency and outreach to our aboriginal agencies. I am hoping that that continues. There is certainly much more of a spirit of co-operation.

Mr. Martindale: Mr. Chairperson, I wonder if the minister can tell me what is happening in terms of adoptions in terms of numbers. For example, I have a report to adoption co-ordinator supervisors, dated June 8, 1998, re: Manitoba adoption bulletin, and there were very few children being adopted at that time.

I wonder if the minister has statistics for me on the number of adoptions taking place, perhaps in the last year or whatever the most recent information the minister has.

Mrs. Mitchelson: We are talking now permanent wards? Yes, in 1997-98, there were 106 adoptions. In 1998-99, there were 116 permanent wards placed for adoption, and since April 1 of this year, there have been 30 permanent wards placed for adoption.

Mr. Martindale: Can the minister tell me what has been happening since the changes to legislation, mainly the introduction of a new adoption act and, in particular, private adoptions or adoptions being done through nonprofit agencies such as Adoption Options?

Mrs. Mitchelson: In the past, before the new legislation was proclaimed and that was only on March 15 of this year, Adoption Options did around 20 private adoptions per year. They are currently processing 72 applications, and they anticipate that the number will go up from 20 this year as a result of the new act. The Canadian advocates for African children is currently processing eight applications for intercountry adoptions.

Mr. Martindale: Mr. Chairperson, I understand the department is considering some kind of adoption subsidy, and I am wondering when that is going to be proclaimed.

Mrs. Mitchelson: Of the 30 permanent wards that have been placed for adoption since April of 1999, 19 of those were long-term foster children in foster homes that as a result of the financial support that is being provided have been adopted by those long-term foster parents. I think that is a significant achievement and success.

Mr. Martindale: Can the minister tell me then if long-term foster parents who are adopting children are getting adoption subsidies currently?

* (1530)

Mrs. Mitchelson: Yes, they are getting financial assistance, and that is one of the reasons that they have chosen—I mean, obviously, they cared and loved the children that were their foster children, but without financial assistance it was prohibitive to adopt and provide permanent homes for those children. So that is starting to happen. I think that is extremely positive for the children and for those foster parents that had wanted the security of being able to ensure that those children were not moved out of their homes.

Mr. Martindale: I was told that there would be families all over the province who would adopt immediately if adoption subsidies were available, and certainly the numbers from April 1 look good. I guess by the end of the year we will know whether that is actually true, if we see more families with long-term foster children applying for adoption.

I would like to ask some questions about support for foster parents. Foster parents tell me that they want hands-on advice by phone, that if there is not someone who can be there immediately who can make a difference, they would like to be able to consult someone by phone. They may need to talk about a crisis in a home or a crisis at school. They tell me that this probably is not needed for every family or every child, but it seems that there is a need for more expertise on an immediately available basis.

First of all, maybe the minister can tell me what is available now and where she thinks the gaps in service are.

Mrs. Mitchelson: From time to time, we have had calls from individual foster parents in my office too that have indicated that they have had difficulty finding answers from time to time. I think that is one of the reasons that the Winnipeg agency is looking to realign their supports on a functional basis, rather than on an area basis, so that they can focus and co-ordinate those activities and provide better support to foster parents. That, I think, could go some way to helping to recruit foster parents too. If in fact there is more support available for them when they have a crisis situation, then there is a better ability to possibly recruit and retain foster parents.

One of the successes, I think, we have achieved is through our Youth Emergency Crisis Stabilization System where we have seen great success in families being able to access service 24 hours a day, seven days a week. Foster parents are aware of this service and do utilize this service, so there is more. As well as the agency realigning their supports to try to focus in a better way, we have a 24-hour crisis stabilization system that can be accessed by phone by foster parents, as well as other parents or families that are having difficulty with their children.

Mr. Martindale: I am familiar with the crisis stabilization team, but I am wondering if currently there is help available for foster parents by phone.

Mrs. Mitchelson: I guess there is the 24-hour, after-hours services through the Winnipeg agency that is available to foster parents, but again the Youth Emergency Crisis Stabilization System is over and above that.

I indicated just in my last answer that it has been extremely successful in delivering service to families. I can just indicate that, in the year starting in March of 1998 to March of 1999, there were 3,552 requests for service received. Now, we do not have that broken down as to whether they would be foster parents or other family circumstances. When they anticipated that there would only be approximately 1,500 calls to the service, it was over double that, and 1,325 of those requests that came in were resolved over the telephone.

The Mobile Crisis Teams did 1,712 community visits. I have got more detail too if my honourable friend would be interested, but it is something that certainly has been successful. This is as a result of the closing down of Seven Oaks and moving services into the community in a more appropriate fashion to serve families and children in crisis. That is available too to foster parents, and they are aware of it. I do not have the breakdown in numbers on how many would have been foster parents versus other family circumstances.

Mr. Martindale: The Fifth Annual Report of the Children's Advocate 1997-98 comments on changes that have been made. For example, he says, and I quote, on page 8: "There has been no actual increase in the number of spaces available. In fact with the closure of Level 2 group homes in 1994/95 and the recent closure of Seven Oaks in 1997-98, the number of placement options has decreased significantly.

"There needs to be greater funding flexibility to allow for the opening of additional treatment spaces as the need exists as well as allowing for corresponding decreases or alternative programming as the treatment needs of children change."

We know that the Mobile Crisis Team is doing a lot of visits, but what has replaced Seven Oaks? I know there are a small number of beds at Marymount and I believe at Knowles, but where are children going for emergency placement, especially difficult children or children that need a lot of setting?

* (1540)

Mrs. Mitchelson: I have to indicate that as a result of the crisis stabilization units there may not be more beds, but there certainly is capacity to serve more children because it is in a much more co-ordinated fashion. Seven Oaks experiences usually, in about a 12-month period, around 300 youth being served through the crisis stabilization units, the two units, one at Marymount and one at Macdonald Youth Services. We have served 692 children. It was a much more effective support network where children come in, are assessed. Treatment plans are developed and they are moved into those

treatment plans or back home, whatever the case may be.

I would say that is a success. We have been able to serve over twice as many children through the two crisis stabilization units that have been set up. In addition to that with the placement desk within the department and us sort of monitoring and trying to ensure that kids get into the right treatment for the right reasons into all of our group homes, our treatment centres. We have had success in achieving better intervention and better services for children.

Mr. Martindale: When I have a problem, I phone Mr. Phil Goodman. Probably the minister does the same thing. He certainly tries to fix problems, that is his job. So he will know and you will know that parents phone from time to time and they say my child is in need of protection. In a couple of cases when I phoned Mr. Goodman, the parents were saying: My child is at risk. They are on the street. They are engaged in high risk activities, such as prostitution or drugs or both. We want them in a secure place.

They are running into all kinds of roadblocks because the agency will say: We are not going to pick them up because they will just go AWOL; there are no locked facilities. I have been told that some of even the supposedly locked facilities are not really locked facilities because the kid can walk out. It really depends on which facility we are talking about. It does seem that there is a problem here and part of the problem, it seems to me, is there has been nothing that has really replaced Seven Oaks, not that we want to reopen it. There were a lot of reports that recommended closing it. We supported those recommendations. I am wondering if the facilities at Marymount and Macdonald Youth Services have really taken its place. I think probably the minister has had similar calls from parents, and I am wondering what the appropriate facilities are for these individuals.

Mrs. Mitchelson: I know that we had certainly from time to time tried to work with my honourable friend around case-specific issues. They are not all easy. The issues are sometimes

extremely complex. We certainly know that parents have considerable concern for some of their kids and the circumstances that they are in. Not always the issue of the facility or locked or unlocked, or the bed that is available, or sometimes issues around whether in fact we can convince kids to be a part of a treatment process and help them find some hope for a better future. I would love to say that we could have 100 percent success in achieving that. I think we try to work with families and children. We know that the older they get, sometimes the more difficult it is to find the answers and the solutions. I understand the issue and I know there is frustration with families and parents around these specific issues, but in many instances it has to be a matter of being able to convince a young person, and, as I said, the closer they get to the age of majority, the harder it is sometimes to find the right answer or the right solution, or expect that they will take advice on trying to change their lives and their lifestyle.

I guess what we are doing today in many instances is trying to ensure we have as few kids as possible in those circumstances in their teenage years. There is an issue around dealing with those that are there today, but there is an issue around trying to prevent children who are being born today from ending up in circumstances, at 17 and 18 sometimes where it seems like there is no hope, and that is all of the early intervention that we are putting in place today to try to ensure that kids are not there tomorrow.

I do not have an easy answer, and I know my honourable friend has been involved in some situations where he has worked with family. We have tried to put the resources in place for that family and for the individual circumstances surrounding some of those children, and we hope that we can try to have some impact. We do not always have or achieve success. I do not know whether there is an easy answer to any of this. I mean, I do not know if you might have any suggestions. I do not have any good answers, I suppose, for our ability not to be able to deal with absolutely every circumstance and situation, but I do not know what more I can say, except that we try. We try to ensure that the supports are there. We work with families. We

try to work with kids to ensure that help is available for them and can strongly encourage them to take advantage of the supports that are there, but we do not always have success in achieving a positive end result.

* (1550)

Mr. Martindale: Well, I do not expect the minister to know the details of situations that I was involved in, but Mr. Goodman might recall that in one of them, an adolescent, was living in an independent living situation in a downtown area and the parents found that to be totally unacceptable. Surely there is a locked setting or a secure setting somewhere in the city that an adolescent would be safer and get some help rather than independent living.

The Children's Advocate, the former Children's Advocate commented on independent living. He said: Planning for independent living for older wards, and support after they have left care requires more attention. That is another issue, Mr. Chair.

Somewhere he commented on independent living. Well, maybe I did have the right paragraph: Too often this office has seen too many youth placed in independent living arrangements without the necessary skills to survive on their own. The minister will likely remember that last fall, specifically September 22, '98, CBC television did a story about independent living and apparently about 130 adolescents were in independent living at the time, spending city welfare money and trying to run their own lives. Mr. Govereau, the former Advocate, said: To expect a 16- and 17-year-old to live independently and function like an adult, I think is a mistake. He also said: Actually I think there should be frequent contact.

I am wondering if the minister can tell me how many children are currently in independent living. The minister, who was quoted in this news story, said: Some of these kids are falling through the cracks, but there are some kids that are not and are still out there floundering around. I am wondering if the minister can tell me what the current numbers are and whether this program has been reviewed since the province took responsibility for this caseload.

Mrs. Mitchelson: I am just trying to get the issues straight around the definition of 16- and 17-year-olds that might be living independently. There are those that would be part of the child welfare system still because there would be some protection issues, and they would be permanent wards or temporary wards of the agency. There are some 16- and 17-year-olds that are considered emancipated youth. Those would be those that are maybe bucking the system, have decided or determined that home is not the place of option for them, but there are not any protection issues. They then become defined as emancipated youth, and they end up on our social assistance or employment and income assistance system. So there are the two different kinds. So independent living through the agency is a different issue from an emancipated youth who is a 16- and 17-year-old.

I am not sure what calls my honourable friend might be getting and from which group, if in fact they are emancipated youth and they are on our welfare system. The announcements that we made last week around welfare reform are announcements that will include 16- and 17-year-olds that are in our employment and income assistance system, and those youth will be required to go to school, to be training, to be working at community service in order to receive employment and income assistance support.

It is a strong encouragement if in fact they have just left home because they felt they could not get along with their parents, as we know youth tend to do from time to time; it encourages them to get back into school, to look for work aggressively or to do some community service. If in fact they are addicted, if they have an addictive problem, another announcement that was made last week was a requirement for them to go into some sort of addictions treatment in order to receive their assistance. So that should deal with those emancipated youth that are on our employment and income assistance system.

There may be parents that are not happy that their children are living in the kinds of circumstances my honourable friend mentioned. Of course, there is, then, the issue of those that are permanent or temporary wards of the agency that are set up in independent living by the

agency. As we start to implement this program, we will certainly be working again with the agency to identify those youth or individuals that are in those circumstances and ensure that we are working aggressively to keep a connection to our education system, support them if they have addictions, problems with treatment, or apply some of the other rules that we would apply to 16- and 17-year-olds that are on our social allowance system.

Mr. Peter Dyck, Acting Chairperson, in the Chair

The Acting Chairperson (Mr. Dyck): We will be back in five? [agreed]

The committee recessed at 3:58 p.m.

After Recess

The committee resumed at 4:20 p.m.

The Acting Chairperson (Mr. Dyck): Will the committee come to order, please.

Mr. Martindale: Mr. Chair, I would like to go back to the Children's Advocate's report. On page 7, he talks about abuse and maltreatment of children in care. He says: "In an effort to address this problem, the Children's Advocate supported Colleen Suche's recommendation that an independent investigative body be created to investigate all allegations of abuse of children in care. Pending legislative amendments to The Child and Family Services Act will allow the Director to create such an independent body to do these investigations." I wonder if the minister could refresh my memory and tell me what investigative body was appointed and what it is called.

Mrs. Mitchelson: Mr. Chairperson, our department has been working with a panel of experts in the field. We certainly have the capacity to do independent investigations and pull a panel together to make that happen should we need to. We are presently in the process of trying to figure out what criteria with these experts should be laid out so that we know which allegations we would investigate and which ones we would not. There are more

serious allegations that come forward than others, and so we want to make sure that we investigate the ones that should be investigated independently.

So we could, if we needed, pull together a panel right now to do an independent investigation of allegations, but we are still working through the process of criteria around which ones we would investigate and which ones we would not.

Mr. Martindale: Mr. Chairperson, I wonder if the minister could refresh my memory. Did this require amendments to The Child and Family Services Act? I do not recall those amendments.

Mrs. Mitchelson: Mr. Chairperson, the legislation amendment that was made was that there was a mandatory requirement to report to the director any allegations of abuse, but in fact we had the capacity before. We are now working on the criteria for what allegations would need to be investigated independently.

Mr. Martindale: The Advocate was concerned about the practice of licensing workers as foster parents, that is, I presume workers in the employment of Child and Family Services agencies. I am wondering if the minister shares this concern. He also points out that most of these workers are fostering special needs children.

Mrs. Mitchelson: Mr. Chairperson, just as recently as about two and a half weeks ago, there was a memo that went out from our branch to all agencies asking for the existing policies and their thoughts on what an appropriate policy should look like. We do know in some instances that there might be extenuating circumstances where in special needs cases, a most appropriate placement might be with a staffperson from one of the agencies. I guess we need to know exactly what is happening today, how widespread it is within existing agencies, and what their thoughts might be on appropriate policy for us to be looking at across the board.

Mr. Chairperson, in the Chair

Mr. Martindale: On page 9, the Children's Advocate points out that children who are in

care of an agency and are approved for special education funding at a particular school, should they move to a different school division, they no longer get that special funding. So I assume that they have to apply all over again, and that could be a long and maybe even a tedious process. I am wondering if there is some way in which this can be addressed for children who are in the care of an agency.

* (1630)

Mrs. Mitchelson: Mr. Chairperson, as a result of these issues, and they have been very significant issues that have been pointed out to us, both my department and the Department of Education have met with superintendents of school divisions. The Deputy Minister of Education indicated very clearly that Level II and Level III funding was portable, that it should move with the child if the child moves to a different school division. That has been articulated to school divisions. Our department along with Education and Training has been working with it through the Children and Youth Secretariat on protocols between the education system and the Child and Family Services system around placements of children that are in care. So, we are attempting to address that issue, but the funding issue has been clearly articulated to the school divisions that that should be transferred from one division to another with the child.

Mr. Martindale: Also on page 9, the Children's Advocate points out that there are children in facilities such as Knowles, who could benefit from drug and alcohol addiction counselling, but they cannot get it because it is not available at those institutions. I wonder if the minister has followed up on this recommendation in any way. Would that require additional or new funding for organizations like Knowles to provide that service?

Mrs. Mitchelson: As a result of the Child Advocate's report and concerns, the department did meet with the Child Advocate, and there were many issues around Knowles that he wanted to discuss, the addictions programming being one of them. Knowles has just been in the process of hiring a new executive director. That new executive director is in place, and we are

going to be undertaking a quality assurance review at Knowles to address more than one issue that the Child Advocate had raised around Knowles Centre.

I do want to indicate that through the Winnipeg Development Agreement we have the solvent abuse treatment and outreach through Rossbrook House and the Main Street Project. We have additional beds and capacity at the St. Norbert Foundation out at Southport. Through the AFM, there are five beds earmarked at Southport for child welfare kids for treatment.

The announcement that we made last week around addictions and our welfare reform has put more money into the system—I think it is \$500,000—to establish more facilities for those with addictions. So we are moving in that direction, and the issues around Knowles and what they are doing will certainly be looked at. We will attempt to address it through the quality assurance review that we will be undertaking.

Mr. Martindale: Moving along in the Advocate's report to page 17 in the section where the minister has responded to previous recommendations of previous reports of the Children's Advocate, he had expressed in the past a concern about the need for training of foster parents, and pointed out that that training that was supposed to be delivered by agencies was either irregular or nonexistent. In the minister's response, it says that agencies have been provided with funds for foster parent training. I would like to ask the minister if this training is happening, if it is happening in all agencies, if it is happening on a consistent basis.

Mrs. Mitchelson: Mr. Chairperson, my honourable friend is right when he indicates that my response has been that we provide resources to agencies to do training of foster parents, and I think it is 50 cents per child per day that is provided for training. He is right in saying that it has been on an ad hoc basis, and in some instances has been done better than others.

You know, I look to just the annual meeting that we were both at in Brandon and the number of foster parents that were there, and the number of long-term foster parents that receive awards in recognition for their commitment. I would sense

that probably some agencies have been better than others at delivering foster parent training.

* (1640)

To try to resolve that issue of the inconsistencies, we have brought foster parents in to work with us on developing a training manual with common information and common ways to deal with training of foster parents. We do have a curriculum I think now for residential treatment and youth care workers that, in fact, I think could be adapted to foster parents. We are believing that at this point in time we will have some training manual that will be able to be used by this fall right across the province, so that there will be some consistent approach and there will be guidelines for agencies to use in training for foster parents.

Mr. Martindale: Mr. Chairperson, can the minister tell me how many foster children there are in Manitoba currently?

Mrs. Mitchelson: Mr. Chairperson, there are just under 5,300 children in foster care.

Mr. Martindale: Mr. Chairperson, I do not know if this is an accurate figure because my calculator has not been working with the high humidity, but 50 cents a day times 365 days a year times 5,000 odd foster children is \$967,000 a year. We are talking about a very large sum of money. I knew about the 50 cents a day, but the complaint that I hear is that many agencies do not spend it on training foster parents. It seems to me that this is an accountability issue. If you are giving the money to these agencies, how can they not spend it on training foster parents? Have they been asked to do so, and if they do not, how do you ensure compliance?

Mrs. Mitchelson: Mr. Chairperson, my honourable friend is right when he says it is a significant amount of money. Then the question becomes why is it not being used for the purposes it was intended to be used. I think that some agencies have, and others have maybe, used it in more flexible ways than it was intended to be used. Therefore, I guess if we are expecting a consistent form of training across the province and we develop the training manual, then we will be able to hold agencies

accountable for doing the training that is expected of them.

So it is an accountability issue. With the manual and some consistent approach and some consistent expectation, hopefully we will achieve better results.

Mr. Martindale: I would like to say that I would like to follow up in Estimates next year and see if the government followed through, but maybe you can follow up in Estimates next year and see if the next government follows through.

Another recommendation of the Children's Advocate on page 12, I guess from a previous report, is that an external evaluation be undertaken on the role and function of the Child and Family Support branch with the intent being to ensure (a) more effective leadership and vision is provided to the system; (b) more effective utilization of professional staffing resources in regard to the program and developmental needs of agencies; (c) that less energy is spent on serving political and bureaucratic requirements; (d) that it has the capacity and ability to design and implement programs and policies which are based on the needs of children and families; and (e) is more proactive and less crisis oriented when it comes to addressing the needs and issues within the system. In addition, the relationship and program accountability between the support branch and First Nations agencies needs to be addressed.

Now, Mr. Chairperson, in the response to the Children's Advocate, the minister said that the branch had been reorganized. The Advocate had recommended an external evaluation. I am wondering if the minister can tell me why an external evaluation was not done?

Mrs. Mitchelson: I think I have some significantly positive answers to that question. I know since the Advocate called for this kind of review there has been significant external inclusion in the branch of, I think, very qualified people with the leadership and the vision to make some of the significant changes and lead to the reorganization which I think I indicated earlier has received some positive feedback from the field. We have certainly attempted to make

the branch much more user friendly, service friendly, to the agencies that we serve and to the families that request support from our branch. So I would like to think that the leadership and direction within the branch has allowed us to develop the kind of reorganization that has taken place that I think has achieved positive results. So we will have to wait and see.

* (1650)

I would hope that next year when my honourable friend is asking questions about this branch that we will continue to see the kind of positive working relationships. There certainly has been good dialogue and discussion with the branch and native agencies. I think we have seen significant advances in arrangements with mandated native agencies that are doing good work within the province. So we will continue to work and strive towards better agency relationships within the branch and continue to look at ensuring that there is compliance with the standards and with the expectations that we place on agencies to deliver the service.

So I am pleased. I think that we are moving in the right direction. My sense, from discussions with those that I deal with on a regular basis, is that things are improving. We will continue to work towards that.

Mr. Martindale: I hope that next year if I am not answering the question that there is at least a critic shuffle. On a more serious note—we are getting into the silly season, June, July. I do not think we will be here in August.

Obviously the minister ignored the recommendation for an external evaluation. We know that this is the political arm of this minister's department. These are the people that write the minister's briefing notes and respond to crises and issues raised in Question Period, very valuable functions, I am sure, for any minister. The Advocate was suggesting that they be less crisis focused and more proactive, among other things, which I already read into the record. I am wondering if the minister can give me concrete examples of how she is implementing the recommendations of the Children's Advocate other than the one about an external evaluation and whether any new initiatives have achieved

any goals or any of these recommendations of the Children's Advocate.

Mrs. Mitchelson: Mr. Chairperson, I am not sure whether we have enough time left today to talk about all the positive things that have been happening in the branch. I take some offence to my honourable friend's comments around the branch being the political arm of our government. I take some exception. In our department, quite frankly, one of the tasks that those who work in the bureaucracy and good civil servants have to undertake is to ensure that ministers are informed on the issues and dealing with the issues in an appropriate fashion.

So I would say that that would be the strength of a good civil service to be able to ensure that issues are dealt with in an appropriate fashion, that if in fact there is an issue that comes up and there is a family that is in distress or needing some support or feeling that they are not getting service from whatever system is working or supposed to be working for them, those within this branch would respond and ensure that we have satisfied those citizens of Manitoba who feel in some crisis situation for whatever circumstance. I would say that would be the trait or what I would want and what I do receive from the civil service in the Department of Family Services. I believe that those who work within the bureaucracy of the Department of Family Services are second to none. So I want to make that comment.

I think that the issues that we deal with in Family Services and especially in Child and Family Services are issues that—you know, I do not find people working in this area, whether it be out in the community or within government, that do not have a serious commitment to wanting to make things better for children and families. I know that those who work on behalf of our government in this branch are working towards that end goal of trying to ensure that children are protected, that children are put first. The policy development and the direction that we have taken over the last number of years, six years, that I have been in this department I think, have led to a better system.

We have people who have worked very hard on trying to develop new standards, more user-

friendly standards, so that we can provide a better level of service to children and families in need. We have gone through a very extensive process of doing a significant review of our Child and Family Services Act, introducing new legislation on an adoption act, making significant amendments to The Child and Family Services Act, and it is the staff in the department who are responsible for ensuring that the regulations are developed according to the law and that the community is consulted before that legislation is proclaimed. That is a significant undertaking. It was extremely time consuming, but I think it was important, and I am sure my honourable friend would agree that we need to consult with the community and those who will be working with the legislation to ensure that we are putting the very best regulations in place and that we are achieving the best success from the changes that were made.

When I look at the Youth Emergency Crisis Stabilization System and the closure of Seven Oaks Centre, which, I think, all of us have agreed was a very inappropriate holding tank for kids who were not receiving any treatment or support or service into an updated system.

I indicated earlier some of the positive statistics around the success of the Youth Emergency Crisis Stabilization System. This does not happen without significant co-ordination and significant working together with the community and those who work with families and children providing input into what needs to happen and having the leadership within the department to identify what some of the best ideas are and pull that all together and work with the community to assure that we develop a system. I mean, I think it is creative, it is innovative, it is community-based and it is serving more families.

So I am extremely pleased and proud, but it does take a significant amount of energy and effort and working together with the community and also recommending to government, whatever government that might be, a new approach to better deliver services to children and families in need.

So I think that that has been a significant undertaking, and I certainly commend those who

were involved in doing this, when we talk about the placement desk that has been developed in the branch to try to co-ordinate and ensure that the right treatment facilities and the right treatment is provided for those most in need and ensuring that the beds are there and available. That kids are moving through those beds and getting the appropriate support and treatment is certainly, again, a significant undertaking of co-ordination of service.

* (1700)

I know that we have worked with the branch, with Regional Operations, which delivers Child and Family Services in Thompson and with the Awasis Agency, and they now have a joint office, so we have the mandated native agency and our Regional Operations that deliver child and family services in the North working together and co-operating together. When I look at the family group conferencing model that has been developed—and I know my honourable friend has been part of that process with a family that he had some concern with in his community that he was trying to help.

I think that those are new initiatives. They are initiatives that are trying to work with families, trying to fix families that might be in crisis, and, I mean, I could go on and on. I do want to indicate that there has been a significant change in direction. I think some of the initiatives have been bold, and I believe from the results—and we are monitoring—especially with our Youth Emergency Crisis Stabilization System, that families are being better served. They are being served in a more co-ordinated approach, and it is in no small part due to the quality of the staff who work within the branch of our Child and Family Services system within government. So I do not think that we need an external evaluation to tell us that we are doing better.

I know that the community is telling us we are doing better, and we are engaging community in the solutions. I could go back to the family's first document that was distributed and the community consultation that we had to try to develop some of the new approaches. You know, we are a government that does believe that community, neighbourhoods and families

certainly have good suggestions and ideas on how they can build stronger communities, stronger neighbourhoods, and, as an end result, we have stronger families. When the community comes up with the ideas and the solutions, government needs to be there to try to support those, and in every instance we have to evaluate those proposals that come from the community, work with community sometimes to help develop them a little further and then ultimately determine what direction we are going to take or what funding is going to go where.

I would venture to guess that through a lot of the community initiatives that we have undertaken we will see less need for the kinds of interventions and support that we need through our Child and Family Services system into the future, but the issue becomes what do we do with those who are already in the system or needing support or in some instances families that have felt that maybe the Child and Family Services system is not necessarily the direction they would like to go, but they are having a bit of difficulty or are in a bit of a crisis situation or circumstance with teenagers.

We all know that those are very difficult years. You might have a very supportive family, but you might have a family that is sort of headed for disaster or things are starting to fall apart. We know that the Youth Emergency Crisis Stabilization System sometimes, and it seems like very often, is able to support and help families through those crises, is able to go out and physically provide in-home support, is able in many instances to help find the appropriate placement if there is a need for some sort of temporary placement while they work with the families to try to make them healthier, and that does prevent the necessity, possibly, for intervention from the Child and Family Services system or maybe from the Justice system.

So we have worked aggressively. I think the key to some of the successes we have achieved and the way we will continue to operate is including community in the discussions and the dialogue around how we can better provide service and listening, and when people make suggestions or ideas that might take a different approach but could work, I think we have to

listen and we have to then try to develop and find the resources within the branch to either redirect or supplement support to those community initiatives.

Mr. David Faurichou, Acting Chairperson, in the Chair

I am not a member of a government that believes that we have the answers to make families healthy, and I do not want to have to be the parent or have responsibility for children if we can build the tools and the capacity within families and community to make that happen. So that is the direction and the focus we are taking. We really have a group of individuals who are visionary and forward-thinking and first and foremost wanting to work with those in the community who understand and know the issues and can help us develop the initiatives and the actions that can lead us to happier families.

We know that parents have the first and foremost responsibility for their children. We want to strengthen that focus. We want to be able to put the tools in the hands of parents, if we can, to ensure that they are able to perform that primary parenting responsibility, but we do not want to take over. We do not want to be big brother interfering or intervening in families unless we have to. We want to be able to support families and build families, build family capacity, community capacity, in order to make families stronger. Ultimately, that will make our province stronger, and it will mean less need for some of the interventions that we see are needed today.

So I just wanted to share that because I really believe that good civil servants really do support government's ability to recognize what needs to happen to make concrete and good suggestions around policy direction or change in policy direction, and then it takes that kind of team approach which I think we have developed in the Department of Family Services over the last six years. God knows, there are many sleepless nights because the issues that we deal with are not easy issues to deal with.

I suppose that those out there working on the frontlines within the agencies experience significant heartache and certainly want to be

able to help where they can. So how then do we sort of build the partnerships, too, and the relationships that ensure that all of us, whether you are a frontline worker in a mandated agency, whether you are a community organization, a nonprofit that is just there to try to help families, whether you are working within the bureaucracy of the branch of Child and Family Services, how do we find the ability to better work together putting all of our focus around children first, trying to ensure that the child does come first in any decision that is made around the support and treatment?

I believe we are moving in the right direction. It is not a system that we will ever be able to fix overnight. There are no quick fixes or easy answers. It is a matter of taking one step forward at a time, recognizing where our successes are and building upon those, but also recognizing that there may be some things that are not working and some weaknesses within the system. I guess we need to have the courage to know what is not working, admit where some of the failures are, learn from our positive experiences, and hopefully fix the areas that need fixing.

* (1710)

So I just felt I had to put that on the record, because there is not any one piece of the system that can work in isolation of the others, and I think we have developed an ability to work better with community, and better with mandated agencies, to try to ensure that children and families are healthier as a result. So I will end there and see if my honourable friend has any comments, but we will continue to try to improve the circumstances for families in our community.

Mr. Martindale: Mr. Chairperson, well, I think the minister with her illustrations was trying to justify herself, but I think she was proving the case that I was trying to make, and that is the Children's Advocate said that less energy needs to be spent on political and bureaucratic requirements, and the branch needs to be less crisis-oriented and more proactive. So I guess I am never going to know whether there has been a change in emphasis in this department, because the minister is not going to tell me. But if there

is more emphasis on developing new programs and ideas such as the Mobile Crisis Team and family group conferencing, just to use two examples that the minister used, then the branch is being more proactive and is implementing the recommendations of the Children's Advocate. I rest my case.

Going back to the Estimates book page 62. One of the functions of the department—

The Acting Chairperson (Mr. Faurschou): Excuse me, I need unanimous consent of the committee to revert back. Or this is an accompanying book?

Mr. Martindale: I am still on 9.4.(a).

The Acting Chairperson (Mr. Faurschou): I understand. I am sorry. I did not see you referring to the Supplementary document.

Mr. Martindale: Well, I probably could not sneak anything past the minister, but I might try and sneak something past the Chair.

I would like to ask the minister about one of the functions of this part of the department. It says: continued co-ordination and delivery of Competency-Based Training within the Child and Family Services system. I would be interested in knowing how much was spent on this in the past year or the past fiscal year.

Mrs. Mitchelson: The budget for Competency-Based Training last year, this is what happened last year. The budget was \$162,000. That would include development of curricula, co-ordination of materials and schedules, training of trainers, training of front-line staff, supervisors, and youth care workers.

Mr. Martindale: I am wondering, under Competency-Based Training, if the minister can tell me how much money has been spent for trainers, if there have been contracts to hire people outside the department, if there has been any kind of evaluation.

* (1720)

Mrs. Mitchelson: We have, yes, contracted with external trainers. Certainly part of what we

attempt to do is have trainers trained within so that we have the capacity within to do training, but I cannot give my honourable friend a breakdown today. It would take some work to do that. It might take a few days to do that, so I could undertake to get that information to him, but I do not have it today.

Mr. Martindale: If the minister can take that as notice and bring me the answer on Monday, that would be fine.

I would be interested in knowing how much was spent on contracts, and with whom. I do not imagine that I will get a copy of the contract, but if I could find out who it was with and how much for. Also, if there has been an evaluation, and has Competency-Based Training made a difference? Is it effective?

I guess I will ask the minister to take those questions as notice as well.

The Acting Chairperson (Mr. Faurschou): Item 9.4. Child and Family Services (a) Child, Family and Community Development (1) Salaries and Employee Benefits \$3,301,700—pass; (2) Other Expenditures \$3,609,100—pass; (3) Maintenance of Children and External Agencies \$122,225,700—pass; (4) The Family Support Innovations Fund \$2,500,000—pass.

9.4.(b) Family Conciliation (1) Salaries and Employee Benefits.

Mr. Martindale: I do not have any questions for Family Conciliation or Family Violence Prevention today, but either my colleague or myself may on Monday.

Under Children's Special Services, I have no questions, but I do have a comment. I would like to compliment the very hardworking civil servant—well, I know all of your civil servants are hardworking, but I appreciate the help that I have received from the director of Children's Special Services. I just wanted to put that on the record.

I have some questions on Day Care—

Mrs. Mitchelson: That is fine. We can wait until Monday for those lines, but I just had a bit

of information that my honourable friend had asked for previously, I think yesterday even, and I wanted to provide that now. He had asked for a copy of a letter that we sent out to those service providers for people with mental disabilities. I just wanted to table a copy of that letter that was sent out to them.

He had also asked whether I had any knowledge or information about day services programming for adults with a mental disability on seclusion of individuals in small rooms. Our department does not endorse or condone seclusion as an acceptable practice. We are not aware as a department of that kind of activity being undertaken, but if, in fact, my honourable friend has an issue or any information that might indicate that someone has been undertaking this kind of practice, if he wanted to share it with us on a confidential basis or whatever, we would certainly investigate and ensure that the practice was stopped.

Also, my honourable friend asked about the Open Access Resource Centre and whether, in fact, it had closed. I had indicated that the Child and Youth Secretariat had been working with them, and, indeed, transitional funding was approved for \$30,000 to ensure they could keep their doors open. So they are open and operating.

And for weekend reading we have the Research into Community Support Options for Adults with a Mental Disability. This was the final report, the project group report, I guess, that my honourable friend asked for, and we have copies. Unless my memory is failing, I seem to recall having provided this information for my honourable friend before, but it is here again, and maybe it is the nature of the document and the size of the document but I will table it and provide it. I think that was everything or most of the things we had been asked for.

Another question that had been asked was is Taking Charge! funding adult literacy, and the answer to that is yes.

Mr. Martindale: I thank the minister for getting back to me on those items. Regarding the practice of seclusion, I will check my source

and see if I can verify it, but I am certainly happy to hear that it is not department policy or it is totally against department policy. On this report, I will read this one and look to see if I actually have one on my shelf somewhere.

On the issue of Taking Charge!, I was aware that they do have an adult literacy program. I was concerned about their ongoing funding and whether the literacy programs under Taking Charge! are going to continue, but maybe the minister can get back to me on that.

Mrs. Mitchelson: Mr. Chairperson, it is my understanding that they will continue. I will get back to my honourable friend if there is anything different to report. I know my honourable friend had indicated that he did not have any questions for Children's Special Services. Does he want to pass that line? I guess I would like to just seek some clarification because there is the issue of having staff here and waiting. I mean, I know there might not be questions today, but is there a need to have staff available next week?

The Acting Chairperson (Mr. Faurchou): Order, please. As Chair, I would like clarification in this regard as well. As has been the practice of this section of the Committee of Supply, we have been considering line by line. Are you, in fact, requesting to skip ahead in order to pass, or are you asking for leave to discuss the Child and Family Services section in a holistic way, concentrating then on Child Day Care?

Mr. Martindale: Mr. Chairperson, eventually we will pass it line by line, but there is no need for the staff from Children's Special Services to stick around today or Monday. There will be no more questions on that section.

* (1730)

The Acting Chairperson (Mr. Faurchou): So it has been clarified that your intention is to discuss Child Day Care and pass the lines after the conclusion of those questions, or are you asking this committee to consider a discussion of that area?

Mr. Martindale: I have some questions from now until six on Child Day Care. On Monday,

we may go back to the other two departments. I indicated that my colleague the member for Osborne (Ms. McGifford) may have questions on Family Conciliation and Family Violence Prevention.

The Acting Chairperson (Mr. Faurchou): So, therefore, for clarification, the Child Day Care discussions will not be for the intent to pass the lines at the conclusion of those—[interjection] Then, because of the past practice of discussion line by line, I will ask for the unanimous consent of the committee to skip ahead. [agreed]

Mr. Martindale: I know this minister is flexible, and that is why I am taking advantage of this.

The minister will know that I received many copies of letters from child daycare workers, and so did the minister. Probably the minister was on the receiving end of some lobbying from the Manitoba Child Care Association, as was I, so the minister will be well aware of these issues.

The gist of many of the letters that I received has to do with wages, as the minister knows. For example, many of the letters say, and I quote: as an advocate for quality early childhood education for children, I am gravely concerned that Manitoba's child care system is teetering on the verge of an employment crisis.

The letters go on to say: many child care centres are experiencing great difficulty in recruiting and keeping qualified staff. Our child care workforce is solely depleted. Children are hurt by this turnover in their caregivers. The only way to bring back the many early childhood educators who have left the field and encourage new caregivers to commit to this field is through definitive action which will finally allow a living wage to be earned by ECEs.

Mr. Chairperson in the Chair

Now, the minister will know that these letters were received before the budget came down, but the budget did not really do enough in the opinion of the people who are writing to us. For example, in the May 1998 newsletter of the Manitoba Child Care Association, they talk about wages. They are pleased that some of the

money has gone into a new system of funding by units, but they believe that the funding for child care workers is still inadequate in order to keep people in this profession and to attract new people to this profession. Because of low wages, people with this kind of post-secondary education are able to work in other areas at higher wages, and that has an effect on the ability of child care centres to advertise and get workers and to keep workers.

I think the proof that there are serious problems is in the list that the minister sent to me of child care facilities with provisional licences and exemptions to the proportion of trained staff. The lists are actually quite long. For example, the full-time and school-age Winnipeg centres with exemptions/extensions to the proportion of trained staff required are listed, and there are 84 facilities, and 34 of them could not recruit trained staff. The full-time and school-age centres outside Winnipeg with exemptions/extensions to the proportion of trained staff are listed, a total of 36 facilities, and 21 could not recruit trained staff.

The Winnipeg nursery schools with exemptions/extensions to the proportion of trained staff are listed. There were nine facilities and four could not recruit trained staff. The nursery schools outside of Winnipeg with exemptions/extensions to the proportion of trained staff are listed. There are 36 facilities and 34 could not recruit trained staff.

So I would like to ask the minister what she is going to do about this problem of wages, which are considered inadequate, in order to attract people to this profession and to keep people in this profession, because it seems to be getting worse, and there is a serious problem here that affects dozens if not hundreds of child care centres in Manitoba. So I would like to ask the minister if she thinks the budget addressed this in any way, which I do not think it did, and what she is planning to do in a positive way to address this very serious problem.

Mrs. Mitchelson: Mr. Chairperson, the whole issue of recruitment and retainment of staff within the child care system is an issue, more in some areas and some centres than others, but this is not an issue that is unique in child care. We

had significant discussion yesterday on the whole issue of recruitment and retainment of staff within the area of support services to those with mental disabilities, and there is an issue there, too.

I recognize it is an issue. Did we address it completely in this year's budget? No, we did not. We have been working, I would have to say very co-operatively, with the child care community over the last four years or so in trying to identify issues and see whether together we could come up with some answers and some solutions.

* (1740)

First of all, we had one of my colleagues Marcel Laurendeau travel throughout the province doing a fact-finding mission on child care, had an opportunity to visit with many child care providers and parents throughout the province who made recommendations and suggestions on how we could better provide child care service and what the needs were. As a result of that fact-finding mission, I think we have been able to make some significant positive changes in the way we support child care and in the increase in support by the number of increased spaces, by the increased number of subsidized spaces, by moving away from the cases and spaces to spaces, by funding the unfunded and the pilot spaces. So we have made significant strides to address a lot of the issues that were raised.

We recognize the need for more spaces, we recognize the need for flexibility and we are moving towards addressing the issues that have been raised. One of the vehicles that we have used to try to address those issues is the regulatory review committee. I think it has been a very positive process where we have again staff from the department working with those who work in the field and parents to see how we can better meet the needs of working families through our child care system and ensure that those who are within the system are being treated in a fair and reasonable manner.

Of course, one of the issues I think that has been long standing is the whole issue of salaries. We moved from different types of grants to one

operating grant several years ago within the child care system, and we still believe that that is the right way to go, that grants are provided and then boards of directors who very often are comprised of parents that have children going to those facilities are ultimately the decision makers on how those grants will be allocated, certainly, I am sure, with advice from those who work within the system, the directors of the child care facilities.

I hear from some facilities that they are able to manage well and that they have the appropriate numbers of qualified and trained staff and that they are able to pay their workers what they think is a fair and reasonable salary, and then I hear other instances where that just is not achievable. I think there are some issues that complicate the matter. I mean we know that there are different rents that are paid by facilities. Some school divisions have policies that are extremely different from other school divisions around the cost of having child care facilities in our schools. We do know that those that are not on school property pay varying rates of rent for their facilities. We do know that in some areas there is an increased ability to do fundraising to support the child care facility and the activities that are ongoing so that the grant can maybe be used in different ways or can pay higher salaries.

So there are some inconsistencies within the system that do create some of the inequities and maybe inhibit some centres from being able to pay an adequate salary to recruit and retain. We do know that the issues of course in rural Manitoba are sometimes a little more complicated by distance and space and availability of trained workers or those that are interested in training to work in this field.

So there is no one answer I guess to all of the issues, but one of the things that the regulatory review committee has done and has recommended is a unit-funding model that takes into consideration a different configuration of how we fund units, whether they be infant units or preschool units or school-aged units. There has been a concern, and it has been expressed at the regulatory review or through that process by those who are working in the field that there are some inequities. Of course, the cost of

delivering service for infant care is higher and that we are not really reflecting in our grant or funding model those realities. So in some instances those that are running school-aged programs, if they are strictly school-aged, would be significantly better off than those who are running combined programs or have a lot of infant spaces or preschool spaces.

So I think there was fairly unanimous consent that we needed to move toward a more equitable distribution of resources between the different types of child care that are provided. We believe that is the right concept and the right direction. I think we have endorsed that and we have taken a step, although it may be a small step, in that direction in this year's budget. So we have given recognition to the child care community that we endorse that direction and that as resources permit, we will be able to try to achieve some equity within that process.

We also have put significant new dollars into more spaces, into flexibility and into rural child care, and there certainly is a need. I know that there has been from some areas some criticism of expanded resources or more resources into rural Manitoba, and I make no apologies for that. I think that it is needed, it is required and we have to try to find a balance between what we can realistically do in trying to ensure that spaces are there for people who need those spaces and the recruitment and retainment issue and the salaries that are there.

I did indicate that there are some that are able to recruit and retain and there are some, because of varying circumstances, that are able to pay more than others. The boards ultimately do make the decision on what the salaries will be. Of course they have to live within their budget and within their means, so sometimes there is a little less money to go around than in other cases. But ultimately the boards do make that decision.

So I know that early childhood educators are writing to their boards and requesting that the additional resources that have been provided to the operating grants this year be put first and foremost into salaries. That is ultimately a decision that the board will have to make. But I know that they are making their case.

I might like my honourable friend's comments on this. Part of the move to unit funding was a sort of increase in grants and sort of redistribution of grants ensuring that infant care received a greater support and recognition. Then of course preschool would be the next area. There is still an inequity. I mean, if you look at the units, school age is still funded higher per unit than infant and preschool, but we did not increase the grants for the school-age piece as we increased the grants for the preschool and the infant spaces. Hopefully we will get a better balance and more equity.

The one issue that the regulatory review committee had talked about was in order to bring things into balance that we should increase parent fees also. That might have gone a long way towards creating more of an equity and more ability for centres to pay staff more. But I guess I am not prepared to increase parent fees. So that was a piece of the equation and part of the recommendation that I did not accept or did not approve.

Anyway, I just wanted to indicate that there are a lot of issues that need to be balanced and looked at. I do want to indicate that we do believe in the concept of unit funding and trying to ensure that the appropriate resources are there for the different units of service. I also do want to indicate that we tried to balance the need for more spaces within the system with an increase in trying to change the imbalance and provide some additional money in the grants that would allow boards to make decisions on whether they could increase salaries or not.

Now, as I indicated, it was not enough to address the issue. But again these are issues that we need to continue to look at and continue to address. I felt we did as much as we could in this year's budget with, I mean, over a \$5-million increase in our daycare budget and line to try to ensure that first and foremost the spaces are there, the encouragement of flexibility to try to meet parents' needs.

The issue of salaries is one that we have to continue to look at. We have not fixed the problem, but we recognize it as an issue. As resources permit, we will move towards more equity within the system and more ability,

through grant funding, for centres to pay their staff in a way that they can recruit and retain.

With those comments, I will see whether there is—I would not mind my honourable friend commenting on whether he or his party might agree with increasing parent fees in order to have the ability to pay early childhood educators higher salaries.

* (1750)

Mr. Martindale: Mr. Chairperson, earlier I was going to read into the record some comments from the MCCA news bulletin, but it said May 1998. So I thought that would not be appropriate. However, it is a mistake and it is actually the May 1999 bulletin. So I am going to read it into the record.

Here are some of the things that they say, and I quote: but MCCA is very disappointed that the funding announcement does not enable the majority of the workforce to receive the kind of wage increase we had recommended. Dollars that should have gone toward your wage increase—this is speaking to their members—went into funding for new spaces in rural Manitoba, increased dollars for the integration of children with special needs, and money for flexible child care. The new spaces in centre-based care will require trained caregivers. However, we know there are not enough ECEs available to staff the existing facilities.

They also say you anxiously await graduation day, hoping you can hire an ECE II or III to add to your staffing pool only to find out that the students all have jobs already and that some have already decided to leave the field without even working first. You hear enrollment numbers are down at all the college and university ECE programs. Are you surprised? Would you encourage your son or daughter to go into daycare?

Directors and board members can be encouraged to prioritize you, the caregiver, and put these extra dollars toward staff salaries. How much to ask for? MCCA's provincial salary scale Phase 1 gives a starting point for realistic expectations. The Minister of Family Services, the Honourable Bonnie Mitchelson,

has acknowledged our scale to be reasonable and modest. We are of the belief that nothing short of significant increases and the abilities of centres to pay adequate salaries will affect a turnaround in the situation.

The average starting wage for an ECE II-III with a diploma or degree, employed in centre-based care, is \$19,801. Whether they work in a centre, nursery school or family child care home, caregivers are among the lowest paid workers in Manitoba. New money available for the Children with Disabilities Program for rural child care, flexible hours child care and government's other programs such as EarlyStart will further deplete our child care workforce.

So those are the views of MCCA. I think they are disappointed with what has happened, and I guess one could argue that there is a philosophical difference, both in community living and in child care, about whether new money, since both parts of the program got new money, should be spent on expanding the system and accommodating more individuals, or whether you should go into the existing system in order to pay higher wages. I think MCCA is arguing that it should go into the existing system in order to compensate people adequately for their work because it is harder and harder for centres to advertise and attract workers. They are saying that it does not make sense to expand the system when you cannot get workers in the existing system.

Interestingly, the child care professionals have often compared their wages to workers in zoos. So somebody provided me with a clipping of a job description for a worker in a zoo, which, of course, has the wages on it. I believe the comparison is not a very flattering one because zoo workers get higher wages, but I am not sure what their level of qualifications is. I just read the wage. Perhaps I will find it and read it into the record on Monday.

Here we go: "Zoo Keeper. WorkFaces. A weekly look at who does what job in Manitoba." Here is a zoo keeper at Assiniboine Park Zoo. Salary range: \$13.76 to \$17.34 an hour, which, I presume, since it has been passed on to me, is higher than the hourly wage for child care workers.

So we know that people are disappointed with this minister and how she divided up the funding. I guess the minister has her rationale for it. Part of it came out of recommendations from the review committee, the ongoing committee, but part of it was the minister's decision. Is that correct?

Mrs. Mitchelson: I have to say that what our government has tried to do certainly is take a balanced approach between the needs of those families that require and need child care support so that they can train or enter the workforce, and the needs of early childhood educators. I indicated earlier in my answer that this was a step in the right direction with this year's budget, that we endorsed the model of unit funding, and I think they readily admit that. They are disappointed that there was not more, but the reality is that we have had to try to balance our approach. I would have to ask my honourable friend whether—one of the recommendations, too, was that we do raise parent fees, and I still have not heard my honourable friend comment on what his policy might be, or his party's policy might be. I do know that he is advocating on behalf of early childhood educators, and he is advocating on behalf of those that work in support services for those with mental disabilities. Quite frankly, I have advocated and was able to get additional resources in both of those areas. Is it enough? I would say, no, it is not enough, but it was as far as we could go this year.

We will continue to look at those issues as resources permit in successive budgets, but there is the old issue that you can have it both ways in opposition, that you can advocate and say, yes, we support this direction, we support higher salaries. I am not saying we do not, as a government. But is my honourable friend telling me he can fix it overnight in one budget? Is he telling us how much that might cost? Is he telling us where he might take that money from? We need to know whether he believes in balanced budgets and paying down the debt and having a little bit in reserve for times of emergency, like, again, we are saying this year with the flooding in southwestern Manitoba. There are forest fires burning, as we speak; hard to believe, but they are. These are crisis issues where there needs to be a bit of money in

reserve, if you have a balanced budget, to deal with these issues.

Then comes the dilemma. What do you do? Do you raise taxes to generate more revenue, or do you cut some money out of the health care budget to put money into salaries in the child care area? Again, I am saying that I do not deny there needs to be some improvement, and we need to find a way to find the additional resources to balance the need for more service, which we are seeing in both services for the mentally disabled and child care, and compensating and remunerating people so they will stay in that field.

Mr. Chairperson: Order, please. The hour being 6 p.m., committee rise.

CONSUMER AND CORPORATE AFFAIRS

Mr. Chairperson (Ben Sveinson): Good afternoon. Will the Committee of Supply please come to order. This afternoon this section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates for the Department of Consumer and Corporate Affairs. It had been previously agreed questioning for this department will follow in a global manner and with all line items to be passed once the questioning has been completed. The floor is now open for questions.

Mr. Jim Maloway (Elmwood): Mr. Chairman, we left off yesterday talking about forbearance and dealing with the natural gas situation with the PUB. I understand that we will continue on Monday with representation from the PUB. Today we will deal with the Cooperatives and Credit Union Regulation. So I did want to begin asking questions about the government's activity or inactivity over the last decade in the area of co-op development in this province. If the minister could update me as to what great strides this government has made over the last 10 years in the co-op development area, I would be appreciative of that.

* (1450)

Hon. Shirley Render (Minister of Consumer and Corporate Affairs): Mr. Chair, I would also like to take this moment to introduce—we

have a new person here at the table today. It is Ron Pozernick, the director of Trust, Cooperatives and Credit Union Regulation branch. In answer to the member's question, the member asked what things the department has been doing. The department administers the legislation. We do not get involved in the development side, the promotion side of co-ops. That lies with Industry, Trade and Tourism.

Mr. Maloway: I think what I would like to know is how have the number of co-ops increased or decreased over the last 10 years. That will give us some indication of whether or not the I, T and T people are doing much in the way of promotion. I note that during 1997-98 there were 13 new co-ops but 20 were dissolved. If that were to continue over a period of years, you might end up with zero co-ops. I doubt whether that is the case, but I would like to know what the numbers were 10 years ago and what they are now.

Mrs. Render: We do not have those numbers with us, but we can get it for the member.

Mr. Maloway: I do note, though, as of March 31, 1998, there was supposed to be 395 co-ops operating in Manitoba. Is that true or not true?

Mrs. Render: I believe that number is correct.

Mr. Maloway: I note that 65 of the 395 were housing co-ops. I would like to find out what the status of the housing co-op industry or sector is in Manitoba. I know there have been some problems that they faced over the years. I would like to know what the current state of affairs is with housing co-ops in Manitoba.

Mrs. Render: There has not been a huge amount of development in the co-operative housing market. I think that the member has the annual report open in front of him, page 57, and it gives a breakdown of the 395 co-operatives operating in Manitoba.

Just to put on the record, I will give the numbers: housing 65, consumer 60, daycare 49, community service 43, utility 43, marketing 37, farmers market 27, agricultural producer 17, cattle feeders 15, employment 14, fishing 13, and communication and transportation 12.

As the member no doubt has already read, during 1997-1998, 13 new co-operatives were incorporated and 20 co-operatives were dissolved.

Mr. Maloway: The point is, if more are being dissolved than being created each year, then over a period of years we will have a decrease in the number of co-ops. Is that correct or not correct?

Mrs. Render: Mr. Chair, I am not too sure that there is a trend, that we can really make any sort of a definitive statement. Perhaps there has not been a huge development in co-operatives because there has not been the same level of subsidization. Having said that, there are new generation co-operatives that are now coming on stream, and that may generate more development. So I do not know that a prediction can be made at this particular moment in time.

Mr. Maloway: Mr. Chairman, well, the new generation co-ops are a new idea that has been around now for, I guess, three or four years or maybe longer, but where do they fit into the breakdown that the minister has got here? I thought there were only three or four that were contemplated at this point and mainly in the agriculture business.

Mrs. Render: The member is correct. It is in the agriculture-producer category, and there are two.

* (1500)

Mr. Maloway: What has been the experience of the two new gen co-ops at this point?

Mrs. Render: Again, it is really too soon to give a comment. They are still trying to figure out just in what direction they are going to be going. They are looking at a number of factors to see where they are going to invest, but, as I say, at this point, it is too early.

Mr. Maloway: Well, surely, they have done something in the last year. We were talking about this a year ago, and the co-ops must have moved somewhere from where they were a year ago to where they are now. Just where are they along in their business plans?

Mrs. Render: To our knowledge, they have not made any decisions; they are still developing their business plans. I will just leave it at that for right now.

Mr. Maloway: Let us get back to the housing co-ops here. I am interested in what the state of the housing co-op developments is in Manitoba. I have heard that there are some financial problems that have developed with some of them. I would like to know: what is the present state of the housing co-ops that we have in Manitoba, the 65 of them?

Mrs. Render: I have been advised that the department is aware that some of the co-ops have done some restructuring of their financial arrangements, but the department does not monitor the financial performance of the co-operatives.

Mr. Maloway: So is the minister saying that they do not monitor any of these co-ops on any solvency issues?

Mrs. Render: That is correct.

Mr. Maloway: I have heard that there is some interest or some discussion with the idea of privatizing some of the co-op housing. I am wanting to ask the minister has this government had any representation on that subject, and what would the government's attitude be as far as the effect of privatization of, say, a housing co-op?

Mrs. Render: If the member is talking about existing co-operatives, if that co-operative has received funding, if it has been subsidized, then it is my understanding that it cannot do that. Are you talking about existing co-ops?

Mr. Maloway: It could be the only type that it could be, because it could not be a new co-op. It would not be a co-op then. We are talking about, for example, a housing co-op in which the members collectively decide to sell the units I guess to themselves and become private owners or perhaps sell units out to people who are not currently owners. I am not sure exactly how it would work. I am just wanting to know what the political position of the minister is and of this government on this issue and whether any

discussions are ongoing or contemplated on this topic.

Mrs. Render: I guess just a repeat of what I said earlier, if the co-operative has received financing, if it has been subsidized, it must remain in that format. A co-operative, they cannot sell off. The new legislation will not allow that.

Mr. Maloway: Has the department been approached by anybody with the idea to do that?

Mrs. Render: The department has had one inquiry and that is it.

Mr. Maloway: Can the minister give us the nature of the inquiry and what the resolve has been?

Mrs. Render: The questions that were asked were that, if they had paid off their mortgage, could they then turn the units into condo units.

Mr. Maloway: What did you tell them?

Mrs. Render: That is one of the reasons for the new legislation. There was not legislation in place to deal with that particular issue.

Mr. Maloway: Is the minister saying that once the mortgage is paid off, the subsidized mortgage is paid off over, say, 20 years, 25 years, whatever the mortgage period happens to be, it is conceivable that the co-op could turn itself basically into a condominium development and in that way sell off the units? Each resident who had been subsidized for 20 years potentially could make a big profit on the transaction if they were to sell. In effect, poorer people who have spots in these co-ops would, in fact, be pushed out, would be forced out because they could not afford to buy these condominiums. Is that a possible scenario?

Mrs. Render: The answer is no. As I said earlier, if the co-operative had been financed, if it had been subsidized, then it must remain a co-operative.

* (1510)

Mr. Maloway: So the minister is saying that, if it has any subsidization over the years of its

mortgage life, it must remain as a co-op in perpetuity? That is what she is saying?

Mrs. Render: That is correct.

Mr. Maloway: There have been a lot of questions about the role of the federal government in co-op housing across the country. I would like to know just where the federal government is right now, where it has positioned itself.

Mrs. Render: That is not an issue that we deal with. The question would be better directed to the Minister responsible for Housing (Mr. Reimer).

Mr. Maloway: I would think that the minister would be interested in the question. It is a question that probably would interest all of us as elected officials as to what role the federal government is taking in the development of co-op housing. My understanding was that they were quite heavily involved at a certain point, but their interest and commitment have waned over the last couple of years. I would just like to know what the current federal position is in this matter.

Mrs. Render: I can only repeat that is a housing issue, and the Minister responsible for Housing would be the better person to answer the question.

Mr. Maloway: I guess I would be concerned if there was a possibility that some of the co-ops could be turned into condos. There are some housing co-ops in some very nice areas of the city. There are some housing co-ops in some less desirable areas of the city, and I do not know that there would be a concern there.

Certainly there might be a concern for the co-ops in the nicer areas that are now providing subsidized spaces and spots for lower income people, where there is quite an advantage to those kinds of co-operatives occurring. I guess I would be concerned that future governments might look at it differently.

A re-elected Conservative government might try to follow in the footsteps of Margaret Thatcher and go on a program of privatizing.

That kind of a system would not be something that I would like to see particularly because at the end of the day I guess it would tend to enrich in the long run probably some large, private landlords who probably would like to get their hands on the assets and convert these developments into condominiums, and so on. That is a concern. It is a political concern more than anything else.

I just want to make certain that the department is up on the issue and to know whether there are any movements down there or around for this kind of activity. We have to be vigilant in opposition. We have concerns in a number of areas where we find the potential intrusion of private market forces. I do not blame them for wanting to show an interest in taking over government assets, but the government is constantly being approached by private business people who would like to buy this asset or that asset with the hopes that they could make some improvements and make a profit out of it. Once again, you cannot blame them for that, but I would expect that the department would be receiving representations.

I just want assurance from the minister that the status quo would be maintained and there would be absolutely no initiatives taken to in any way privatize the co-operatives.

Mrs. Render: It was the initiative of this government to bring in the new legislation, so I think that says it all.

Mr. Maloway: I would like to ask the minister some questions about consumer co-ops. I am just wondering what the breakdown is of the 60 consumer co-ops and how well they have been doing. We know that 20 co-operatives were dissolved last year and 13 new ones were started. I do not know what category the 13 new ones are and what the category of the 20 dissolved ones were, but can we deal with the consumer co-ops a bit and get a sense of where they are sitting right now?

Mrs. Render: I have been advised that there appear to be no ripples on the landscape. They are under a federated umbrella. They are mainly in the small towns of Manitoba, in rural Manitoba, and they are doing a good job.

Mr. Maloway: I would like to know whether the numbers have been increasing or decreasing in consumer co-operatives over the last 10 years?

Mrs. Render: I do not have any numbers in front of us, but likely the numbers have decreased, not because they have been dissolved, but because of amalgamations.

Mr. Maloway: Can the minister give us some examples of the amalgamations and tell us why that would be occurring?

Mrs. Render: We do not have that information here in front of us, but we will obtain it for the member.

Mr. Maloway: I would like to ask the minister a few questions about the daycare co-ops. I note that there are 49 in existence right now, and I would like to know whether daycare co-ops have been increasing or decreasing over the last few years, because there always seems to be some problems with daycare in various areas of the city. So I would like an idea as to what have been the trends as far as daycare co-ops have been concerned.

Mrs. Render: I would say that they have remained constant.

Mr. Maloway: I would like to ask the minister then whether private daycares are increasing as a percentage of the total number of daycares or whether the daycare co-operatives are increasing. Where is the developing trend in the daycare industry or business?

Mrs. Render: This department would not know those particular answers.

* (1520)

Mr. Maloway: Could the minister then endeavour to find out what the number of daycare co-ops were when this government took office 11 years ago versus what number they are now, because the minister will know that it was the previous NDP government that developed the daycare programs in this province from probably 1986 on, '86, '87.

So I would like to know just whether this government is encouraging daycare co-ops or whether it is just turning basically a blind eye to them and not giving them much in the way of encouragement, which is what I suspect, I would think, is happening.

Mrs. Render: I would just like to remind the member that it was this government that brought in a new co-operatives act, so to suggest that this government is turning a blind eye to co-ops in any shape or form would be erroneous. However, we will get the information that the member has asked for.

Mr. Maloway: Well, the government does have a role in co-ops, and the government can encourage them or discourage them. If the government wants to promote daycare co-ops, then it can do that by providing more resources. If it reduces its resources, then what will happen is you will have a rise in private daycares. So that is basically the fundamental question, is how strong is the commitment of the government to the idea of daycare co-operatives versus private daycare?

Mrs. Render: I am listening to the back-and-forth conversation between the Minister of Finance (Mr. Gilleshammer) and the member for Elmwood (Mr. Maloway) and not concentrating on the question, but I believe the member for Elmwood talked about whether or not this government was encouraging co-operatives.

This particular department regulates and brings in the legislation and the regulations. It is the Department of Industry, Trade and Tourism that goes out to beat the bush in this particular instance, and I would say that I, T and T works with groups that want to develop co-ops. They certainly do not discourage, and I remind the member once more that it was this government that brought in new legislation.

Mr. Maloway: Community service co-ops, what sort of co-ops are we talking about here? Give me some examples and give me any trends that are developing in that type of co-op activity.

Mrs. Render: I have been advised that likely the community service co-ops, the bulk would be recreational centres.

Mr. Maloway: Where might these recreational centres be? I assume they are in rural Manitoba.

Mrs. Render: Mainly in the rural areas.

Mr. Maloway: Let us move on to utility co-ops. Tell me a bit about those.

Mrs. Render: I have been advised that the bulk are likely in, say, the sewage area. A group of citizens get together to provide a central sewage system where there is not a system in place already or it could be citizens who get together to provide a water system.

Mr. Maloway: Let us deal with marketing co-ops then. What sort of co-ops are they? What kind of activities are they involved in?

Mrs. Render: It could be a wide range of products that are marketed, everything from local produce to a group of artists getting together and want to showcase their product, so to speak.

Mr. Maloway: Would it also include gas co-ops?

Mrs. Render: No, the gas co-op would come under consumer.

Mr. Maloway: I did want to ask about the gas co-ops as to how many are operating in Manitoba right now and how successful they are.

Mrs. Render: I believe there are two operating in Manitoba.

Mr. Maloway: Where might they be?

Mrs. Render: Red River Co-op and I think there is one in Thompson, Thompson Gas Bar.

* (1530)

Mr. Maloway: I am quite familiar with the Thompson gas bar. I fill up there a couple times a year. I know it was operating when I was there a few months ago. My understanding was that there were a number more of gas co-ops in the past. I would like to ask the minister how many were there at the height and what happened to them?

Mrs. Render: We will obtain that information for the member.

Mr. Maloway: I think that we will find that during the previous government there was a lot more activity. Gas co-ops were encouraged. I know there was a drive to set one up in Brandon. There were several up north. Since this government has taken office, I do not think we have seen any real activity or any drive or any push to develop gasoline co-ops in this province. That is just indicative of the general lack of interest of this government in the whole issue of gas prices.

For example, a number of days ago when we dealt with the issue of gas prices, we had the minister say at that time that she did not even have so much as one little sticky note of gas price studying that the former Minister Radcliffe had announced last fall. The former minister, when the pressure was on, said, we are going to study gas prices.

The former minister made pronouncements to the press, made pronouncements elsewhere to get public attention to say he was going to deal with gas prices. He was unceremoniously removed in January, February this year. The new minister comes in. Now the new minister says there was no studying going on at all. So there is your commitment of this government to gas price, action on gas prices, studying of gas prices and commitment to fostering gas co-ops.

Mrs. Render: I hate to contradict the honourable member for Elmwood, but the deputy just told me that she checked the newspaper articles and could not find anywhere where the minister said that he was going to do a full fledged study. He said that he was going to look into gas prices.

So if media or if the member opposite wants to take something and interpret a different meaning from it, that is up to them, but at no time did the previous minister suggest that there was going to be a huge paper report coming out of the department looking into the gas prices.

I would also like to remind the member that this government does not force people to do anything. If a co-operative movement is what

people want to do for housing, for daycare, for farmers market, for fishing, there is nothing stopping them. I will once again remind the member that it was this government that brought in new legislation and regulations to help people with the co-operative movement. So let not the member suggest that this government is not doing anything to help those who wish to do this. Perhaps the former government feels that they have a right to pressure people into doing certain things, but this government believes in allowing people to make their own decisions.

Mr. Maloway: This government has sat around and done absolutely nothing for 11 years in the area of gas price issues, and when it has been under pressure, the minister of the day has simply, going back to former Minister Connery who had his monitoring team out there checking prices, driving around checking prices, to Minister Radcliffe who, when he was under pressure, in an effort to buy time and bamboozle and try to fool the press, these ministers of this government, when pressured, have said they would study the problem. When the spotlight of the press was off them, they did absolutely nothing. Minister Ernst is also in that category. We will talk about him later.

Point of Order

Mrs. Render: I would like to hear from the member what the previous government did in response to gas prices. Since he seems to be saying that this government does nothing, I would like to know exactly what the other government did, other than order a study, which they did not implement.

Mr. Chairperson: Order, please. The honourable minister did not have a point of order. It is a dispute over the facts.

* * *

Mr. Maloway: The voters of this province will make a decision over the next few months as to whom they want to lead the province into the new millennium. This government has been in power for 11 years, and it has not taken any concrete action on containing or reducing gasoline prices in this province. I detailed before that Minister Connery paraded himself

around the province and monitored gas prices, did absolutely nothing, just went out and did a little bit of activity for show, but no substance. Then Minister Ernst came on board, and he threatened, wrote letters to Ottawa, saying that the retail gasoline business was run on a cartel basis and he was going to get tough. Well, so much for that. Where is he today, and where is the action of this government? There is absolutely none. Then we have Minister Radcliffe. When the spotlight was on him on gas prices last fall, he said: I am going to study the issue.

Once again, study the issue. That bought him some time, got him out of hot water for a couple of times last fall. Now, this spring we asked the new minister: where are the studies? She says: there are no studies. So does that mean that the previous minister misrepresented? Obviously, he did. That is clearly what she is saying because she will not produce, she is unable to produce, the studies that he says he was doing.

Mrs. Render: The member is playing fast and loose with his words. He is suggesting that the previous minister has misrepresented, and I have stated many times quite often in the Estimates process that others have put their own interpretation on what the previous minister said. But I am always very interested in what the member for Elmwood (Mr. Maloway) has to say, and I would very much like to hear what the member for Elmwood would do about gas prices.

Now, he was in government when gas prices went up and down, and the previous NDP government did contract to have a study done by one Professor Costas Nicolaou. When they received that report, they did nothing. So that particular government hid behind a report. Perhaps the member opposite would let me know what he would do.

An Honourable Member: Just one quick question, do you mind?

Mr. Chairperson: Go ahead.

Mr. James Downey (Arthur-Virden): Mr. Chairman, I just have a question for the minister,

and I think she is certainly doing an excellent job of replying. I wonder if she could have checked out for me exactly how much the New Democratic Party lost as it relates to oil and gas when they were exploring and trying to run an oil and gas company in southwestern Manitoba. Was it \$15 million they cost the taxpayers of Manitoba or \$16 million that they lost with their ill-founded gas and oil activities?

* (1540)

Point of Order

Mr. Maloway: On a point of order, the minister knows full well that this is the wrong department to be asking these questions, and I am simply giving the minister the answer that she should be giving you in about 30 seconds from now.

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

* * *

Mr. Downey: The minister can take the question under notice, and I would appreciate an answer.

Mrs. Render: The minister, with pleasure, will undertake to research that question. There is a question on the floor, and I would be most—

Mr. Chairperson: Order, please. If anybody wants to be heard, they have to come through me. Now, who is online now? The honourable member for Elmwood.

Mr. Maloway: Mr. Chairman, I thank the minister for that question. She asked me what the NDP will be doing after we form the government in the next few months in this area of gas prices, and I want to give her a full and complete answer to that.

As I had indicated a few days ago, when we had a longer discussion about gas prices, I suggested at that time that we should look to any studies this government has done as far as the ability to bring gasoline into Manitoba through the Port of Churchill. I pointed out at that time that we have a tank farm there, that currently and

for several years gasoline products are brought into Churchill, stored there and routed north to the far North.

So it occurred to me a few years ago, on some trips up there, that, in fact, with OmniTRAX now taking over the line and looking for opportunities around the world that, in fact, they might consider bringing gasoline south. Upon talking to Costas Nicolaou about the subject, he indicated to me that he had thought of that, too, so it was not a new idea even to him.

So, clearly, one of the answers seems to be to come in with a new source of supply, that trying to regulate does not seem to work elsewhere. It may not, in fact, be an answer here. Buying gasoline stations and getting into competition does not seem to be a sensible solution either. So you either have a choice of continuing to pay the high prices or look at alternative-type fuels and try to get off gasoline or look at new sources.

But as long as you have the supply being controlled by two or three refineries outside the province controlling the system, then you are not going to achieve what you are trying to achieve. Bringing it in from the United States will work at certain periods throughout the year, but that is by no means a solid way of doing it either. So we could be in a win-win situation here all around if we were able to use the Port of Churchill because we would be helping develop the Port of Churchill. We would be helping OmniTRAX in their efforts and we would be helping the consumers of northern Manitoba, but in addition helping the consumers in southern Manitoba by attempting to bring in a supply, hopefully an increasing supply, of gasoline into southern Manitoba which should, in effect, drive down the price of gasoline.

So that, in a very short answer to the minister's question, is what the new government, the new NDP government, will be striving to do after the next election. Now, do you have any further questions?

Mrs. Render: Yes, the member and I talked about that. As I mentioned to the member, there is a memorandum of understanding that has been

signed to check into the feasibility of that. But let me ask the member: that gas has to come from somewhere and rack price is rack price. Where does the member assume that he is going to be buying the gas? As the member likely knows, Canada is a net importer of the refined product. If there is a shortage, not necessarily bringing it in through Churchill is going to be the answer.

Also, I do not think that the study that Costas Nicolaou did made any reference to the Churchill port. I am sure of that and I stand to be corrected. Certainly when I met with him I do not remember him making that suggestion.

Mr. Maloway: Could the minister provide us with that memorandum of understanding? I would like to see that.

Mrs. Render: Again, I hate to disappoint the member for Elmwood, but you are asking the wrong minister for that information. I believe the question should be directed to the Minister of Highways (Mr. Praznik).

Mr. Maloway: The minister just said a couple minutes ago that she was prepared to get, for the member for Arthur-Virden, information that has nothing to do with her department. She is going to take the department's time to get information for him on an area that she is not responsible for, on oil and gas exploration, and yet two minutes later she is telling me she will not extend the same courtesy and get me this information from the Highways department. Can she explain that inconsistency?

Mrs. Render: What I advised the member for Arthur-Virden that I would look into it, but I did not tell him when I would get back to him with information. We have a lot of other things that the department is doing, and I am not about to ask another department to do my research for me. You may have noticed that I did not say I would get back to him quickly. I did not give him any sort of date at all.

Mr. Maloway: Would the minister endeavour to do this and give me a time frame as to when I will get it? I pointed out the other day that Minister Radcliffe took six months, I think, to get information to me from last year's Estimates.

With an election coming, I think it would be important to get this information out a little quicker this time around.

Mrs. Render: I will see what I can do. I am interested myself—[interjection] The member is putting words into my mouth. I am interested in the issue myself.

Mr. Maloway: Well, maybe now that I have answered all these questions on gas prices, we could move on and deal with the farmers markets. Could you give me an update as to what the situation is with farmers markets co-ops?

Mr. Chairperson: Order, please. When the committee is ready to resume, maybe one of you would just raise your hand, and I will acknowledge you.

Mrs. Render: The discussion across the table is more useful.

Mr. Chairperson: Discussion is always healthy. That is why I was allowing it to go on.

Mrs. Render: It is hard to remember some of these questions that occurred 15 minutes ago. I believe the question was on the farmers market. I understand that they are reasonably successful. They are not large operations. They are not big, sophisticated kinds of co-ops, but they serve the purpose.

* (1550)

Mr. Maloway: Let us deal with credit union regulation now. I am really interested in knowing what the industry is doing in a number of areas, the Y2K issue, which we can spend, we have another 40 minutes, on Y2K.

I would like to know about the Internet banking, as well, as to what sort of moves the credit unions are making in the Internet banking business. I do know that Internet banking certainly is the coming thing. I know the credit unions in other parts of the country are moving in this area. Certainly the financial services sector in many ways are at the forefront of the move into e-commerce and into Internet banking. I would like a pretty thorough, full

explanation as to what is happening as far as the credit unions are concerned in Manitoba on that front.

Mrs. Render: As the members knows, the credit union system is a three-tiered system. You have your local level, and then the next level, Credit Union Central of Manitoba. So the department monitors Central and receives monthly reports as to the readiness as far as the Y2K issue goes.

Mr. Maloway: So what we have now is we have the government departments and deputy ministers getting quarterly reports. We have the Securities Commission head getting quarterly reports from companies in Manitoba. We have the PUB. They are not really sure what they are doing over there on Y2K.

No, that was pretty clear yesterday that they do not have a quarterly or a monthly reporting system. They have a reporting system that says, whenever they feel like reporting something, they report something. Well, that is what was said yesterday. Now we have the credit unions, their Y2K requirements are monthly. Is that what the minister is saying?

Mrs. Render: Just to correct the record. PUB does know exactly what it is doing. What I said to the member yesterday, or perhaps it was two days ago, or maybe it was last week, that PUB does not tell Hydro or the various organizations which it regulates how often to report. They have their own internal system, and PUB is satisfied that the regular reporting that goes on within each individual corporation is more than satisfactory.

In this instance, the member mentioned, or at least I said to the member, that it was on a monthly basis, and the member referenced that time back to me. Yes, he is correct. The Central reports back to the department on a monthly basis.

Mr. Maloway: Can the minister give us an update then as to what the latest monthly reports indicate?

Mrs. Render: I have with me a small pamphlet. It says: "Working for our members today and

into the next century," and it is put out by Manitoba's Credit Unions, Year 2000 Initiative. It is called Y2K and your Credit Union.

So I will just read into the record, for the member's information. The first heading is called "What is the Year 2000 Problem?" "The year 2000 problem or 'Y2K Millennium Bug' goes back to the earliest days of computers, when dates were stored in two-digit format to save scarce and expensive disc space. The Y2K problem is that computers and other date-sensitive equipment could read 00 as '1900', not '2000'. This error may result in incorrect information, miscalculations, or failure of all or parts of some systems."

The next heading in this little pamphlet is called "What is my credit union doing about Y2K?" I am quoting: "While each credit union is responsible for its own systems, we are all part of the system-wide Manitoba Credit Union Year 2000 Project Team. The team is making a concerted effort to ensure that members' account information remains accurate and secure in 2000 and beyond, and that access to funds is uninterrupted through the transition into the next millennium. Our goal is to be Y2K-ready by mid-1999."

"Our definition of Y2K readiness refers to everything credit unions use to provide products and services to members. The list includes core banking systems and shared banking networks like those used for Interac Direct Payment and ATM transactions; hardware and software used for Internet and telephone banking; and credit unions' vault systems, security systems and fax machines."

Now, I find it very interesting that the middle panel of this little pamphlet says: "Your peace of mind is our top priority." Under that particular heading we have two other headings; one: "Is my money safe in my credit union?" and the answer is: "Yes. This is our top priority. Members have entrusted us with their accounts and we have taken this responsibility very seriously. As a precaution, credit unions have back-up records that will verify your accounts. "Also, Manitoba's Credit Union Deposit Guarantee Corporation provides an unlimited guarantee on all member deposits."

* (1600)

Okay, the next question is an important one, and I know that the member for Elmwood would like to hear the answer: "Are Manitoba credit unions Y2K ready?"

"The core banking system in use by your credit union is inherently the Year 2000 ready. What that means is that the Y2K bug is not an issue: the system has always read 1999 as 1999, (not '99), 2000 as 2000, and so on. You may see '99' or '00' or '01' on your monthly statement, but the banking system sees those same numbers as 1999, 2000 and 2001."

"Credit unions have been writing mortgages and loans and providing deposit products to members with terms that expire in 2000 and beyond for a number of years. The banking system has had no trouble with calculations that extend into the next century."

Then they go on to talk about the ATMs and whether they will work and whether people will be able to make Interac direct payment purchases, and here is the answer: "The credit union system is working at the national level to satisfy itself that the Canadian Payments System network (for cheques) and the Interac network (for Direct Payment purchases and ATMs transactions) will be Y2K ready. We have examined and tested the Manitoba credit union computer connection to these shared systems and are satisfied with what we've seen."

"Testing of all systems will continue throughout 1999 as work on other vital components is completed. The Manitoba credit union system will conduct a full-blown integration test of all systems early in the summer of 1999."

In answer to the question whether member cards will be valid next January, the answer is: "Yes. Your card is linked to your accounts in the banking system. "MemberCards are issued for periods of five years, and many of them already have expiry dates anywhere from 2000 to 2004." I think, in answer to the member's question, that the credit unions are certainly working to be ready, and they are assuring their customers that they will be ready for the change."

Mr. Maloway: I thank the minister for reading that into the record. I have read that pamphlet, but it does not say at what stage they are right now, whether they are fully compliant or not. Are they into the testing stage yet? Are they past the testing stage? Just where are they? You are getting monthly reports. Clearly some have to be ahead of others. You cannot have them all at the same stage. Have they all gone through? Have they all passed at this point? Are they all Y2K compliant and they are just in the testing stage? Where are they now?

Mrs. Render: Once again, I will just say that it is Central which does this particular monitoring of the individual credit union systems. Yes, some testing has been done, more testing will be done, and it is the main banking system that has been reporting to the department.

Mr. Maloway: So the minister says that there is testing going on. Just where? What is the schedule for the testing? How far are we into the testing? Are we 60 percent completed the testing, 80 percent completed the testing? Are we just starting the testing? Are we going to be testing right up to midnight, year 2000?

Mrs. Render: As I read earlier, the testing will continue throughout 1999. The Manitoba credit union system will conduct a full-blown integration test of all systems early in the summer of 1999. It is our understanding that the testing will be finished by the end of the summer.

Mr. Maloway: That is exactly what I wanted to know. When will all of the systems be Y2K compliant and then when will the final testing be done for the final credit union? The minister has said that all systems are presumably compliant by now and that they are in the testing phases now and that all the testing itself will be done by September 1. That is what she is saying? No exceptions?

Mrs. Render: Again, as I have said in a number of answers, when the member presses me to try to give a very definitive answer, that is the plan. The testing is to be completed by the end of the summer. We have no reason to think that it would be otherwise, but for me to sit here and say definitely 100 percent that that will happen, I

cannot. That is the plan. We assume that it will be completed. I cannot say anything more than that.

Mr. Maloway: I would like to ask the minister then whether there will be any problems with the TD bug as regards the credit union Y2K efforts. The TD bug, sort of like Internet cookies from last year.

Mrs. Render: I would look to the member for explanation. We are not aware of the issue.

Mr. Maloway: The TD bug is something that is--

Mrs. Render: Toronto Dominion?

Mr. Maloway: Well, I think it is relatively new. I do not know how old it is. But it is basically a time and date instabilities bug. I see it as having a particular application to perhaps the banks and the credit unions because, basically, the TD bug results in the computer or the imbedded system, whichever you are dealing with, having difficulty calculating or retaining the correct time or date. In the banking business and in the financial institution business, I can see that as kind of important.

Originally when the discussion started about the whole Y2K question, it was thought of as peculiar to computers. So people were running around up until just a year ago, year and a half ago, were dealing with a computer problem. That is what they thought. Then all of a sudden out of nowhere came the idea that imbedded chips were a problem. All of a sudden it spewed beyond computers to elevators, VCRs, toasters, and all sorts of areas that had imbedded chips that to people it would not come to mind automatically that they had imbedded chips. Imbedded chips are just all over the place.

* (1610)

Now, we are looking for not just computers when we are talking about Y2K. We are talking about mining shafts and people being stuck down mines. We are talking about elevators. We are talking about traffic lights and airplanes and hospital equipment. Just everywhere you go we are looking at things like this imbedded chip.

So now we have another potential problem with the TD bug. I want to know what you have done about investigating this TD bug. Are you on top of this?

Mrs. Render: This is not a term that we are familiar with. I think in the information I read into the record it appears, and again I stand to be corrected, that Manitoba credit unions have dealt with that issue in the sense that their core banking system, which is in use, the Y2K bug is not in issue because the system has always read the four numbers 1999 as 1999. It has not read it as the two-digit number 99. So they feel that they will not have that particular problem.

Mr. Maloway: The minister can solve the problem by just offering to check for me on this matter and to ask the relevant authorities whether this Crouch-Echlin effect, the TD bug, has any effect or could possibly have an effect, because it has to do with the bias of the computer and the fact that it may have difficulty calculating or retaining the correct time or date, whether any of the systems that they have purchased may, in fact, be impacted adversely because of this possible TD bug. I mean, surely we do not want to find ourselves with two months to go and nobody knows what the TD bug is or whether it has any effect in there.

So all I am doing is trying to be pre-emptive here and just ask for assurances that this TD bug is not going to be a problem as regards the credit union system and the financial records of citizens of Manitoba. In fact, it may have applications to other industries as well, but it seems to me that certainly there should be a question raised about it when you are dealing with banking, financial institutions, and credit unions. So that is why I am bringing it up right now.

Mrs. Render: Yes, we will ask the question.

Mr. Maloway: When might I expect a response about this? Would this be Monday, or would it be many moons from Monday? When would this happen?

Mrs. Render: A short moon away. We will do it as quickly as we can.

Mr. Maloway: I would like to deal with, in the time we have remaining, the whole area of

Internet banking and e-commerce. It does not necessarily have to relate totally to co-ops and credit unions. We could talk about Internet commerce as it relates to her government's department, too, because I have a copy of what is on her web page. You know, essentially what we are dealing with is in its infancy. I mean, this is just what, a couple of pages and a picture of the minister. I did not print it out in colour; maybe I should have. [interjection] Well, I cannot. There may be some confidential notes written on it, so I cannot let the minister see it right now. Maybe when we are finished with the committee, I might.

Anyway, the point is has the minister conducted any studies as to whether or not her department will, in the future, be offering services on the Net in the area of e-commerce? For example, her department offers services in consumer affairs whereby direct sellers have to renew their licences. You have this whole area of government services, and I do not mean the department, but I am talking about services provided by the government where it is possible for somebody—you know, you project ahead here 20 years—well, it would not be 20 years, maybe three or four years at the rate of change—that people will be able to renew their licences directly from their computer, right? It is just basically, it is e-commerce is what it is.

Now, I would like to know if the department has done any studies about that, whether it has been approached by anybody in the IT business to start doing its business on-line with the public and whether or not there would be, because I can see the public renewing some of their licences, getting some of their information. For example, perhaps land titles information or, if people wanted, they could access it through their computer and they would pay with their credit card.

I am just using that as an example, but services right now where somebody has to physically get in their vehicle, drive down to a government office, and spend a considerable amount of time and effort, those services can be provided right over the Internet. It is basically known as Internet commerce, e-commerce. It has applications to the credit union system, too, so I am looking for what is happening with the

credit unions, but I also want to deal with the department.

Now, maybe today we should just deal with the credit unions so that when we finish we can say that we are finished with the credit unions for the year and that we can deal with the minister and e-commerce another day. Perhaps we should do it that way.

Mr. David Faursschou, Acting Chairperson, in the Chair

Mrs. Render: I have just been given a piece of information which I would be surprised if the member does not have, but he is probably aware of it already. Just for the record I will read in some of the information on this. It is called See You At Home. There are 10 credit unions who are on this Internet service. They are Communicators, Hy-Line, Civic, Buffalo, Rosenort, Adanac, Minnedosa, Erickson, Cypress River, and Flin Flon. It was introduced three months ago.

I will just maybe read the paragraph here: It has been three months since See You At Home, the Internet banking product for profile credit unions, was introduced. We have continued to make product changes in response to credit union and member requests and encourage you and your members to keep the comments and suggestions flowing. There are now over 3500 members signed up. We processed over 21,000 Internet banking transactions in May. Transaction volume has almost doubled every month since implementation. Our support team is available to provide assistance to credit unions and their members for all Internet banking inquiries.

Then it gives the number to phone. The line is manned Monday to Friday from 8 a.m. till 6 p.m. They also advise that members can also obtain help through an e-mail address.

I am not too certain just exactly what all you can do. I believe you can transfer funds between accounts. You can pay bills. You can obtain account information. I do not believe you can withdraw using this method. Of course, there is certain software that somebody must have to be able to access this.

* (1620)

Mr. Maloway: How is this going to work out with e-routes, the big fight between Canada Post and E-Route? Do the credit unions feel they have a chance to compete against these two, you know, much larger competitors?

Mrs. Render: I guess the answer would be that the credit union would not have introduced this if they did not feel they could compete in this area. Certainly the credit unions are very aware of the changing times and that they have to keep up with what is happening across the country.

Mr. Maloway: So is the minister telling us then that the credit unions will be competing with E-Route and Canada Post in this electronic billing?

Mrs. Render: I am not too sure that I understand the question. Obviously, the credit union has introduced this because it is a service that their members are asking for. As I stated, the credit unions, like any financial institutions, have to keep up with the times. So they are providing services that their members are asking for.

Mr. Maloway: I am asking about an electronic billing system. I am asking about e-routes. E-Route will be operating I think nine months from now. Canada Post has a bit of an advantage because it is starting this summer. Now, where are the credit unions in all of this? Where is their electronic billing function and their ability to compete against these guys? What you have with E-Route, you have I believe it is Royal Bank Visa, Bell Canada, you have big institutions getting together and nine months from now they will be introducing this e-bill system. The post office is going to be introducing a similar system this summer. Where are the credit unions in all of this? Are they going to be into this too? Are they in the ballgame?

Mrs. Render: I do not think we can answer that question, Mr. Chair, because the credit union, as I mentioned, just introduced this particular aspect just three months ago. They are still developing things, and obviously they are going to be developing measures that are going to keep their customers, that are going to encourage

more customers. So I think this is just sort of an ongoing kind of thing. They are going to keep advancing.

Mr. Maloway: Maybe the minister could take the following questions as notice and get back to me with the answers, because we are running out of time.

What I wanted to know is could she endeavour to contact the credit unions and find out how they plan to compete, how they plan to answer the challenge issued by e-routes, which is basically all the huge banks and the challenge issued by Canada Post Corporation this summer to basically do electronic bill payment. That is what it is. And that is evidently half of all the banking transactions in Canada. If the credit unions are not in on the ground floor of that area, of that initiative, then they are going to find themselves playing catch-up if they are not on top of it right now.

Mr. Denis Rocan, Acting Chairperson, in the Chair

Now, I also would ask the minister if she could check out, there is a reference here about the capital adequacy standards, or the capital for the credit unions, and I would like to know from where to where are the reserves. It is on page 56 of the annual report and there is reference there to the adequacy of the capital and the standards, and I would like to know where you have moved the standards, I guess.

Mrs. Render: We will endeavour to get the information on the questions on the e-commerce and the capital adequacy of the credit unions.

The Acting Chairperson (Mr. Rocan): As was previously agreed, the Department of Consumer and Corporate Affairs, we are simply going to halt it because we are now going to bring in the section to consider of the Supply that is to be granted to Seniors Directorate.

SENIORS DIRECTORATE

The Acting Chairperson (Mr. Rocan): I see the minister is coming at full tilt, and the critic, the member for Broadway (Mr. Santos), is already present in the chair.

The honourable member for Broadway has four minutes remaining in his opening statement. The honourable member for Broadway, would you like to carry on your spiel, sir?

Mr. Conrad Santos (Broadway): Mr. Chair, I would like to do so.

I have already stated that this is the Year of Older Persons, 1999, and suddenly everyone cannot escape the fact we are getting older. It does not mean you have to be weak or helpless when you get old. I suppose we live the rest of our lives according to the norm and the point of view that we have set for ourselves, how we live our life. I would like to present, as a conclusion, one view about life, one view among many.

* (1630)

Mr. Chair, I think life is the meaningful use of our transitory time for doing activities that we may achieve certain desired objectives, the significance of which ideally should outlast our life. In essence, the basic point that I am trying to say is that the time of our life is transitory. It is uncertain as to its duration. Nobody can say I will live so many years. I will live so many years; I am still young. Nobody can say that. Nobody knows.

During such a transitory duration of our life, the life itself should consist of doing activities. Of course, a lot of it we spend talking, but talking is still doing, except it has no result. I propose the most significant set of activities we can do in our life are those that have a meaning, a significance that will outlast the very life itself.

Life is uncertain, how long it will last. The only aspect that is certain about our life is that it will end. As to when, we do not know. Therefore, the following guidelines, norms, conduct, whatever rules you may call them, we have to bear in mind, given this fact of uncertainty about life.

Do not put off for tomorrow what you can do today. Do not waste the time of another person for what you can do yourself. You should be willing to endure life and all its travails. Do not complain. Do not explain. Do not complicate things. Do not be bitter. It will

not achieve anything. So we make life simple, durable, as pleasant as it can be.

That concludes my statement. [interjection] Mr. Chairperson, I can still add something to that if you wish.

The Acting Chairperson (Mr. Rocan): Yes, go ahead.

Mr. Santos: Okay. If life is to be made enduring, we have to accept those things that we think to be impossible. Those things which we thought were indispensable, we can do without them. What we initially think to be unbearable, we have to bear them because it is essential that we learn how to do it. Indeed, we can consider that every moment of our life is a nonrepeatable miracle that we must be able to use meaningfully in order to achieve something that we thought would not harm any other human being or complicate the life of any other but make it a little bit more bearable and pleasant to live. The basic point is that life consists of doing activities, not simply thinking or planning. We can plan and plan, and then we run out of time to execute the plan. As King Solomon said: the race is not to the swift nor the battle to the strong nor the bread to the wise nor riches to men of scale, but time and chance happen to them all.

One undesirable thing that could possibly happen to any one of us is to prepare and prepare like somebody who wants to run for public office: oh, I will do it next year, oh, I will do it next election, oh, I will do it next year or next time around. What will happen then, things, events will pass him by and nothing will happen, and then things will change beyond his control and then the opportunity is gone. Do not talk about what you want to do; just do it and do it now. There may be no other opportunity to do it.

The third basic point is the fact that whatever activities we do, they must be related to some purpose. Indeed, anything we do should have some kind of objective or a goal. We cannot just be a rebel without a cause. You must gear to something meaningful. All your activities should be tied to some purpose, the significance of which will outlast the duration of

our life. Therefore I say if what we have been doing is meaningful and significant to every other person other than ourselves, when we are alive and we have done so many things that affect favourably and positively the life of other people, then I would say even the undertaker maybe will be sorry when we are gone.

So let us live our life, transitory as it is, doing activities that we enjoy doing, related to some good and noble purpose, significant and meaningful to others so that when we depart to the great beyond what we have done will be felt gratefully and thankfully by those people who cannot even recall what we are like or what we have been as an individual person. Thank you.

The Acting Chairperson (Mr. Rocan): I would like to thank the honourable member for Broadway for his remarks. We will now continue the consideration of the line items for the Seniors Directorate. Before we do that, we would like to invite all the staff who are here present this afternoon to join us at the table, each and every one of you, if you will. Do not all come down here at the same time but get yourselves to the table.

You are going to need a long list to introduce all your staff.

Hon. Jack Reimer (Minister responsible for Seniors): Well, I remember all of them.

The Acting Chairperson (Mr. Rocan): We would ask the minister now to introduce his staff.

Mr. Reimer: Thank you very much, Mr. Chairperson. With me I have my Seniors Directorate Ms. Kathy Yurkowski.

The Acting Chairperson (Mr. Rocan): And the rest of them.

Mr. Reimer: They are coming later.

The Acting Chairperson (Mr. Rocan): Okay. I would like to thank the minister for introducing all of his staff.

We are now on line 1, 24.1. Seniors Directorate (a) Salaries and Employee Benefits

\$523,600, which is on page 138 of the Main Estimates book. The floor is now open for questions. I am looking to the honourable member for Broadway.

Mr. Santos: Mr. Chairperson, this is a department which I hope will be growing as the needs of seniors multiply and achieve greater significance. I have been in the past saying that this is a department that only does some public relations things but had no substantive program of its own because it has no allocation, no substantial amount of money that it can spend on its own set of activities.

I hope some day some of the major programs of the department of the Ministry of Health and other ministries of government that vitally and crucially affect seniors will be moved over to the Seniors Directorate so that the executive director and the staff will be able to carry out the function in a substantive way rather than just be an adjunct department to some substantial huge department like Ministry of Health and other departments of government.

Right now I could see that the minister is the political head of the Seniors Directorate. There is an executive director and alongside with her there is an international year of—I am looking now at page 4 of the Supplementary Information for Legislative Review. I am looking at the organizational flowchart. That one is new to me. International Year of Persons co-ordinator. Could the honourable minister explain what the office is and what are its duties and responsibilities?

*(1640)

Mr. Reimer: Mr. Chairperson, it is kind of appropriate that we start off on this line because I think that 1999 is a very, very exciting year here, not only in Manitoba or Winnipeg or Canada but throughout the world. The reason for that is it has been designated as the International Year of Older Persons or has been sometimes referred to the IYOP. The philosophy behind the IYOP is that it is a way to showcase, to highlight the seniors in our community, to thank them for their contribution, their involvement, their continued support for seniors programs throughout all of the world.

Here in Manitoba we have always been very, very proactive in trying to celebrate any type of programs in regard to whether it is the seniors—the member may recall that we did have quite a very successful International Year of the Family celebration here in Manitoba. One of the reasons behind that was that there was a co-ordinator assigned to be involved with some of the programming and the events co-ordination and the liaison between the department and the community, because there has been a tremendous uptake and a tremendous amount of support shown by organizations and people who do want to get involved with showcasing the seniors.

So this is one of the reasons why we have a co-ordinator. We hired a co-ordinator well over a year ago, I guess, and her name is Motria Koltec. She has taken on the job in a very, very commendable way. She has been very, very actively involved throughout all of Manitoba as a co-ordinator and a liaison person and as a tremendous ambassador for the initiatives of the IYOP. So we are very, very fortunate that we were able to secure this lady for this position. It is a position that requires an awful lot of work and dedication and involvement, but she certainly has shown a capability of rising to the task, if you want to call it.

The tasks involved, or the job description, if you want to call it that, involves getting involved with the communities and making it known that we do have a bit of a grant program involved with the IYOP where seniors groups can take advantage of small grants to help them in the planning or the programming of their celebrations, whether it is here in Winnipeg or, like I said before, any place in Manitoba. We had a very, very significant uptake on the amount of applications we had and the people who wanted to get involved.

One of the functions of the co-ordinator was to analyze, to contact and to be made aware of the various programs that were being proposed, their viability and the parameters that they fell within in trying to address how it was outlined for the International Year of Older Persons under the United Nations standards for presentation to other people, whether it was younger people or intergenerational programming. So these were

some of the things that she was very actively involved with.

It has been very, very beneficial I think to all Manitobans. We have had very excellent response and feedback from her involvement. In general, I think that it is a very healthy way to, like I say, have a hands-on approach to trying to address and to celebrate the accomplishments and the contributions of our seniors here in Manitoba.

Mr. Santos: Mr. Chairperson, I know that on a global scale the World Health Organization proposed the idea of a global walk, which emphasized both active aging and hope for international participation. Apparently, that program or set of activities—the Global Walk, they call it—will be held October 1, 1999, which is now coming, of course, when for 24 hours a group of cities hour after hour, time zone after time zone, will be celebrating aging around the world in order to support the celebration of 1999 as the International Year of Older Persons, to remind people, the audience, the world around us, of the collective achievements of the older person, their hopes and their aspirations for the future. Are we a part of that in this province?

Mr. Reimer: Mr. Chairperson, yes, we are. In fact, we are in the process of setting up a summit in and around that time to take advantage of not only the hype that will be around the walk that the member has talked about, but we feel it is also a time to get more exposure to our seniors here in Manitoba to a summit conference. We have invited some speakers and participants, a wellness conference format, in a sense, and also to, like I say, showcase some of the attributes of healthy living with the seniors. The walk will be part of the component of it, and we will be participating in it. I believe the date that we are looking at is October 2, for not only the wellness conference but to be part of the walk that the member is referring to.

Mr. Santos: As to specifics, what will be the particular kinds of activities? Where will they walk, as to time and place and location and setting?

Mr. Reimer: Mr. Chairperson, we are in the process right now, in consultation with some of

the seniors groups in and around Winnipeg, and also we are outreaching into the rural areas where there are seniors groups, with the idea that all the various groups whether combined or individually will be part of this walk. The idea is to tabulate the kilometres that they will be walking.

One of the host organizers of it is Bata, from Bata Shoes. They will be compiling the mileages or the kilometres, I guess it is, from all around the world. All of the seniors centres and our seniors groups that will be doing some sort of walk will have their kilometres tabulated in this walk. Here in Winnipeg with that summit conference that we are organizing, we are in discussions right now with the seniors groups as to what is the best way to implement and maximize the amount of exposure and possibly the best amount of kilometres that can be realized during that period.

The idea, as the member mentioned, is that this would be a worldwide walk in recognition of seniors and with one central agency doing the compilation, which is Bata. There will be a total kilometre come out of the participation throughout all of the world.

* (1650)

Mr. Santos: Actually, out of the five values that I discussed in our opening statements, this is participation, I believe. It is the involvement of seniors in those activities that concern themselves, the community at large and their welfare. In Manitoba, according to compiled statistics by Statistics Canada and Manitoba statistics, our total population as of 1996 is 1,145,242. Out of that there are 156,258 people who are aged 65 and over.

Given that, as far as I can ascertain, there is only one major group of seniors organizations or two at the most, 156,258 is 13.64 percent of the total. How many of the 156,000 are active participants and members of Manitoba organizations of seniors, retirees organizations, and other groups? Do we have any compiled statistics on that?

Mr. Reimer: I guess there is always that interpretation of active as to what degree are

people active. You have seniors that are 65 and over that are physically very active and still very, very involved. I believe there were even seniors running in the marathon last weekend, in their 60s. I believe they even had some in the 70s. So the degree of activity really is a measurement of how the senior participates in the various levels of whether it is competitive action or day-to-day action. I guess there is an interpretation of activity in that way.

I think though that if you talk to any senior just about, they like to feel that they are active in some sort of way and still part of some sort of contribution. I guess where the inactivity comes in is possibly through some sort of debilitating disease or unfortunate circumstances of possibly dementia or Alzheimer's, but even at that, in some of those instances, the individuals are still fairly active. It is just, unfortunately, that a portion of their bodies may not be responding in an active manner.

So the idea of classification of activity I guess is hard to put a figure on because some seniors would like to feel that they are active. Whether they are 65 or 85, they are still active, and indeed I have seen that. So I think that age really is a hard criteria, to say that a person becomes inactive after a certain age because they always have a certain degree of activity.

Mr. Santos: I guess we have to define what we mean by the aspect of activity that we are talking about. I had in mind some information that we can compile perhaps as to seniors over 65 who are members of some organized group, acknowledged and recognized by various levels of government. If we are to compile such information, how do we go about it, or are we starting to do that? People who are members of one or more organizations, they receive grants, they volunteer in community activities and things like that as a group. Do we have such a kind of information?

Mr. Reimer: I think maybe the closest we might have as to where there could be possible classification would possibly be in what just happened down in Carman very recently, which is the MSOS games. There the criteria was 55. However, that did not limit seniors over 55 and 65 and 75 from being involved. I think most

likely in the MSOS there would be some sort of criteria for participation in regard to an age limit or an age breakdown. I know that in slow-pitch softball there are games and teams broken down by ages. In fact, they go up into the 80s in the slow-pitch baseball. I have had the opportunity to open up some of those. I believe it is called the Polar Bear Classic here in Winnipeg. I will have that opportunity to do the opening ceremonies again in the early part of July.

In those levels of participation, you have seniors that are 55 participating. Then there is another group at 60 and then a group at 65 and 70 and 75. I believe there are even groups over 80 that are participating in slow-pitch. So that is maybe one level of criteria for activity measurement.

A very good example of activity is what happened earlier this year when we had the launch of John Glenn, 77 years old. I mean, here is a man that kept going since the first time he went up in space, which was I guess 25 years earlier, or maybe it was longer than that. I cannot remember when it was when he first went up. When he first went up, this gentleman kept going and taking the same physical every year, even up to and including when he was 77 years old, to still stay in a physically fit mode. I guess as a role model for seniors, we can see that if there is a willingness to still participate and a willingness to look after your body with the proper nutrition and attitude and lifestyle, aging really chronologically is just a term, is a measurement, if you want to call it, but in reality it is not a fact of what is within the person and how that person still interreacts and interrelates with the living process, if you want to call it.

I think that that is very, very important. When we look at people and we try to classify people, if we classify people strictly by their age, I think we miss out on a lot of things that are the intangibles. Instead of statistics we should be looking at their involvement, their contribution, their willingness to participate and their willingness to serve. A lot of times age is not a barrier in that.

So aging per se is something that I do not know whether we should tie specifically to chronological years, because the expression, you

know, you are old in years and young in thought is sometimes very, very applicable. That contributes immensely to a person's wellness in the total concept, not only in his attitude or her attitude, but in their diet and their make-up and their beliefs and even their religion. That all comes into being for a person in regard to how they want to be part of life. So, you know, to try to put it into categories of age I think is a misnomer in a sense of trying to analyze how people are involved.

* (1700)

Mr. Santos: It is true that age alone is not the only criterion. There are other criteria, but age is the only objective measure that a statistician can find because it is true of everybody. Our physical condition, our agility and alertness, these are difficult to measure. With age all you need to do is consult the date of your birth and then count the number of years, and then you have the category that you want. But in addition to that, there may be other considerations.

For legal purposes, we set retirement the age at 65. So most programs of government recognize that. In fact, although we have a program 55 Plus in the provincial government—I do not know, is that program still on?

Mr. Reimer: Yes, it is.

Mr. Santos: Somebody who is 55 is a senior for the purpose of that program, but when he wants to ride the bus and get a discount for seniors, he cannot qualify, because he is not 65.

Mr. Reimer: The member is right. Sometimes there is the perception that 55 Plus is a classification, and it is. It is a recognition, I believe, through Family Services, and this is where the connotation comes from. The member is more correct when he says that 65 is more or less recognized by government, if you want to call it, that that is the retirement age, and 55 Plus is just, like I say, used through the Family Services portfolio for classification of certain programs and benefits that are available to some of the individuals.

Mr. Santos: For purposes of discourse and our discussion, when we talk about seniors we really

mean 65 and over. There might be an occasional odd program here and there where they may be classified as seniors, but for our purposes it will be 65 and over.

As I have stated, in Manitoba there are 13.64 percent 65 and over. They are not distributed equally across the province. The most numerous population distribution is Winnipeg, of course. There are 648,764 people in Winnipeg. Out of that, 88,713 are 65 and over, 88,000 in Winnipeg, just here in the city. Now, the reason why I cited these statistics, I want to correlate that with those who are members of the Manitoba Society of Seniors, retirees organization. As far as we know, as far as your Seniors Directorate records show, how many of this 88,000 are members of some organization or another?

Mr. Reimer: It has just been pointed out to me that those figures are not readily within our department, but they can be accessed. One of the ways that it might be very interesting to get a fairly updated breakdown of categories is with the summit that I alluded to a little earlier. A lot of the seniors groups will be registered for that and at that time the availability of memberships may be put forth by the groups. At that time it would be easier to correlate and tabulate the various numbers and the various categories, but at this particular time, we do not have those numbers on hand. That is something that maybe with the summit coming up could be pursued and we would be able to look at some fairly accurate numbers coming up, like I say, in the early part of October.

Mr. Santos: It would be a good idea to gather all this information because it will justify whatever kinds of programs Seniors Directorate may want to propose to government. The only reservation I may immediately mention is that: do we have the personnel to compile all this information in our department, in your directorate?

Mr. Reimer: Oh, yes. If it is available we would have the manpower or, pardon me, the staff available to do that.

Mr. Santos: This statistic I do not doubt, it is 88,000, because this is official statistics. Sorry

for talking out of turn. I thought this was a conversation, but there is always the Chair at the head to direct my remarks to and also for the purpose of facilitating the recording of these proceedings. I should always raise my hand and wait for my turn. My apology, Mr. Chairperson.

Mr. Chairperson, the smallest population distribution is Churchill. There is a total population distribution of 1,060. All of Churchill, big, huge thing by ages 65 and over, as compiled by the regional health authority, but out of that population, there were only 51 seniors there. Does that mean that they cannot always stand the cold in Churchill? What does the minister think?

Mr. Reimer: That has been noticed by myself too, that there is not a large seniors population in Churchill. I do not know what the reason is. I think that maybe it is because a lot of the seniors, as they age they maybe move out of Churchill and come to a larger area. But the member is right, Churchill does not have that many seniors. It is something that I think that even with that small amount I think there are still even programs that are happening in Churchill with the seniors groups. I believe they have a group there in Churchill and a group meeting.

As I mentioned earlier, a lot of times these seniors groups and seniors organizations get involved, they stay active, even in a small amount of time with the seniors there. In fact, we have a Council on Aging which advises the minister. We sent them up there to have consultations with some of the seniors there, because we feel that it is important that we get perspectives of the seniors from all parts of Manitoba and not just Winnipeg. So they have gone to Churchill and they have met with the seniors group up there in Churchill. Right now one of the persons that will be going up there—the member is most likely aware that we set up an elder abuse hotline, an elder abuse program co-ordinator for training. She too will be going up there to put on some training seminars.

So Churchill, though it is small in nature, we still feel it is important that there is a presence there for their seniors concerns.

* (1710)

Mr. Santos: I would like to make some kind of shift in the discussion. I would like to discuss the government's activities past 65 relating to seniors. I would like to review them and put them on the record. We know that the proposal of the federal government to merge the Old Age Security and the Guaranteed Income Supplement, which they proposed in March 1996, did not succeed. In August 1996 the current government in power in this province cut funding to the Community Home Service Program. This program was designed to give people receiving income assistance the opportunity to work helping low-income seniors and disabled persons maintain their homes. What was the nature of the cut? I cannot recall.

Mr. Reimer: I believe the program that the member is referring to was a program that was run by the city, and the city cut that. I do not know the rationale behind their decision making, but I am told that it is now run through Family Services. It has been transferred to Family Services. I am not familiar with the dollar amounts or the program structure at all.

Mr. Santos: This is what I meant, Mr. Chairperson, when programs like that directly affecting senior citizens are run by departments other than the Seniors Directorate. It will be wiser and perhaps reasonable that such programs be transferred to the Seniors Directorate so that program spending of a substantive nature will be within the handle of the direction from the Minister of Seniors. Would the minister agree to that?

Mr. Reimer: I think one of the things we are trying very diligently to do is to have a close co-ordination and co-operation between all departments in regard to what is happening and how it affects seniors.

It is a matter of communication, of meetings, of interdepartmental correspondence or positions so that these are funnelled to the Seniors Directorate. I know the department and the Seniors Directorate try very diligently to be on top of everything that is happening in regard to seniors, not only in our department but in some of the major departments that do have seniors exposures like Family Services and Health, which are the two major ones, naturally,

but there are other departments that have exposure to seniors.

So there is a liaison set up. I believe there is a protocol of sorts of getting information back. We encourage that, and we make contact with the department so that there is that. I guess there is always room for more in trying to get information. Even the sharing of information on a nationwide basis is something that we are setting up, a National Framework on Aging, so that there is a co-ordination of not only problems with seniors here in Manitoba, but we are in the process of co-ordinating these programs nationally.

That was one of the things that came out of one of the ministerial meetings that I attended two years ago when we first proposed it. They have worked on it, and they got it into some sort of formative stage last year, and I believe that they are coming very close to trying to get a co-ordinated effort right across Canada to get this type of information because it is the sharing of information that can make things not only better for the seniors but it cuts out an awful lot of duplication, overlap and running with the idea of always reinventing something because it is a program that possibly we could be using from another province.

So I do agree with the member for Broadway that the more information and the sharing of information that we can get, we can utilize and we can dispense on our own merits, is something that can do only one thing and that is benefit the seniors and their access to programs or conditions that are of benefit to seniors.

Mr. Santos: I could understand the need for co-ordination between the federal level of government and the provinces. These are two different levels of government in a federal system. But within the province itself, if a certain set of activities falls into a category that directly affects certain groups of people, we normally allocate that to the department directly dealing with that segment of the population. Labour groups, for example, are clientele of the Ministry of Labour. Every other department has its own clientele: the hunters, the Department of Natural Resources; fishermen, Department of Natural Resources. With seniors this should be

the Seniors Directorate not Family Services because they deal with kids and infants and all segments of the population. Anything that affects seniors should be properly allocated and transferred to the department of Seniors Directorate if this department is to be a significant department in government. Imagine 88,000 people 65 and over in the city of Winnipeg, and we do not have any substantive program that we can administer and spend money on. We have to rely on the discretion of bureaucrats in other departments of government.

Mr. Reimer: As I said earlier to the member, the sharing of information is always very important, and one of the things that we do, because of the presence of the Seniors Directorate in this government, other departments recognize that when they are dealing with seniors in their interpretations or their legislations or their regulations or their new directions that they are going to do, there is a consultation process with the Seniors Directorate. In fact, a lot of times the Seniors Directorate will arrange to bring in possibly focus groups or utilize the services of the Council on Aging. The Council on Aging, that I referred to earlier, is a very good sounding board, if you want to call it, of some of the things that are being proposed from various areas because it represents seniors from all areas of not only Winnipeg but Manitoba, and they act in an advisory capacity to the minister's office.

The other departments are aware that when there are seniors concerns or natures of change that are going to be affecting seniors, there is a contact to the Seniors Directorate, and the Seniors Directorate will be utilized as an analytical pool or a place to get further information or direction as to how to work with seniors. So there is a fairly close relationship between all departments and their knowledge that the Seniors Directorate is there, and if they are dealing with seniors problems or seniors programming or anything of that nature that our department is contacted. From there, then, the co-ordination of efforts come about, and the people will be involved with getting some sort of direction from our seniors people.

So there is that interdepartmental liaison and co-ordination, so it does happen.

* (1720)

Mr. Santos: Mr. Chair, in the organizational chart that we have been referring to, the Manitoba Council on Aging, headed by Dr. Hampton, there are how many members of that body?

Mr. Reimer: There are 15 members in there from all—like I mentioned earlier, there are members from various parts of Manitoba. We try to get regional representation and people from different towns. The chairperson, Mr. Hampton, is from Brandon. He is a recognized doctor in Brandon and he serves as a very, very strong chairperson of that board and has shown a very keen interest in the council.

The membership is fairly constant, like I say, the 15 members. There is one vacancy right now, but that will be filled later on. So it is an active board. They meet about every two months, and we have sent this board out to various locations throughout Manitoba.

The idea is that it is not always held in Winnipeg. We try to get it into the small towns, in Brandon, and as mentioned earlier, we have sent it up to Churchill to talk to the seniors there, too. So it gives us a very good cross-section of concerns that are brought back to my attention.

Mr. Santos: Mr. Chairperson, as we stated before, Winnipeg has the largest concentration of 65-and-over seniors. According to this table, which is produced by the Manitoba Health Population Report of June 1, 1997, the next largest concentration will be Brandon—oh, Central they call it because it is by regional health authority. That is 13,434. Then next will be Interlake, 10,032. Is this representation on the Manitoba Council on Aging by territory or by population?

Mr. Reimer: When we are looking at the membership of the board, we try to look at the area, not necessarily the population. It is the Westman area or the Central area or the various areas themselves. In all likelihood, they do come from, a lot of times, some of the towns in that particular area. But we try to get people who are living in the area more than by the town itself.

Mr. Santos: Is it possible to get a picture if it is by area? I would like to see a listing of the members there and the area they are supposed to represent, if I can have that kind of information.

Mr. Reimer: Sure, we can get the list for the member. On that list, it will have the home towns of those individuals.

Mr. Santos: If possible, the area should be designated by the classification regional health authority, so I can correlate it with the distribution of population by regional health authority. The listing here, if I may be able to put this on the record, may I?

Regional health authorities in Manitoba: Marquette is recognized as one area, for example. Is there a representation on the Council on Aging from Marquette? There were 7,400-and-something seniors there.

Mr. Reimer: We do have someone in that particular area, yes. We can co-ordinate that for you, if you like.

Mr. Santos: Do you have the listing right with you or not?

Mr. Reimer: We can get that listing for you.

Mr. Santos: Because we can ask one particular area and then ask how many members from that area. In Winnipeg, for example, the largest, 88,000 seniors, how many from Winnipeg are sitting on the Manitoba Council on Aging?

Mr. Reimer: About half.

Mr. Santos: One-half.

Mr. Reimer: Yes.

Mr. Santos: That is not reasonable, because it corresponds with the population distribution. Central, which is classified Central, there are 13,000 seniors from Central. I do not know what area is covered by Central. How many will be from Central on the Council on Aging?

Mr. Reimer: I have to admit to the member that a lot of the times I do not know where the towns in Manitoba are located, you know, by their

names. I think what we can do is when we are referring to the various regions that the member has before us, what we can do is when we give the list for the member, then we can correlate the names to the regions. As much as I have lived in Manitoba all my life, still a lot of times when people mention towns' names I just do not know where they are at times, or the regions themselves, I should say—well, both, regions and towns.

Mr. Santos: Maybe I will take some territory which is familiar, South Westman, if they are represented on the Council on Aging.

Mr. Reimer: Yes, that would be the representative from Brandon.

Mr. Santos: What about southeast Manitoba, Eastman?

Mr. Reimer: We have someone, I believe, from Steinbach or Niverville. Niverville I think it is.

Mr. Santos: Is there any representative from the Interlake?

Mr. Reimer: Yes, one from Gimli.

Mr. Santos: All I am driving at here is whether these are truly representative, because this provides the Minister responsible for Seniors with information, with consultation, with all these things, and unless the areas are evenly represented they cannot speak for all of Manitoba.

I am going on now with what is happening in this province. In November 1996, the present government in power withdrew its \$27,000 annual grant to the Creative Retirement Manitoba. This program is an organization which serves approximately a thousand seniors. They spend approximately \$100,000 in seniors programs annually. The contribution of the province is \$27,000, and it withdrew its contribution. Is there any plan to restore some of this?

*(1730)

Mr. Reimer: Mr. Chairperson, I should point out right from the outset that the grant that was

given to Creative Retirement came from the Education department.

It did not come from our department or the Seniors Directorate department, it came from Education. I believe at the time when Education stopped supplying the grant that there was a couple of years of transition where they knew that the program funding was going to be eliminated. Since that time, I think Creative Retirement has been given some programs and some funding, program funding through MPIC to do a program for what they call the 55 Alive program. It is a program that MPI is running. They are now getting some funding through that avenue. But the Seniors Directorate was not a funding source for Creative Retirement.

Mr. Santos: Mr. Chairperson, the minister will appreciate now why I have been butting and arguing that the Seniors Directorate, as a department of government, should be a source of funding and not rely on other departments, because if it were the one that is involved in making these grants to Creative Retirement Manitoba, in times of scarcity can we draw the grant like it has happened, but in times of economic prosperity as we thought the province now is on a start leading to that kind of economic performance in this province, then it can again restore it. But since it came from the Department of Education, what can the Seniors Directorate do?

So all the more there should be some kind of reorganization in government where all the programs directly affecting seniors should be funded from Seniors Directorate, and all the other departments, huge as they are—it will be, more or less, efficient, effective and responsive if these programs are transferred to Seniors Directorate. What would the minister say to that, to his colleagues in cabinet?

Mr. Reimer: A lot of what the member for Broadway is saying is true in the sense that there is a need for the co-ordination of information and programming and the emphasis as to the benefits of seniors and in regard to the programming funding and the source of it. I think what comes into prevalence, though, is because there is sometimes a specialization of concerns in regard to say the education portion

of programming, that there is a component of seniors, the accountability and the direction is more adequate to be served through an educational component. There is still that consultation process available by the department to the Seniors Directorate for the information and for the guidance that we would put into any type of analysis that Education is working with in regard to, say, creative retirement. So there is still that linkage in their contact.

I can see also funding of a certain nature possibly going through some of the other programming departments, like Family Services, where the uniqueness of certain conditions or situations in regard to seniors would fall within the Family Services portfolio and their purview of dealing with seniors. I can see that happening too. But, there, again, I think there is always that overview made by, say, the Department of Family Services to the Seniors Directorate for an awareness program and/or a direction program.

So I believe that there is a mechanism that is working there now, and there is always, like I said earlier, room for improvement as to being more proactive in the sharing of information and looking for the benefits that this information can generate. So those are some of the things, I think, that make it more of a positive initiative, not only by the department that is initiating the program but on the department, like the department of the Seniors Directorate, to respond to it. So the sharing of information is just as important as the direction of the programming and the funding towards the programming.

Mr. Santos: The minister may say that sharing information is good. Of course, it is good, but information by itself will not deliver the necessary services that seniors need unless the program that has the clout, that has the money, is able and willing to make such kind of assistance to seniors in need.

All I am saying is that co-ordination will be eliminated. All the manpower input needed to co-ordinate will now be devoted to carrying out substantive programs if this program is directly given to Seniors Directorate because the clients are seniors. Why go through the co-ordination and expend all this energy co-ordinating and

sharing information if nothing in the end will happen because the discretion to grant or not to grant resides in somebody else's hand other than the minister's hand?

Mr. Reimer: With the transference of programming, I think that there is a lot of expertise that goes along with programming in various departments. I am thinking of the logistics of trying to co-ordinate some of the programming and some of the capabilities of other departments and how that could be transferred or duplicated if it was transferred to the responsibility of the Seniors Directorate. I think that those are some of the things that would have to be looked at very seriously, the logistics of redirecting programming and staff and the whole parameters of what the individuals are involved with in regard to say a seniors program in Health or a seniors program in Family Services or in Justice even. I think that those resources possibly may be disruptive in trying to transfer them all into one portfolio. I think there is a benefit to emphasize more of a co-ordinated action and a liaison between the departments so that there is awareness more than there is the transference of the total programming capabilities, like say to the Seniors Directorate.

If there is a closer co-ordination and a co-operation between say the Seniors Directorate and Family Services or the Seniors Directorate and Justice and the input capabilities by the Seniors Directorate to bring forth suggestions or changes, I think that is just as important as to have that type of capability as to say moving the program into the Seniors Directorate where the decision can be made. The decisions still can be made, and the decisions can be made through the host department, whether like I say it is Justice or Family Services, but the input and the direction that we would provide through the Seniors Directorate can have just as significant impact as to the outcome as if we had the final decision as to the programming itself.

* (1740)

Mr. Santos: Just to demonstrate the efficacy of a transfer of a unit or a program, was it not a fact that the Manitoba Council on Aging was one time linked with the Ministry of Health?

Mr. Reimer: The member is right. At one time it was under the Health department, but as the concerns of seniors evolved it was transferred to the Seniors Directorate because the Council on Aging were then given the broader parameters of looking at all aspects of seniors problems other than just health because when it was the Council of Aging under the Health Department it was restricted to health initiatives.

Now, that Council on Aging, because it is redirected under the Seniors Directorate, has the ability to look at not only health issues but transportation issues, recreation issues, programming of different sports. So I think the Council on Aging now has a lot broader parameters to come forth with recommendations to government. Before it was singularly purposed for health issues and I think, as the member has alluded to, there are so many other things that are involved with seniors and their whole outlook to life and the directions that seniors want to go that it was felt that it should be under the Seniors Directorate because it then opens up a whole new scope of interpretations for them to come back to government and to the Minister responsible for Seniors for direction, so I think it was a better move to move it into the Seniors Directorate.

Mr. Santos: Mr. Chairperson, I cited this as a specific and concrete thing that had happened, and there is no problem of logistics that the minister is—all it needs is the readjustment of its jurisdiction, development and enlarging of its responsibilities. The same thing will happen in any other program that concerns seniors primarily. If that program is transferred substantially to Seniors Directorate, then it can grow and develop itself into a legitimate program of its own, and, of course, initially some of the expertise will have to go along with the program, in the same way that this happened with the Council on Aging. I do not see any problem with that. It just takes a little bit longer to make the necessary adjustments.

The government, like society, has different functions; like our body, it has different functions. The hand cannot be the feet. The feet are for walking; the hand is for grasping. Our digestive system cannot be the same thing as our circulatory system. The same thing in

government. Everything is related to everything else, but there are some primary functions that should be concentrated with some agency and some entities that should primarily be responsible for it.

All I am saying here is that all of those programs scattered all over the various departments of government that primarily concern seniors and affect seniors primarily, should be within the Seniors Directorate. It may contract out the service to some of its delivery agencies, but when they affect seniors primarily, the money, the funding, the power, the jurisdiction should reside with Seniors Directorate.

Take an example, Pharmacare. As affecting seniors, it should be within the prerogative of the department of Seniors Directorate. Whatever changes it may want to implement with respect to that program, the input should be coming from seniors, passing through such agencies like Council on Aging, and then the implementation and the decision should be made by Seniors Directorate. If you rely primarily on the Ministry of Health, they have other concerns other than seniors. There will be no focus, no efficiency, no effectivity, no responsiveness. All your advice, all your sharing comes to nought if it can conflict with other priorities of the Department of Health.

An Honourable Member: Such as.

Mr. Santos: Let us say Pharmacare. They want to broaden or to cap some of the listings in these eligible items in Pharmacare. Who should determine that one? Those who use those kinds of medications, seniors, and they will give the advice to the Council on Aging. The Council on Aging will give it to the minister. The decision will be in the minister's hands, not with the Minister of Health. That is just an example because it has happened already with this Council on Aging.

Now, let us look to another thing that we can cite as an example for the purpose of time. In August 1997, St. Boniface General Hospital launched a fundraising campaign to raise \$12.6 million, purportedly for a research centre dedicated to health research on aging. The

provincial government had pledged \$2 million towards this project. Is that pledge carried out or not?

Mr. Reimer: I have got to admit, I do not know. I imagine that we would have to find out and get back to the member for that. We can do that, though.

Mr. Santos: Mr. Chairperson, in June 1997, the same month, the current government in power launched a program called Through Other Eyes, a workshop designed to help Manitoba businessmen better accommodate the needs of the aging population.

My question is: how is that being implemented now? Is there anything that is going on in the Seniors Directorate related to that?

Mr. Reimer: The program has shown to be quite beneficial actually for the people who have taken the course. The course is set up in a way that what we do is there are certain restrictions that are put on people to get the sense that they are seniors, like weights on their arms or working with gloves or glasses that have Vaseline smeared on them a bit to give a bit of a fuzzy appearance when they look through them, weights on their ankles, and put through various experiences of dealing with the public as a senior would feel.

We have put on programs with the Royal Bank. We have put on programs with Eaton's. We have put on some of the programs with our own departments that are involved with seniors. Like my Housing department, we have put on this program so that people will come out. They have an awareness of what it feels like to be a senior in certain situations. So that way when these people are dealing with seniors, there is an empathy brought into their decision making so that they have an awareness what seniors are feeling or what they are up against.

There has been mailers that go out to the businesses, advising of this programming. The Highways department has gone through this program because they deal a lot with seniors. We have had good response from it. It is put on by an individual that has good acceptance.

* (1750)

Mr. Santos: Mr. Chairperson, there might be mailings and all these reminders, but how does the department, the Seniors Directorate, measure the impact, the effect of this on the actual behaviour and attitude of the businesses and other deliverers of services?

Mr. Reimer: We have actually had fairly good positive feedback from the associations that are putting it on. A good example was Eaton's store. When they started to go through the program, they realized that their signage could be done better, because they did not recognize that certain aspects of what the seniors see or the height of it is nonvaluable for Eaton's and their merchandising techniques and their abilities to service seniors.

I think that the feedback that we have from all the organizations that have gone back, the comment is made that we did not realize that this was the way these things turn out and that they have the ability to now, like I say, put themselves into position and it has made a difference. It has made a difference to every group that has taken these programs.

Mr. Santos: Mr. Chairperson, in August 1997, the current government cut funding to the Support Services to Seniors Program. This program was designed to assist the frail and at-risk seniors so that they could maintain an independent-living style even if they wished to stay in their respective homes.

Then in May 1998, the same government announced it would reinvest \$445,900 into the Support Services to Seniors for the development of some 26 new projects and for the expansion of some 32 pre-existing projects. How many of these projects are directly under the control of the Seniors Directorate?

Mr. Reimer: The funding for the Support Services to Seniors was actually reinstated—not reinstated. It was not cut, but it was added to because there was a bunch on the waiting list that we wanted to get the funding to before the RHAs took them over. The funding through that flowed through the Health department.

Mr. Santos: Mr. Chairperson, I would like the minister to make one commitment that he will fight cabinet and his colleagues that all those programs directly affecting seniors, their welfare, their concern, should be as much as possible concentrated in his own department, and if he can make that commitment here, we will pass these Estimates.

Mr. Reimer: What I can make a commitment to the member for Broadway is that the programs, any efforts that can be done to make things better for seniors, whether it is through cabinet decisions or caucus decisions or something like that, will be actively pursued by myself, because as the member for Broadway knows, seniors are very, very important. The co-ordination of activities a lot of times get lost in the shuffle. That is something that we in the directorate do not like to see, and that is something that we are trying to eliminate as much as possible.

Mr. Santos: Mr. Chairperson, 88,000 seniors are a sizeable segment of the population. It could affect elections, so the minister should do the best he can to please this segment of the population. They are a powerful group, and I think he should always bear that in mind.

The Acting Chairperson (Mr. Rocan): Item 24.1. Seniors Directorate (a) Salaries and Employee Benefits \$523,600—pass; (b) Other Expenditures \$403,600—pass.

Resolution 24.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$927,200, for Seniors Directorate, Seniors Directorate, for the fiscal year ending the 31st day of March, 2000.

24.2. Amortization of Capital Assets \$1,800—pass.

Resolution 24.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,800 for Seniors Directorate, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000.

This concludes the department of Estimates for the Seniors Directorate. I want to thank the minister and the critic.

The hour being 6 p.m., committee rise.

JUSTICE

The Acting Chairperson (Edward Helwer): Would the Committee of Supply please come to order. This section of the Committee of Supply will be dealing with the Estimates of the Department of Justice. Would the minister's staff please enter the Chamber.

We are on Resolution 4.1. Administration and Finance (b) Executive Support, on page 107.

Mr. Gord Mackintosh (St. Johns): Before we get into other matters and continue with the line of questioning on the so-called gang hotline, I just want to provide the minister with correspondence that I had sent, carbon-copied to the Minister of Highways and Transportation (Mr. Praznik). I was not sure and I cannot assume, I suppose, that the minister would have received this from the Minister of Highways.

I will just read the letter into the record. It is a letter addressed to Councillors De Smedt and Vandal of the City of Winnipeg. It says:

"One of my constituents has contacted me to raise an issue that I believe warrants attention. Mr. Ed Terlecki, who lost a neighbour to an accident at the busy crosswalk at Main and Jefferson, is concerned for public safety during the upcoming Pan American Games. He points out that the influx of out-of-province visitors may put pedestrians at a greater risk; these visitors will tend to be unfamiliar with our unique crossing signals, and thus fail, to stop.

"In view of this increasing danger, can there be an effort to raise visitors' awareness, for example, through brochures handed out at tourist information sites and car rental agencies or billboards on the main highways entering the city? A pedestrian awareness campaign may also be advisable.

"I look forward to hearing from you."

* (1450)

The letter is dated May 27. Since I have been made aware that the minister and his

deputy have had discussions about some kind of publication to advise visitors to the city of unique Manitoba laws, and presumably underlying that would be a concern to maintain public safety above all else. If that is the case, I am wondering if the minister has considered this yet, and if not, whether he would consider putting in something about our crosswalks.

I might add that we did make some calls around to some other jurisdictions, and we are advised that there are indeed some other major North American cities with crosswalks similar to what Winnipeg has, but many jurisdictions do not have such crosswalks, even as near as Fargo, for example.

The minister surely is aware that these crosswalks are, from time to time, not properly used by pedestrians and from time to time are not properly observed by motorists. Some people have referred to these crosswalks as death traps. I know improvements have been made, particularly with the installation of the push-button activated lights. Some, though, do not have that. Most do. But even today we see cars sometimes just glide right through a crosswalk when the lights are activated and a pedestrian is partway across the road. Often, and I think it is a shared experience of many, the vehicle that is gliding through is an out-of-province vehicle.

Now this particular crosswalk is not the only issue obviously. This is a particularly busy one, but it pertains to all the crosswalks in Winnipeg. I am just wondering if the minister could make an undertaking that, if they are proceeding with a publication, this would be included.

Now, having asked that, I also want to make this observation. I think that putting it in a publication along with other issues might bury this. This matter I think deserves, as well, some further notice to visitors, whether it is through billboards, which I think could be cost-shared between the province and the city, but as well with some publication perhaps to car rental agencies that is directed specifically at visitors. In other words, this is a matter I think of public safety, and I think the observation of my constituent is a very valid one, and I just wonder if the minister can now respond.

Hon. Vic Toews (Minister of Justice and Attorney General): I thank the member for that question and for the expression of that concern. I think that when we deal with issues related to the rules of the road, the first responsibility, of course, is the licensed driver has that responsibility, that the licensed driver understand what his or her requirements are when operating a motor vehicle in any particular jurisdiction. It is a very confusing thing from time to time, but that does not lessen the obligation of every driver in the jurisdiction, including people from out of province, to familiarize themselves with the rules of the road.

I have travelled throughout the world and have driven in many countries, including Mexico and Spain, throughout most of Europe, and it is true that the rules change and the ways of doing things change in each jurisdiction. We do not have to go as far though as Mexico or Spain or other parts of Europe. We can look at jurisdictions right here in Canada which have different traffic control devices for different uses. I know there is a jurisdiction, I believe that is here in Canada and I believe it is British Columbia or Alberta, that, when there is a flashing green light, it means: take caution before you proceed to the left in going across an oncoming lane of traffic.

In Manitoba, when there is a flashing green light it means that you can safely turn left, as I understand it, so even here in Canada we have differences in that. Another example that comes to mind is that I believe in almost every jurisdiction of Canada except one, right turns on red lights are permitted. I think the only exception is Quebec. I could be mistaken on that, but I know there is one jurisdiction in Canada that does not permit that.

So there are, even within Canada, a multitude of different laws depending upon the particular highway traffic act in place. Not only that, in respect of the city by-laws, city signs and zones, those differ again from province to province. So I think it becomes a very difficult issue when we start naming some of these rules and say: this may be different from your jurisdiction. Essentially, a driver coming to a new jurisdiction and has to pick up the entire rules of the road book from motor vehicles,

study them, familiarize himself or herself with that in order to ensure himself or herself that in fact they understand the requirements of the road.

The member correctly pointed out that members of my department, after I directed them to look at this issue, or they may have already been considering it—often they are doing things in the public interest without ministerial direction or input—we suggested that we look at the issue of publishing in a pamphlet, unique Manitoba laws that may be outside of the context of the very specific differences in highway traffic acts in various jurisdictions. Again, even in the American experience, we have numerous differences in the various states in that respect.

* (1500)

So we looked at that particular issue, and indeed I can tell the member that, as late as this morning, we discussed this issue with the deputy minister. The deputy minister drew to my attention the tourism booklet that has been published for the Pan Am Games. Within that booklet, in fact, there is some setting out, generally speaking, of the laws of Canada and the laws of Manitoba that make it somewhat distinct. I noted, for example, they talked about the gun laws in Canada which are appreciably different from laws regulating guns in the United States and perhaps in other jurisdictions. The tourism booklet also pointed out some rules of the road in respect of the consumption of alcohol. As I recall that booklet, it specifically mentioned the .05 law that we passed here in Manitoba where your car can be seized for a period of time where you blow over .05. It also mentioned a law that is still not universally accepted in Canada or has not universally been passed by all jurisdictions in Canada, and that deals with the seizure of motor vehicles for suspended driving.

The concern that was raised—and members of my department have discussed this with various authorities, I believe, including the police—was that publishing a separate booklet over and above that general information would, in fact, perhaps leave a negative perception about the tourism opportunities in Manitoba.

Indeed, not long after I gave that interview in one of the newspapers, I either read it or someone drew it to my attention that a person wrote in a letter complaining that I would even suggest publishing a separate booklet outlining Manitoba's laws, because it would give a negative perception about Winnipeg and the Pan Am Games.

I recognize that concern, but as the member for St. Johns (Mr. Mackintosh) has pointed out, there is a public safety issue. I think we need to not only cater to the needs of tourists in terms of ensuring that they enjoy themselves, we also need to ensure that while they enjoy themselves, they do so safely and within the bounds of the law.

So the discussion this morning, without getting into too much of the detail, centred around the issue of whether or not there should be perhaps a specific booklet sent out to very targeted areas where tourists would perhaps come into contact with them.

So, for example, if we targeted rental agencies, specifically, where rental vehicles were utilized, or ports of entry coming into Canada from the United States or indeed at our tourism information offices, should there be a pamphlet specifically addressing certain specific laws unique to Manitoba? The laws that we focused in on were more laws that deal with the seizure of motor vehicles. So in addition to the tourism booklet that sets out those laws, we are considering and we will discuss with various agencies the utility of a targeted pamphlet in specific areas to see whether or not that would not benefit public safety.

Now I have heard the member's concern in respect of the specific issue of crosswalks. While that is a very important issue—and it is certainly something that I see no reason why the city cannot consider that particular issue—what about all of the other differences between our Highway Traffic Act and motor vehicle regulation legislation in other jurisdictions? So it is not as simple as simply putting up billboards warning people about crosswalks. Where, then, do we draw the line in terms of what a stranger or a foreigner to our jurisdiction would need to know?

Mr. Mackintosh: I am just trying to interpret what the minister said then. Is he saying that he does not favour, first of all, the brochure or publication to go out to tourists generally, although he may be in favour of one in a targeted way? And, second of all, he is not inclined to favour including in that publication a warning or an explanation of Winnipeg's crosswalk system.

Mr. Toews: As indicated, this is not a decision that I would make by myself. This is a decision that would be made in conjunction with a number of agencies having a better understanding of the totality of the issues involved. As I indicated, I have no difficulty with tourists receiving the general publication book that is already available to them and I believe has been published by the Pan Am Games Society or in any event an organization linked to the success of the games, ensuring the success of the games. I believe it is by the Pan Am Society.

I do not want to underestimate the potential for injury to someone who gets into a motor vehicle and then without knowing the rules of the road proceeds to drive that motor vehicle in a manner that would assume that the rules of the road in Manitoba are the same as in other jurisdictions.

As I indicated, there are substantive differences in the law that are glaring differences that other jurisdictions have not incorporated. I simply point out laws like the seizure of motor vehicles in the province of Manitoba.

* (1510)

The issue with respect to how much information needs to go out is also a problematic one. Once you give information, you have to make sure that you are not misleading anyone. So let us deal with matters like the seizure of motor vehicles for prostitution-related activities. In that context, virtually every jurisdiction that I know—but I am probably wrong; it is not an area that I have much experience in, in terms of travelling around the world. Most jurisdictions, if I could say, have some kind of prohibition against prostitution-related activities. I know that there are some jurisdictions that do not have

those prohibitions, but, Mr. Chair, generally speaking, I think people know that certain legal consequences can flow as a result of propositioning streetwalkers or prostitutes generally. The question, then, is: do you also let them know in Manitoba that, in addition to the legal consequences that could flow, in Manitoba we specifically have laws that deal with the seizure of motor vehicles where a person conducts himself or herself in a particular way?

That issue by itself is not a difficult one. The question is: how is this information conveyed to people coming to our jurisdiction? And as many problems as we may think of in terms of communicating that information and the seizure of motor vehicles information generally, compounds when you get into the myriad of detail, when you look at the distinctions in The Highway Traffic Act. The control devices on crosswalks are not unique to Manitoba. They are in many jurisdictions in one form or another. Indeed, I think the figure of the person walking and the X is recognized in many jurisdictions as indicating individuals have a limited right-of-way over motor vehicles.

I daresay that even among Manitobans, many of them do not know the rules of the road regarding crosswalks where these flashing signs are. If the member will recall when those crosswalks were still installed before the flashing lights, there used to be signs 50 or 100 feet before those crosswalks which stated: Do not pass to X. For some reason or another now those signs do not appear to be there anymore. They simply have the push button right on the crosswalk which activates the flashing lights.

So how many people in Manitoba know today whether they can pass another motor vehicle within those 50 or 100 feet before the crosswalk, even when the lights are not flashing, or whether they are free to pass in that area provided that the sign has not been turned on, and that is by activating the button?

So I am not opposed to in a very practical way advising members of the public what the rules of the road are, but it becomes almost an insurmountable problem in terms of determining which ones do you mention and which ones do you not mention.

Let us say we had massive billboards all over the city, and I am just speculating here, saying: when you see these flashing lights, you cannot cross that walkway. The entire Pan Am Games goes off without a hitch; not one person is injured or dies on those crosswalks as a result of a collision with a motor vehicle. What happens though if a driver coming from another jurisdiction where the flashing green light does not mean that it is safe to turn, as it does here in Manitoba, what if this flashing green light signals to that driver, as they do in some jurisdictions, that it is not creating a right-of-way for you? It is simply saying that it is permitted to turn left provided there is no oncoming traffic. So, if that driver was then killed, the member, I know, would stand up in the House and say: You spent all that money on advertising a crosswalk and not one dime was put forward to explaining the significance of the flashing green light, and not one dime was spent to explain the significance of the flashing red light which permits drivers to turn right, provided there is no traffic coming through the intersection on a perpendicular right or direction of travel.

So it is not that I am opposed. I think what we have to look at is what is the responsibility of the driver who either comes to this jurisdiction in their own motor vehicle or rents a motor vehicle in this jurisdiction for a period of one or two weeks. Does that driver have the right simply to say, well, I have a licence by informal or other means of reciprocity? I am entitled to use this driver's licence to drive on the streets of Winnipeg or the streets and highways of Manitoba, and so I do not have to concern myself because, you know, the only difference really between Manitoba law and the jurisdiction I come from is this flashing red light. They have warned me about it in billboards, or this flashing light at a crosswalk, they warned me about it in billboards. So, as long as I remember those two things, I will be all right. Well, the matter is not that simple. There are literally dozens of differences between jurisdictions and what is permitted.

The other day I was driving in a motor vehicle with a police officer. We were at an intersection with a light, and the light was green. The police officer driving this vehicle made a U-turn under the light. Now I always understood

from my driver training many, many years ago that you could not make a U-turn under— [interjection] The member for Turtle Mountain (Mr. Tweed) asks if they had red lights back when I took driver training. [interjection] Well, I guess it was a little more informal then. I think it was sort of my father sitting in the seat next to me giving me the benefit of his wisdom.

I was told, and I believe the driver training books at the time indicated you could not make a U-turn at an intersection governed by a set of lights. So when I saw this officer do this, I thought to myself now here is an opportunity to ask somebody without jeopardizing myself. In fact, he indicated that I could make that kind of a U-turn, as he did. So I am just hoping that that direction or that advice from that peace officer was correct.

* (1520)

Frankly, Mr. Chair, if I go out tomorrow and I am at an intersection and decide to make a turn on a green light, a U-turn on a green light, and another police officer stops me and says, look, one of the most basic things you probably learned in driver's education is that you cannot do that, the obligation is still on me to determine what the rules of the road were. I may have a good case to make before a judge if I wanted to explain my position in that way, but ultimately, under our Highway Traffic Act, if I rely on bad information that does not excuse my conduct.

When a government puts itself in the position of advising people on what the law is, it has to be very careful to the extent that it wants to do that, or should properly do that, because to the extent that a government advises a certain course of action is right in that context, some measure of liability might fall upon the government.

For example, if you look down a highway and there are dotted lines and those dotted lines would signify to me that there is a degree of reliance that I can place in those lines to allow me to pass a motor vehicle that I might be following, if I then rely on that dotted line and pass, and for some reason the highway crew in putting out those dotted lines did not follow the right procedures, did not take into account a

significant dip that would have hidden oncoming traffic, and I am killed, my estate would have some measure of grievance against the province. So, while I have a great deal of sympathy for what is being stated here, what we need to do is ensure that we are also not misleading and that we do what is possible, realistically possible. So, having said that, then I hope that has made my position clear.

Mr. Chairperson in the Chair

I will have my deputy minister forward this on to the Minister of Highways (Mr. Praznik), because I see that this letter was in fact addressed to the City of Winnipeg and copied to the Minister of Highways. I will seek any direction from him or advice from him and perhaps the departments can see if there is something that can be done in this particular case that meets all of the objections and concerns that I have and, in fact, ensure that public safety is maintained.

Mr. Mackintosh: The second preliminary matter going back to the appointment of Leonard Doust, given that we are looking at four working days now, has the minister or his department or any officials in his department received the report of Mr. Doust since we discussed this yesterday?

Mr. Toews: As indicated last date in Estimates, there is in fact a time limit that was set out in the terms of reference agreed to by the individual referenced by the member for St. Johns. The status of that situation has not changed since yesterday.

Mr. Mackintosh: Has the special counsel, Mr. Doust, sought any amendment to the terms of reference since it was concluded on April 30?

Mr. Toews: Mr. Chair, if I believe this is the same question that was asked yesterday, there was no amendment sought or no amendment granted since the terms of reference that have been made public were concluded.

Mr. Mackintosh: My question yesterday was just specifically on the deadline. Has the department received any further information

from the special counsel since we discussed this yesterday?

Mr. Toews: There has been no contact, Mr. Chairperson, of any sort since yesterday.

Mr. Mackintosh: Yesterday I asked if the minister could provide the directions that were issued by his department regarding the gang hotline. I am wondering if the minister has those materials now.

Mr. Toews: I do not have any additional information at this time. Perhaps my misunderstanding was that Family Services in the other committee room was proceeding and that I had asked my deputy to prepare this information in whatever form we eventually agreed to by Monday. I am hoping that will be prepared by Monday.

Mr. Mackintosh: Yesterday we also had requested the minister to confirm how many calls were logged on the gang hotline between the date of December 8, 1998, and May. The minister, as I recall, said he thought there were eight calls logged in total. I wonder if the minister can confirm or expand on that answer today.

Mr. Toews: That was not what I stated yesterday, but indeed what I would suggest is that we leave this matter for Monday when all the information that I should disclose is before me and also to allow my officials to consider whether it would be appropriate to release any numbers outside of the context of the numbers that have already been disclosed in the House.

Mr. Mackintosh: Is the minister aware of whether the Winnipeg Police Service, which I understood from the minister's comments administered this line until May 10, kept a record of how many calls were being made to the hot line over time?

Mr. Toews: I have no knowledge of how the City of Winnipeg retained its information or the Police Service retained that information in its administration of the phone line.

* (1530)

Mr. Mackintosh: Last week the minister stated publicly that the tracing of 9-4-5 numbers was done to monitor and prevent internal abuse. I wonder if the minister can explain what he meant by that.

Mr. Toews: I do not think that gives the entire context of the conversation that I had with members of the media outside of the House relating to that issue. One of the things that I made very clear to members of the media was that we would be looking at these matters and getting back to them very quickly with the information that could be provided. Indeed, I believe it was at 4:30 on that same afternoon we provided them with information that, in fact, has been tabled in the House already.

The issue of tracing, of course, should be made clear. The department did not engage in any active tracing of phone lines in that sense of the word, but, again, that is what my information is. I have no reason to doubt that, but I will be receiving the information that I can share with the member on Monday. If anything changes in respect of any pertinent facts or if any pertinent facts are drawn to my attention that may be of use to the member and I am properly entitled to divulge them, I will do so.

Mr. Mackintosh: I simply asked the minister why he said that the tracing was done to prevent internal abuse. Was he aware that there was some misuse of the line by people who are employed by the government of Manitoba with 9-4-5 numbers? Why was it that this particular software option was contracted for for the gang hotline?

Mr. Toews: That is information that my staff can provide me with. I will deal with that on Monday.

Mr. Mackintosh: When did the minister receive information with respect to calls that I had made to the gang hotline? What was the date?

Mr. Toews: Again, it is information that is being put together for the benefit of the member. I believe that that is information that I can share with him in due course. I will provide that to him in the course of these Estimates.

Mr. Mackintosh: I am just asking the minister to just go by personal recollection here. It is not a matter that he has to rely on his staff for. I am just asking what is his recollection of when he received that information.

Mr. Toews: I would rather confirm that recollection with any notes that might be available. So I am not prepared to engage in speculation. There are literally hundreds of pieces of information that come forward to my attention on a weekly basis, and exactly the hour and time and date is not always easily identifiable. I will, in fact, make every reasonable endeavour to determine to my satisfaction when that information came to my attention, but I do not recall the specific date with a sufficient degree of accuracy that would allow me to speculate at this time.

Mr. Mackintosh: The information that was provided to me stating when calls were made from my office number in the Legislature here were given in a handwritten note that was prepared by Mr. Haasbeek, I understand, from another piece of paper, another document. I am just wondering if the minister can tell us what the document was that Mr. Haasbeek copied from and who had prepared that document.

Mr. Toews: If the member can show me that document, I can identify whose handwriting it was. If I could see that document, I can identify that document and then make that determination.

Mr. Mackintosh: No, the issue is, because I understand from Mr. Haasbeek that he did that, he told me that on Friday, but what document did the information come from? What was it? Was it a handwritten note from Ms. Huggan or what was it? What was the document that listed the calls to the gang hotline?

Mr. Toews: Well, if you can show me the document, I will identify it, and if I cannot identify where it came from, I will endeavour to find out where it came from.

Mr. Mackintosh: No, I want to make it clear to the minister that my concern is not the document I have. The document I have was prepared by Mr. Haasbeek, according to information given to me by him on Friday. I want to know what

document Mr. Haasbeek got his information from and who prepared that document.

Mr. Toews: Again, I think we are just going in circles here. The member produces the report or the document, I will identify it, and I will get you the information.

Mr. Mackintosh: Well, let us put it a different way then. What document did the minister have or his staff have which was the first indication of the calls that were made to the gang hotline from my office? Was it a document prepared by a staff member, or was it a printout from Manitoba Telecom Services, or what was it?

Mr. Toews: This is information that my staff is putting together.

Mr. Mackintosh: Further to the written document provided publicly last week on the 9-4-5 numbers being traced, is it the minister's understanding that, in order to know who was calling from a 9-4-5 number, the person retrieving the messages must actually make a conscious effort and push the number five on the telephone?

Mr. Toews: That is not my understanding, but I could well be corrected by information from the department. I have no knowledge of how this particular information would have been retrieved with any accuracy nor to answer that specific question.

Mr. Mackintosh: Can the minister explain why a 9-4-5 number was being used as the gang hotline when it was essentially to be a police phone number and a police operation?

Mr. Toews: Well, I will ask my staff to make a note of that and in fact answer that question to my satisfaction. I can provide the information to the member. When the phone line was set up, it was before my tenure as minister, but I am certainly prepared to answer for the actions of the department prior to that time, and so I will make the appropriate inquiry to see whether or not that information is available.

Mr. Mackintosh: Can the minister tell us when he became aware of delays, and significant delays at that, in returning or retrieving messages that were left on the voice mail of the gang hotline?

Mr. Toews: As I have indicated, I will prepare these answers to the extent that I am able to and get back to the member on that.

I think I have made myself fairly clear that I indicated yesterday in Estimates that this is an issue that I would have my staff pull together the relevant paper. But, by doing this, we are simply going around in circles. I will wait until the staff put that background material together. I do not want to speculate as to when that information in fact came to my attention, because I think it is important that there be accuracy in that respect.

Mr. Mackintosh: Has the minister made inquiries to determine whether there was any tracing of any numbers while the police were in control of the operation of this gang line, assuming the minister's information is correct that it was the police's responsibility up until May 10? If there was tracing, what, if any, use was made of the information?

Mr. Toews: I have not made those inquiries of the police.

Mr. Mackintosh: Will the minister be making those inquiries?

Mr. Toews: I understand that sometime during the course of last month there were discussions with the police. I know very little about the content of those discussions, if anything. I do not know the extent to which I should be asking the police those questions and whether or not, even if I knew, it would be appropriate for me to disclose that because of the issue concerning the sensitivity of the information received.

Mr. Mackintosh: There is concern out there, and I referenced in Question Period yesterday or the day before a concern from a teacher and a student in particular as to what use, if any, may have been made of the tracing capability and any names that may have become known then to authorities. I ask the minister if he will

undertake now to make that inquiry to determine how far back the tracing has been done and what, if any, use was made of names, if the tracing was done.

Mr. Toews: Well, as I have indicated, the province took over the responsibility of clearing that line of information on or about May 10, 1999. Prior to that time, the administration and the functioning of that line was in the hands of the police, just in the same way that other lines are in the hands of other outside agencies. So I do not intend to make that inquiry, unless it is somehow relevant to the Estimates of the Department of Justice.

I want to perhaps mention to the Chair that we have to understand that police are independent of government. I know the member, from time to time, for one reason or another, slides over a very important distinction between law enforcement agencies, whether they are creatures or products of municipal governments or whether they are a provincial police force. They are independent of the actions of the Attorney General, the Minister of Justice and the Department of Justice.

I think it may well be instructive to consider the role of the police in these types of functions and indeed in respect of the role of the police in general investigatory matters. The police, under our system of law enforcement, are the investigative agency. They either respond to complaints made to them about alleged breaches of the law or, in fact, initiate investigations of their own accord, whether they come across them or whether they initiate certain investigations as a result of concerns that they may have.

A police officer, in exercising that responsibility, and that does not just mean the investigation of crime, but generally in his activities is an independent law enforcement officer making independent legal judgments. Clearly the chief of police in a particular situation issues policies, directives, and controls generally speaking the conduct of the police officer, but ultimately, even when you look at a specific information that a police officer may swear to, that information is on the individual peace officer's belief. That is, the police officer

has reasonable and probable grounds to believe and does believe that something happened.

The basis for that reasonable belief, as I have shortened it to state, can come from many sources. It can come from witnesses, it can come from his or her own investigation, it can come from information received from another police officer, but in the final analysis it is that individual police officer who must be prepared to take that oath and say that he or she has reasonable and probable grounds to believe and does believe that a certain course of events has occurred. So that is the role of the police officer.

Let us just set that aside for a moment. Let us look at the role of the Department of Justice. In recent years, the traditional role of the Attorney General has received added responsibilities. Some jurisdictions still look at the distinction between the role of the Attorney General and the role of the Solicitor General.

The role of the Attorney General is to direct prosecutions in a general way. I am not suggesting that the Attorney General gets involved in the actual prosecution unless he or she takes over a specific case and does that prosecution. It is not something that is traditionally done in Canada anymore. I think it was done more in the past. I believe there still are some Attorneys General who try to prosecute one case or so a year. I think the British Columbia Attorney General may do that, I am not sure, at least appears in court on a particular case.

* (1550)

What the role of the Attorney General is in that context is very different from the role of the Solicitor General, the two roles being basically amalgamated in the Department of Justice. The Solicitor General looks at and governs the conduct of police generally and the administration of the prison system. Those roles in some democratic jurisdictions are very clearly delineated.

Indeed, in Great Britain, I believe the practice still remains that the Attorney General is outside of cabinet, that the Attorney General because of his or her direct influence over

prosecutions should not be in cabinet, so that if there are issues involving cabinet, the Attorney General is in an independent position to look at the situation. I think to some extent we still see that not only in Great Britain but in the American federal system of government. The Solicitor General, then, in Great Britain is, in fact, I believe called the Home Secretary and exercises those police powers or jail powers or powers over prisons.

In Canada then, the Minister of Justice, in dealing with these two particular roles, has to be very careful to ensure that, as the Attorney General, there is not interference by his department in the operation of the police in the investigation and uncovering of crime. That is primarily a function of the police. Lately we have also seen brought under the Ministry of Justice more and more programs that traditionally have been orphans, if I could call them that, in the justice system, situations like how to deal with victims in a more effective way.

Generally speaking, in years past, there has not been much consideration in a formal way to victims. They in fact were often left out of the process, and in some respects that is because of the way our justice system developed. The victim was not seen as standing on his or her own right, and to an extent that same philosophy extends to today. But it was always seen that the Crown attorney prosecuting a particular case spoke for the people generally. So that means not only the general public but the victim in particular, and so the voice of the victim was subsumed into that general classification, and indeed the role of the prosecutor in respect of the accused also was important in the context of that particular situation.

I think that prior to 1982, when many of the rights of the accused were by statute or at the whim of—rather than use the word "whim," talk about the changeability of the common law—there was a need to ensure that prosecutors acted independently and fairly towards the accused, so the prosecutor had a very important role to play not only in advancing the state's case, the people's case, but indeed ensuring fairness to a particular accused and also listening to the voice of the victim. That is a very difficult job and

often difficult to differentiate and to weigh these various elements of this very important function.

After 1982, with the advent of the Charter of Rights, which is now a constitutional document, and the enshrining of certain rights towards the accused or in favour of the accused, on a constitutional rather than on a policy or statutory basis, the rights of the accused were certainly protected to a greater extent than had ever occurred in Canadian history. There is, for example, the presumption of innocence enshrined in our Constitution.

Point of Order

Mr. Mackintosh: I wonder if the Chair would be inclined to invoke the rule of relevance here. The question was simply whether the minister would undertake to ask the police if they have been tracing any numbers on the gang hotline over the course of its operation.

Mr. Chairperson: The honourable minister, on the same point of order.

Mr. Toews: Same point of order. This is absolutely essential; this discussion that we are having right now is absolutely essential. The member laughs. That somehow the explanation of the independence of the prosecutor's authority and police independence—and the member laughs.

Mr. Chair, if he is asking me to do something, I want to explain to him why what he may be asking may well be improper. I know what he does if I do not explain myself absolutely clearly. He will twist and he will turn and he will use weasel words.

So I think it is absolutely essential that on the record my explanation stands as to why what the member is asking me to do has a lot of importance.

I want to point out, on the same point of order, this is a member who stood up—

Mr. Chairperson: Order, please. You are moving off of the point of order at this time. I think I have heard enough information on the point of order.

The honourable member did not have a point of order, but I would ask members to attempt to be relevant towards the questions that are being brought forward.

* * *

* (1600)

Mr. Chairperson: The honourable minister, to conclude his answer.

Mr. Toews: Thank you. So the prosecutor has this independent role to play, and through the prosecutor, the Attorney General and the Justice minister has an independent role to play. We were talking about the rights of accused and how they are constitutionally enshrined.

What happened was an acceleration of the recognition of the rights of accused in this context that further alienated, I think, the right of the public as a collective and the victim as an individual to be heard. That is something that we have forgotten when we brought in that Charter of Rights and Freedoms, because it essentially does not address collective rights or victims. What it does is protect an accused in a proceeding brought against that accused by the state in respect of criminal offences.

So we have seen then the development of separate branches in government to deal specifically with what is clearly, in my opinion, a shortcoming in our legal system. That is the appropriate recognition of the rights of the collective public and the individual rights of the victim. That is why many branches in government have been set up to address what I think is a constitutional shortcoming. That might be something that will be worked out, perhaps not in my lifetime but in someone else's.

Point of Order

Mr. Mackintosh: On a point of order, Mr. Chairperson, there are some very serious matters of public safety and issues of breaches of confidentiality, not returning calls made to the gang hotline for periods of five months, perhaps more, and questions about what has been done with information taken from the gang hotline, contrary to what was held out to Manitobans.

This minister wants to engage in a filibuster, and I think it is a disgrace. I ask, Mr. Chair, if he would call the minister to order. The question was very specific, that he, as the chief law enforcement officer for the Province of Manitoba, would make inquiries of the police services in respect of the gang hotline. For him to come in here and talk as if this was Robson Hall is, I think, not serving the interests of the public of Manitoba. I ask that the rule of relevance be invoked.

Mr. Chairperson: The honourable minister, on the same point of order.

Mr. Toews: On the same point of order. The member's statement that he just made indicates the relevance of this discussion, Mr. Chair. He indicated, in his statement, right now, that I was the chief law enforcement officer of the Province of Manitoba.

As I understand it, Mr. Chairperson, and perhaps he wants to correct me on that, I am the chief law officer. That is a very different kettle of fish. That is exactly why I am trying to explain to this member why these functions are so different and why this function that he is asking me to interfere with, that we have to be so careful in addressing. So even his objection indicates the relevance of the comments that I am making.

Mr. Mackintosh: On a point of order, Mr. Chair.

Mr. Chairperson: I already have the member on his first point of order. Can I conclude with the first one, and then we will move on, if you have a second one.

I would like to bring to the committee's attention, the rule that the honourable member is speaking about, is: "Speeches in a Committee of the Whole must be strictly relevant to the item or clause under discussion."

I am having difficulty tying the whole thing close to the relevant question that the honourable member asked, so I will ask the minister if he could maybe bring me around to the relevancy during his answering of the question. So the honourable member did have a point of order.

* * *

Mr. Chairperson: The honourable minister, to conclude his answer.

Mr. Toews: What I will do, Mr. Chair, because I respect your ruling and your direction, is to summarize the point that I am getting to. But I want to explain how I get to that point, because, as indicated in the member's point of order, he did not understand that very basic role of the Attorney General, Solicitor General, the police. What I am trying to stress, and you know, it may be tedious, it may be boring, but what I am trying to bring home is the independence of all elements of the system, the independence of the police, the independence of legal aid, the independence of the prosecutors, the independence of the courts, the independence of the defence bars, and the importance of the success of the entire system of this independence. Because what in fact the member is suggesting is that somehow government has control over the police, and maybe as a socialist he does not have a problem with government directly controlling police, but where I come from, state control of police is a totalitarian state. That may not frighten him, but that does frighten me.

I have a healthy respect for the police. I want to ensure that police get the respect that they are entitled to, and I know that our communities, one after another, talk with pride about their police forces, whether it is the Winnipeg city police, whether it is the Winkler town police or whether it is Morden, whether it is Rivers, whether it is the Dakota Ojibway Police Service, whether it is the RCMP that serves in a municipal function or a provincial function. These are independent law enforcement agencies.

I had started off my answer with the emphasis about this independence of the police officers to act, and the member opposite somehow infers that I should walk in with jackboots and demand answers from the police in a totally arbitrary fashion. Well, I will not do that, because of some of the things that I wanted to explain but which the member has no patience to listen to. He thinks it is a joke; he thinks it is a filibuster. He does not understand the basic

elements of our justice system, and that is why I have had to spend this time going through this.

An Honourable Member: You arrogant fool.

Mr. Toews: The member states all types of things from across the way. That is his right to do, and I am not going to call him, or ask the Chair to call him to order, but what I can indicate and what I said before: I will make investigations of my staff, the information will be brought forward, and if there is information in that respect that I can share with him, not because it is a whim on my part or not, but there are issues of law, of independence, of propriety, that the member somehow wants me to ignore. So that is the answer.

Mr. Mackintosh: The condescending remarks of the minister are not worthy of a Justice minister anywhere. The question was: will he ask questions of the police to assure Manitobans of the confidentiality of that gang line? The gang line, I might remind the minister, is a government program promoted, spun out by the provincial government. This government takes political credit for that program. It is going to darn well take political responsibility when they are found out. He has an obligation to the people of Manitoba, particularly to those who have called that line and are now very concerned. For him to go on with this—exactly, a filibuster—is very disappointing, and to speak in such condescending and arrogant terms I do not think serves justice in the province.

* (1610)

I understand from the minister that he will not be making any inquiries to determine what if any tracing has taken place over the history of this line, and I think Manitobans should be aware of that. That is his conclusion. He will not do that. If the minister wants to respond to that, so be it. If he wants to change his mind now, he can put it on the record.

Mr. Toews: I think my statements indicated what my intentions are in this matter. Again, this is the kind of thing the member constantly does. He stated things in a way that I certainly never intended, and I think the objective observer would realize were never intended that

way. He somehow, in an arrogant way, summarizes very incorrectly what in fact he thought I said. This is nothing new from the member for St. Johns. He does it on a continuous basis.

In a very recent case, he accused our prosecutors of dealing away a case to the lowest possible charge of dangerous driving, and he, without regard to the work that was done in that particular case—

Point of Order

Mr. Mackintosh: On a point of order, Mr. Chair. There will be some questions on that particular case to the minister, and perhaps he will want to answer those questions at that time.

The question now is with regard to the gang hotline. I know the minister wants to avoid at all costs answering these questions. He has avoided answering almost every question on that. But I ask again, Mr. Chair, that you ask the minister to contain his remarks and observe the rule of relevance. That is how this Legislature works is, I think, with some good will, the observance of the rules, and that is how we can get information on the record.

But the question was not about the McEvoy case. It was about the gang hotline and assuring Manitobans about the tracing that was uncovered with respect to that line.

Mr. Chairperson: The honourable minister, on the same point of order.

Mr. Toews: On the same point of order, this is a member who personally attacked me right now, made comments that were inaccurate on the record, and I was responding to them. Then he has the arrogance to suggest I should not be able to respond to the matters that he has put onto the record. Mr. Chair, I am entitled to respond to the accusations that he has made and the inaccurate summaries that he has made of my answer, and this is something he does consistently. I was simply illustrating that tendency of the member to do that.

Mr. Chairperson: I have already ruled on the case of relevancy at a previous point of order.

Relevancy is an issue that we have to pay very close attention to when we get into the line-by-line jurisdiction of any department. We have allowed some variation of that for the past 180 or so hours, but I must remind members that we must choose our words very carefully or we can enter into debate that might not be as constructive as we would like it to be.

I am not going to say that either member is guilty of this offence, but the terminologies that are being used at this time are starting to stretch pretty close to the mark. I would ask the members of the Chamber if they could please choose their words very carefully. Let us deal with the points that are before us at this time and attempt to stick to the issues on the line that we were on. That will help the decorum to a great extent at this time.

* * *

Mr. Chairperson: The honourable member for St. Johns, with his question. Oh, was the honourable minister not finished? The honourable minister, to conclude his answer. I am sorry.

Mr. Toews: As I was explaining, I have undertaken to do what I can in terms of the production of information. What I wanted to leave on the record, in no uncertain terms, is that because of the independence of various elements of our justice system, there is some information that because of the independence of the police, I should not be accessing. So I will make the return of information here on Monday in respect of the involvement of my department. I understand that there are other discussions that are going on or have gone on with the police and perhaps others generally in respect of the operation and the future of this particular phone line. I am getting that information.

I do not know how many times today I have indicated that I would get information on Monday. This was not a matter of attempting to delay the process. The member knew that I was prepared to get that information for Monday. That is the discussion we had yesterday. He knows that. So now he is attempting to suggest that there will be an improper suppression of information. I reject that allegation.

Mr. Mackintosh: We will return to this on Monday then. I have some concerns that the minister is aware of around the Baird case. It was a bail decision of Judge Newcombe. In Question Period on two occasions, I asked the minister to look at that case. There is a publication ban on that matter. The matter is before the courts and, of course, our discussion cannot get into the guilt or innocence of the particular accused.

What is of concern are comments that were made and are in the transcript. I drew the attention of the minister to that transcript. When I last asked the minister if he had read the transcript, he had said he had not, and I regret that. I ask if the minister now has read the transcript or been briefed on it. Again, I do not think it is necessary to get into the words there in the transcript. But has he looked at that and considered the comments particularly of Judge Newcombe?

Mr. Toews: You know, this matter is under a publication ban. What this member is trying to do is deliberately trying to get me to go into an area where he knows the court has made prohibitions. This is typical of the member.

Point of Order

Mr. Mackintosh: I can see where this minister is not going to serve the interests of justice here. This is a very serious issue. I can tell by his response that he has not briefed himself on what is in that transcript. I am not asking for any revelation of any information. I asked the minister whether he has reviewed the transcript. Would he answer that? He can do that in a yes or no. But for him to impute that motive, I think, is very unfortunate.

There is an overriding public issue here regarding the policy of domestic violence, about judges. I ask that he look at this and consider this case, particularly in the light of the Lavoie tragedy. Surely he understands that overriding public interest and what we as legislators have an obligation to consider. I do not see this to be a partisan matter. This is a matter of concern about a judicial attitude. It has no bearing on the guilt or innocence of an individual. We do not have to discuss the wording or any details or

information. I simply ask: has he now reviewed that transcript?

* (1620)

Mr. Chairperson: I do not think I need any information on this point of order. After listening to the honourable member for St. Johns on his point of order, I heard him bring forward a number of issues: relevancy, imputing motive. One thing he did not do is refer to any specific rule which the minister was deferring from. Let me remind members, on a point of order, when it is being raised it should be because we were distracting from the rules, not just to bring forward another question or interrupt the ongoing proceedings.

The honourable minister, to continue his answer from the previous question.

Mr. Toews: This is a member who stood on the steps of the Legislature of Manitoba in respect of a particular case and gave information to the media in respect of a particular arrest, and it was not this case, and he gave information about a criminal background when he knew this matter was going before the courts, and he knew what he was doing was improper and yet he did it. I suggest he did it—

Mr. Chairperson: Order, please. Before the honourable member goes on his point of order, we are starting to drift. Rule 481(e) is a rule on imputing motive. I would ask the members to choose their words very carefully during committee. We are attempting to maintain a certain decorum.

You will have to take your seat, Mr. Minister. In committee you still have to be in your seat, Mr. Minister. So that is where we are at at this point.

* * *

Mr. Chairperson: I do have to come to the member on—do you still want to come up on a point of order, or am I going to go to the minister?

Hon. Darren Praznik (Government House Leader): It is not on a point of order, Mr. Chair.

I know that we are probably about halfway through the afternoon. I know in the interests of everyone's general comfort, I was wondering if, not to really take a recess, but just if we could sit in abeyance for five to six minutes or so, allow members to get a cup of coffee and, yes, I think in the interests of ensuring that the Chair has a bladder break.

Mr. Chairperson: We will take five. Thank you.

The committee recessed at 4:23 p.m.

After Recess

The committee resumed at 4:36 p.m.

Mr. Chairperson: The committee will come to order. Where was I? He was finishing something?

Mr. Toews: Well, maybe I can shorten the answer. The member has not put forward any specific concern. He wants me to go through an entire transcript and now wants me to guess what a particular member of the judiciary said. If he has a problem with it, there of course is a very quick procedure. I will table this. This is a pamphlet put out by Manitoba Justice dealing with the Provincial Court of Manitoba Judicial Conduct: What to do if you have a complaint. They have a little quote here from Socrates: "Four things belong to a judge: to hear courteously, to answer wisely, to consider soberly, and to decide impartially."

What it says here in very clear terms: "On occasion, you may have a problem with the conduct of a Provincial Court Judge. If you are unhappy with the judge's conduct then you can launch a formal complaint under The Provincial Court Act. If you are unhappy with the judge's decision in court then you should consult with your lawyer to see what other legal options should be explored."

I do not know what the statements he is referring to are, but perhaps I can leave this folder with him and he can make his own decision on that.

Mr. Chairperson: Is the minister tabling that or just passing it over to the member?

Mr. Toews: Well, I can either table it or pass it over to whoever wants to see it.

Mr. Chairperson: We will just pass it over.

Mr. Mackintosh: Well, I am disappointed in that response because this is a matter I think that we have a responsibility to deal with. I believe I gave the minister the page number where I had concerns. Whether or not there is a basis for a complaint may well be under consideration, but the matter and the reason I raise it is not just because of a particular judge.

It is a matter of public policy and recommendations from the Lavoie report, specifically about the relocation of bail hearings into Family Violence Court and, second of all, the recommendation that there be a bail risk assessment process for Manitoba. Those are political issues that the minister and I have responsibilities to deal with.

Point of Order

Mr. Toews: Actually, just a point of clarification, I am just wondering whether the member is speaking for himself when he says for me in terms of what he considers my responsibility to be. I think that just to clarify, I trust, that he is speaking about what he sees his view as being or sees my role as being rather than I agreeing with that particular matter.

Mr. Chairperson: The honourable minister was correct in his statement. It was not a point of order. He was seeking clarification on the question, but the member had not posed his question as of yet.

* * *

* (1640)

Mr. Mackintosh: Well, I think I know what the minister is talking about. He is specifically referring to the discussions that have been between us about moving domestic violence bail cases to Family Violence Court and a position taken by the administration and the minister that

because there was an indication from judges that they had concerns about that, the matter had been dealt with and would not be pursued. I am just asking if the minister has had any meetings with the Chief Judge on the issue of relocation of domestic violence bail cases to Family Violence Court.

Mr. Toews: I appreciate the member's question. The recommendation that was made by Mr. Justice Schulman in the Lavoie report was to the effect, and I do not have the exact recommendation here; perhaps my staff can get that recommendation for me, but as I understand it, it was recommendation No. 18. That said that the family violence court unit should include a court to hear the applications for judicial interim release of offenders charged with domestic violence offences.

The implementation that the department took was as a result of a discussion with the court. My understanding is that when Justice Schulman's recommendation was taken to the Provincial Court, the response of the Provincial Court was that they did not feel it was necessary to have a separate court for domestic violence bail applications.

In order to at least remain true to the recommendation made by Justice Schulman, given that it is ultimately up to the court to determine how it will conduct proceedings and the scheduling of proceedings and where various accused will go, what we did, and I believe with the concurrence of the Chief Judge, is have in fact two prosecutors in our bail courts. One of those prosecutors deals with regular bail matters. The other prosecutor, in the same courtroom, deals with the domestic violence bail applications.

The member's point, I think, is that there should be perhaps a separate court, or there should be a separate judge and a separate unit of the court dealing with domestic violence bail matters. I know that we have had some success in dealing with separate courts for separate issues.

In Queen's Bench, for example, we have, of course, an entire separate division of the Court of Queen's Bench, which is the family division

of the Court of Queen's Bench as opposed to the general division. I think the member is perhaps suggesting something like that, perhaps not quite as formally differentiated, but in fact done at least on an informal basis. The problem is that the court does not consider that necessary and did not agree with the recommendation of Justice Schulman so we attempted to do as much as we could in respect of the area that we controlled.

For that reason, Family Violence Crown attorneys are handling applications for bail in cases of domestic violence in Winnipeg, although all of those bail applications, domestic and nondomestic bail applications, appear on the same docket.

Mr. Mackintosh: My question was: has the minister met with the Chief Judge on the issue, though, of moving domestic violence bail cases into Family Violence Court?

Mr. Toews: Mr. Chairperson, members of my department have raised that with the Chief Judge, and the response of the Chief Judge was that, with the exception of one judge, the court was unanimously opposed to that proposal.

Mr. Mackintosh: Does the minister then consider that is conclusive, that that is as far as the matter goes?

Mr. Toews: Ultimately, I have to respect the independence of the court. The court has indicated, for reasons that it considers appropriate and sufficient, that we should not be proceeding in that direction. The constitutional or administrative authority does not lie with me. I think that, given that the court has made this particular decision, we will have to respect the decision, but there are various things that we can do over the course of the administration of the courts.

For example, if we look at Recommendation No. 19, which says Provincial Court judges—and this is out of Lavoie—who hear cases where domestic violence could be an issue, should attend seminars or conferences related to or associated with domestic violence. Now, I as the Attorney General or Minister of Justice cannot order a judge to attend this. In fact, what

the recommendation says they should, they ought to, do that, so the word is "should."

What, in fact, the implementation committee has advised is that there have been, or will be, educational seminars devoted to domestic violence issues. Judges are also encouraged to attend other relevant seminars and conferences, and funds have been made available to facilitate their attendance. In fact, the annual judicial training budget has been increased by \$15,000, I believe. We can get into the details of the Estimates later, but I believe an amount has been brought forward to facilitate greater training in the area of domestic violence. Also, very importantly, a role that people often forget is the role of magistrates, many of them who are laypersons.

Increased funds have also been made available to facilitate the training of magistrates in the area of domestic violence. Our Crown attorneys, similarly, particularly those in rural areas or who do circuits in rural areas, we acknowledge, should be trained in issues related to domestic violence, and that indeed is a recommendation, again made by Mr. Justice Schulman. As I understand it, the annual Crown attorneys conference, I think as late as last year, in December of last year, in fact, included presentations on domestic violence.

* (1650)

Now I know that a further session in April of 1999 was scheduled to address the issues of prosecuting domestic violence matters and involving community-based groups in that presentation, and I understand from the assistant deputy minister that, in fact, that has been done. The April seminar, I understand, does not relate directly to domestic violence, but may well relate to helpful prosecutorial information, and that the September 1999 session will relate to information on successfully prosecuting domestic violence cases.

The recommendation also that Crown attorneys should develop strategies to allow more domestic violence cases to proceed to trial without the victim's participation or co-operation was also something that was mentioned. It is very difficult to take a case to trial where the

victim is not there. One of the few exceptions that is usually murder cases, of course, where the victim is deceased. Usually the courts insist upon the personal attendance of a victim to give evidence where that evidence is relevant and necessary for the prosecution and appropriate defence cross-examination.

I can indicate that the Prosecutions Division of Manitoba Justice has provided the City of Winnipeg Police with five video cameras to be used in a pilot project to videotape statements in cases of domestic assaults with serious violence or where there is a history of violence between the parties. The use of these statements will enhance the ability to prosecute a case when the complainant becomes an unwilling witness.

Again, that is not exactly the kind of situation that we want, because it is often very important to have the witness there, but as a result of some rulings made by the Supreme Court of Canada in a case called KGB, there has been greater latitude allowed to Crown attorneys to proceed to rely on previous out-of-court statements made by witnesses. I see that as a very positive development, especially in the very difficult situation of domestic violence.

So what we have tried to do then is ensure that wherever possible we could follow the recommendations of Mr. Justice Schulman. When circumstances beyond our control did not allow us to do that, we tried to find perhaps an acceptable alternative, perhaps not acceptable to everyone, but acceptable in the sense that the spirit and intent of the recommendations are met. One of the recommendations that was also made, which I think is a very difficult one in this context, and not because staff members have not been mindful in addressing the possibility of this implementation, but that relates to risk assessment reports, where accused people make an application for judicial interim release.

The problem, of course, with risk assessment reports where someone has not yet been convicted is that there is no obligation upon them to co-operate with authorities in doing that. That person is presumed innocent. Certainly in the context of a convicted offender, where they are within the context of our correctional institution, then the risk assessments have been

very helpful in determining whether or not someone is eligible for release. So those are some of the things that we have done.

I know that the departmental staff have had conversations or communications with the court in respect of the separation of the Domestic Violence Court from the regular bail court. But to this date the judges, as is their right, have indicated that that is not an appropriate proposal.

So in fact what we have here is not so much a dispute between my department on one hand and the judges on the other, but rather we have a dispute here between judges in terms of what the appropriate policy is, a judge of the Court of Queen's Bench, acting in the role of commissioner, making the recommendation that this should occur and the overwhelming majority of Provincial Court judges indicating that this is not an appropriate recommendation. Again, some independence must be recognized. What I can say is that we will continue to work with the court to ensure that public safety is ultimately the goal of all of our various independent participants in the justice system.

Mr. Mackintosh: I was able to obtain a copy of the memo from the Chief Judge, which had outlined the concerns of the judges with regard to the proposal of Mr. Justice Schulman in moving the bail matters into a family violence court, and in there I found something rather strange. It was said that some of the judges, and perhaps the majority of them, thought that a separate docket for domestic violence bail cases would be confusing, which leads me to this question: other than the docket list and the specialized cadre of prosecutors that are assigned to the Family Violence Court, what comprises a family violence court? In particular, is there any specialized or particular cadre of judges?

Mr. Toews: The utilization of judges for court and particular judges in those courts are the exclusive jurisdiction of the court to make that determination, however they make that determination. I note, with some interest, the decision of the Supreme Court of Canada dealing with the constitutional necessity for an independent tribunal to make recommendations to the Legislature on pay and other benefits for judges.

They indicate that the Chief Judge is not without limitless authority; that is, the Chief Judge, in terms of making these determinations, is first among equals. So I do not really know then how the Chief Judge makes those particular decisions. I assume that she does have some administrative control over scheduling of judges in courts. All I can offer at this time is that we are prepared to continue to work with the court in terms of ensuring that family violence is limited and that appropriate resources are brought to bear in respect of these situations in the court.

* (1700)

Because of the member's raising some of the other issues of resources in this particular unit, I think it is also important to look at the recommendations in the Lavoie report and the actions that have been taken. There was a Women's Advocacy Program working group that made a report in respect of this particular issue as well. They had a very significant contribution, and I want to thank those community members for their participation. The working group consisted of 11 members, six from community agencies, four government staff, and the chairperson of the implementation committee.

The committee members represented a women's shelter, a women's resource centre, a nonresidential service agency and a service consumer, as well as the Winnipeg Police Service and the RCMP. Two of the community members represented services outside of Winnipeg, and one member represented the First Nations community. The four government members represented the Women's Advocacy Program, the Crown attorneys' Family Violence unit and the Justice department's Victim Services program.

They dealt with a number of recommendations, and I want to deal with some of these in answer to the question of the member. Recommendation No. 38 of Mr. Justice Schulman indicated that the Women's Advocacy Program should assign priority to cases of domestic violence based on its estimation of the risk of further violence, and in fact make a more aggressive effort to contact

victims of domestic violence they believe to be at greater risk. So what in fact has happened as a result of that particular recommendation is that, generally speaking, the Women's Advocacy worker in Winnipeg now attends domestic violence bail court every morning to provide service to women in high-risk situations.

In Brandon, the counsellor currently telephones all women victimized by domestic violence within a very short period of time of notification, and also a priority case flag is added to the existing database to indicate situations considered risky by counsellors. In addition, the police notification form is currently being revised in consultation with the Winnipeg police. The new form will provide even more information to assess the risk, and the timelines that were placed on this and subject to any corrections that departmental officials might be able to provide me with is that in December of 1998, a counsellor began telephoning women within that very short period of hours of police notification of a domestic violence incident.

If a phone number is not available, a brief letter is mailed immediately asking the victim to call a counsellor. I understand, as well, a revised police notification form was implemented on January 1, 1999. The new form provides more information to assess risks which include a brief description of incident, background, factors and additional pertinent information.

In Winnipeg, a counsellor now attends intake court weekly and trial court as requested by victims, in addition to other court support services. Another recommendation is in respect of recommendation No. 40, which says a copy of the relevant court assistance report should be provided to the Women's Advocacy Program along with the victim notification form. I understand that there were some concerns in that respect, and I think my information is that in lieu of a police report, the victim notification forms were revised to include a brief description of the incident, specific background factors and additional pertinent information such as mental health issues, pregnancy and drugs and alcohol abuse. The police indeed consider the Women's Advocacy victim notification forms to be a Winnipeg Police Service report. Here we see, very interestingly, the police adapting their

process in order to accommodate these particular requests.

The Women's Advocacy Program also makes sure that it reviews the programming on an ongoing basis in order to enhance service to women. To date, I am advised service is provided in a more timely fashion, with appointments being offered immediately in emergency situations. There is a little greater delay in nonemergency cases. Appointments, I understand, can be provided in a very short period of time, but, however, as stated earlier, women are telephoned within 48 hours of notification from the police.

What is in fact happening as a result of the Lavoie implementation and the Family Violence unit involvement, there is a more comprehensive service available with women in cross-charging situations where they are offered counselling for safety planning. Women are also offered services when their partner breaches his probation conditions. I assume that if the person that has been abused is the male, when the female makes those breaches, the same matter is dealt with slightly differently, but certainly we look at providing support.

There are a number of other matters, but what I have been letting the member know is in fact some of the programs and services being offered by the Family Violence unit. I think to the credit of both members of the department as well as members of the public generally who worked so hard in implementing this report, I think it is a very good credit or a very good sign to see the public and professional staff working together in this way.

Mr. Mackintosh: Just returning to my question, is it the minister's understanding that there are specialized or a core group of judges who specifically deal with domestic violence matters and Family Violence Court, or are the judges who hear cases in Family Violence Court, as it is called, merely any one of the judges of the Provincial Court?

Mr. Toews: Perhaps I could just reiterate my answer in a very quick, short way. The Chief Judge is responsible for the assignment of judges, the training of judges, and for ensuring

that there are appropriate courses being offered as she or the court considers fit. I know that there is no similar division in the Provincial Court as we find in the Court of Queen's Bench, where there is a separate court dealing with family matters.

* (1710)

Mr. Edward Helwer, Acting Chairperson, in the Chair

I cannot offer any more information than that. As indicated, our department continues to work with the court to ensure that appropriate communications occur and the best interests of the public, whom we all ultimately serve, is being met.

Mr. Mackintosh: Is the minister then aware as to how the Chief Judge assigns judges to hear domestic violence cases in Provincial Court?

Mr. Toews: No, I am not aware.

Mr. Mackintosh: Would the minister have concerns if family violence matters were being heard by judges who are not any special cadre or not specialized to deal with family violence issues?

Mr. Toews: If the member is making an allegation against any particular judge here today, he should say so. There is, as I indicated earlier, a code of judicial conduct or at least standards by which judges are measured, and a complaint of misconduct or indeed even incompetence, if that is what the member is suggesting, could be heard by the appropriate panel.

Of course, Mr. Chair, I am always concerned that the administration of justice is carried out. I understand that judges play a very crucial role in our justice system using their experience and the evidence presented to them to weigh complex cases and make decisions. Those complex decisions involved matters not only with domestic violence, they involved matters of youth court and crimes in youth court, and obviously there are different considerations, legal and perhaps even social, in terms of making decisions in that context.

In many respects, judges are called upon to use their experience, and maybe just anecdotally, I can relate to the member that sometimes it is not necessarily the specific legal experience that makes a person a good judge in an area.

I know that there have been cases of judges who have been appointed to the Provincial Court where they hear primarily criminal cases, who do not have any criminal experience in their years in the bar or very little experience. They may have litigation experience, but they may have engaged in commercial activities. That does not disqualify them from being a judge nor does that necessarily mean they will make a bad decision in areas where they do not have the specific years of experience.

I think though that we recognize that there is an obligation to ensure that everyone makes appropriate efforts to ensure their level of understanding of particular issues is appropriate, and if for one reason or another it is not either personally seek that level of information, because I know as a lawyer when I was hired in the Constitutional Law branch, I had very little experience in constitutional matters. It was incumbent on me then as a professional person to develop that expertise.

When I left the practice of law with the government, which occurred in 1991, and went to the private industry, a large insurance corporation with headquarters here in Winnipeg, I was not familiar with insurance law, and yet I was called upon to deal with insurance cases on a regular basis. I am not equating insurance law with domestic violence law and the intricacies of that, but I am saying that if someone can make the switch from constitutional law to insurance law, it is not necessarily the prior training that one has received that will determine whether or not he or she will make a good judge or a good lawyer.

I think our bar, generally speaking, has shied away from the whole idea that lawyers should have particular designations. I know that has been a matter of controversy in the field of the practice of law. But, as the member knows, once you are called to practise law, you can practise law as a fully qualified lawyer. You could even venture into areas where you have no

expertise, but ultimately you, as a lawyer, are accountable to the public, to the Law Society and indeed to other instruments of government to make sure that you do not abuse the particular situation.

In the case of a Provincial Court judge, approximately 95 percent of the criminal cases in Manitoba are heard by Provincial Court judges. So even in a situation where they have little or no experience in criminal law, and that is I think increasingly rare as you go into the Provincial Court because of some of the complexities in criminal law that may not have been there a number of years ago, in a very short period of time you acquire knowledge and skills that assist you in making your decisions. I think that, just speaking anecdotally, there is some period of integration into the court system. There is a role for the Chief Judge to play, I assume, in ensuring that you are appropriately able to take on bigger and more difficult tasks as your experience grows.

I know that judges, for example, go to judges school, and I have heard it referred to as other things, but I do not want to get into that. I think it is a bit of a joke among some of the judges when they refer to that school. As silly as it may seem to have to learn some of these things, I think it is always useful to refresh one's memory about certain things. We assume we know things, and then really, when we get into those classes, any kinds of classes as lawyers or as others, we find out there are probably a lot of things that we have forgotten. So I know that within the Provincial Court system itself, they similarly have training programs, seminars and educational opportunities to ensure that they are sensitive to the concerns addressed or the concerns that arise before them, the cases that arise before them, and that they can deal with these very important cases.

* (1720)

As Socrates said, as quoted here in this Judicial Conduct pamphlet: their obligation is 'to hear courteously, to answer wisely, to consider soberly, and to decide impartially.' That does not mean to say, though, that ongoing education is not warranted. I think all of the judges recognize that, and while they may not agree

with the recommendation of Justice Schulman, I think I think their conduct and their efforts are always with a view to public service in mind, and if on occasion a judge does not meet the standards that not only society but his or her peers expect, there is a mechanism whereby a formal complaint can be lodged under The Provincial Court Act. Misconduct by a Provincial Court judge could be neglect of duty, inability or incapacity of that judge to perform his or her duties, essentially conduct unbecoming, and some of these things are pretty broad and require interpretation.

The judicial inquiry board, which is the second step after referral of the complaint to the Chief Judge, is made up of three people—a lawyer, a judge from a Court of Queen's Bench position and a person who is not a lawyer or a judge. Then, if there is a basis for a referral of the complaint or a charge of misconduct, the board that lays that charge, it is then brought before the Manitoba Judicial Council, and that is a six-member council made up of three judges, the president of the Law Society and two people who are not lawyers or judges. Usually the council will hold a public hearing to hear the complaint.

We have had some experience in this province with those hearings, and I think they have been very beneficial to the administration of justice. The council has the jurisdiction upon a finding of misconduct to impose a number of penalties, including suspension or indeed a recommendation that a judge be retired if the misconduct was due to the judge's inability to perform his or her duties. So, while the member and I may disagree with the Provincial Court's position that this particular recommendation not be followed in the way that Justice Schulman recommended it. There is still an ongoing duty on the part of the judges to ensure that they meet the standards demanded of them.

We are very happy that a former senior Crown attorney, now a provincial judge, has been the chair of the education committee of the Provincial Court and now I believe is even a president of the association of the judges, and that is His Honour Judge John Guy. So I think that people of the quality of Judge Guy—I have had occasion to read some of his judgments;

very impressed by his reasoning, his sensitivity, his dedication to public service as a judge. These are the people who are there, who are sensitive to prosecutions, who are sensitive to domestic violence issues, and sometimes we may disagree with a particular judgment. There are remedies, very formal remedies. Mr. Chairman, No. 1, an appeal; No. 2, the laying of a particular complaint; and thirdly, the right of all public members, all citizens, to engage in a debate about what should be happening in respect of a certain situation even in the context of the courts. I think over the last number of years I have seen a welcoming by the courts of their role as an important public institution to participate in an appropriate way in the discussion about the future of the courts, the types of programs they should be offering and the way in which to achieve certain policy goals within the context of their judicial functions.

While the member for St. Johns (Mr. Mackintosh) and I may, from time to time, disagree with what the courts are doing, and we may express that in the context of our democratic institutions and our democratic rights, I think we have to be very careful that we do not override a very important institution, that we respect that institution and that we continue to work with it. That does not mean we cannot aggressively comment and challenge matters, because without that aggressive comment and challenge things cannot be changed in some cases. I think both the judiciary and the members in the House recognize that healthy interaction produces I think positive results for our community.

So, if the member has a particular concern about the way things are being done in the courts, he has a forum here. It is not simply a matter for the Minister of Justice to stand up and express his concerns or his praise for the courts, but the member has a democratic right, indeed I would suggest a democratic obligation, to let people know what he believes should be done in a particular situation. And indeed, if some of those ideas are appropriate and consistent with the policy goals of this government, there is no reason why this government will not consider seriously his suggestions.

* (1730)

Mr. Mackintosh: Would the minister be satisfied if the judges hearing domestic violence cases were any of the judges of the Provincial Court and were simply assigned on a rotation basis from the entire list of Provincial Court judges?

Mr. Toews: My position is as set out in the recommendations of Justice Schulman. That is what I think should have occurred, and the court has its own opinion, so we work together to find common ground, and I believe that is in fact what happens over a period of years. I have not heard an argument that would convince me that Recommendation 18 should not be implemented in the way that has been recommended. I say that with always understanding that any recommendation has to be, when implemented, mindful of reality.

Mr. Chairperson in the Chair

But I, on this particular matter, would probably agree with Mr. Justice Schulman. The fact that I do not necessarily agree with the manner in which the court has implemented it does not mean that we will not continue to work to ensure that the spirit and intent of that recommendation is not met in every respect.

Mr. Mackintosh: With regard to the construction of the courthouse on Chevrier Boulevard, can the minister tell the committee what the total cost is as known now or anticipated, just in relation to the physical plan itself?

Mr. Toews: I will get that information. I do not have that with me here, but I recall—these numbers will be subject to confirmation—that the initial purchase was \$1.5 million of the property and building, somewhere in that vicinity, and the original estimate of the changes necessary was another \$1.6 million. I believe that there were some additional changes made that increased that by about \$300,000 or \$400,000, somewhere in that range. If that gives the member any satisfaction, I think that is an accurate extent of the costs. I believe that may well come under Government Services in any event. So I would suggest that the member seek that information from Government Services if I am not able to

give him any more detailed information than that.

Mr. Mackintosh: In terms of the staff years needed for the trial itself, I notice from the Estimates that there were \$94,000 in Prosecutions and \$193,300 in Legal Aid. I am wondering if the minister can confirm what the total anticipated human resource costs will be, directly to the Department of Justice.

Mr. Toews: I will have those figures available for the member on Monday.

Mr. Mackintosh: What is the status of discussions with the federal government in terms of cost-sharing of both the plant costs and the human resource costs of this trial, the courthouse?

Mr. Toews: I met with the federal Minister of Justice directly on this particular issue. I am quite pleased generally with our discussions on a number of issues, including this issue.

Having said that, she did not give me any specific assurances of the fact that the federal government would meet any of these obligations that, as a result of this federal law, and as a result of an independent police investigation, now the province is saddled with the financial responsibility of prosecuting this case, and that is the way it has been in our system. I explained to her, I think, clearly—my deputy was there and one of my assistants was there—about the particular situation that Manitoba finds itself in as a result of the passing of this law. I want to emphasize, as I did to her, that I support that particular law but that the cost of the infrastructure and cost of the personnel necessary then to carry out that law in terms of the prosecution was not something that was foreseen by the federal government nor understood by the federal government when that law was brought into effect.

I think that is a fair appraisal of what in fact her comments were. I do not want to get too deeply into those, because I think she showed a genuine understanding of the situation that Manitoba was in. She left me with the impression that she would seriously consider requests that we had made in order to defend the

constitutionality of this particular law because it is a federal law and also to assist in some way. Again, the particulars of the assistance were not spelled out, but I have to say that I am satisfied that she understood the nature of the situation that we were facing, why we found ourselves in this situation, and why we felt that the federal government had a measure of responsibility here to carry out this entire project in co-operation with the provincial government.

I would also note, for the member's information, that this is not simply a provincial prosecution; it is a federal prosecution involving federal prosecutors as well. So issues like that were also discussed. So even though provincial estimates of cost are reflected in our Estimates, that does not reflect some of the input that the federal government is making in terms of its personnel. The other issue, of course, is the police and the cost of policing and other aspects that we detailed to some extent to her and to a much greater extent by my deputy to her deputy. This discussion has taken place from time to time.

* (1740)

Mr. Mackintosh: Did the federal government indicate any timelines as to when she would get back to the minister subsequent to his request?

Mr. Toews: I know that she understands the urgency of the situation. The courthouse in effect has been turned over to the Department of Justice as of May 20, I believe. I had an opportunity to tour the courthouse the beginning of this week, I believe it was. Sometimes days meld into each other, but I believe it was this Monday morning that I had quite an extensive tour of the courthouse and partly in response to my own curiosity to see how far the courthouse had come from when I first saw it. I must say it is a truly, truly remarkable job that has been done in a very short period of time. Also, it was timely in the sense that there were certain concerns expressed in the media about the particular court house, and I wanted to see for myself the veracity of these complaints. I had a very extensive tour, a very informative tour. What impressed me more than the building itself was the incredible co-operation and consultation that has taken place between members of my

department, whether it is in the sheriff's department or Courts or Prosecutions, and members of the federal department, members of the judiciary and also very importantly, members of the defence bar. These were not decisions unilaterally made by Government Services, but they were done in very close co-operation between interested parties who, of course, have a vested interest in ensuring the success of the process that this infrastructure will house.

Mr. Mackintosh: I would like to have a tour of that facility myself. I am just asking the minister whom I should contact to make that kind of arrangement.

Mr. Toews: Well, I was going to offer in fact that the member have a tour, and since he asked, I will try to do what I can in terms of arranging that tour. The deputy will contact the appropriate officials to make that happen over the next very short while. One of the concerns that I do have to express is that it needs to be done with a minimum of publicity. We do not want photographers in there. There are some issues related to security, and I think that members of my department will explain the terms of touring this facility. But I know that the member understands issues like that. He has toured jail facilities in this province and I think will exercise the appropriate caution and also respect the wishes of departmental officials who do not always necessarily speak only for themselves but may well speak for the broader picture of the conduct of a trial and concerns that defence bar or the judiciary might raise.

Mr. Mackintosh: What earlier discussions took place between the province and the federal government with regard to the cost of this trial and the infrastructure? Was the meeting with the federal Justice minister the first or was it a combination of a series of discussions back and forth?

Mr. Toews: I think I can answer that just relying on some of the information received here by the deputy, received from the deputy to me. The urgency of the situation presented itself, I think, late last year as a result of certain police actions, and I believe I wrote the Justice minister either in December or early this year to request a meeting because we were going to be in Calgary

together at a particular Alberta Justice summit, as I recall the summit. I know that the federal Justice minister was able to attend only a very short portion of that Justice summit, but I was unable to raise the issue in any detail with her. I may have made a passing comment that we should get together or we need to look at that issue. But I would say that, prior to my writing to express the concern, or at about that same time, the deputy was already consulting with his counterpart in the federal Department of Justice.

So the discussion from an official's level occurred almost immediately. The discussion in terms of the ministerial level—other than writing letters, the first real opportunity that I have had to discuss this issue with the minister face to face was just in the past week or so. I know there have been meetings throughout this year on this particular issue, so it is not that the minister is unaware of our requests. Therefore, I guess it is not surprising that she was very well briefed and very well informed and I thought gave me a very sympathetic hearing when I went to Ottawa in order to seek a financial partnership, in addition to the legal and procedural partnership that we have in respect of this particular issue.

The federal Minister of Justice did not give me a timeline as to when she would be in a position to get back to us on all of the issues that we had raised, but I am encouraged that my deputy who met, I believe, on the same day with the federal deputy, as well—independent of me—also raised this issue. So I think we are doing everything possible to ensure that the Government of Canada understands our situation and that the Government of Canada has all the information necessary in order to provide it with a basis to give us a positive response.

* (1750)

Mr. Mackintosh: The minister will recall a letter that I wrote to him asking if there could be a consideration of an expedited reference to either a court of first instance or an appellate court on the validity, the constitutional validity of the new legislation that was being relied on for this trial. In the response, there was a statement that it was decided that that was not the decision of the Prosecutions branch.

So I am just wondering now if the minister can tell us what the reasons were for rejecting that approach. I will just put on the record, the reason that I suggested that was mainly that if this section was impugned, there would be a huge cost of the infrastructure and human resources going into a very lengthy trial that would be for nought, let alone the reputation of justice that is at stake.

I am wondering if the minister then can outline what the considerations were of the Prosecutions branch. I am not saying they were right or they are wrong. I do not know, but I would like an explanation as to why that idea was rejected.

Mr. Toews: Yes, I am just conferring with some of my staff. There are a number of reasons why this matter was proceeded with in this fashion, some of which I understand given that I have had some background in constitutional law. The concern that has always been raised by courts is the consideration of legislation in a factual vacuum. There has always been a reluctance to deal with legislation, and from a government point of view, speaking as a former lawyer in those areas, you do not want necessarily a case to proceed in a factual vacuum because then all kinds of fanciful scenarios can be painted which do not really relate to the specific case.

And so, from a government point of view, the defence of legislation in a factual vacuum creates certain difficulties which may then result in impugning the legislation. That was always, personally speaking—and I think some of that thought was certainly borne in mind by prosecutors—my position. Now, having said that, there were cases that we did proceed by way of reference, reference re Section 194.1(1)(c) of the Criminal Code of Canada, which deals with communication for the purposes of prostitution was a reference that proceeded in some respects without a factual basis. And yet, if you look at the context, there were a number of decisions out of the Provincial Court that formed the basis and some of the factual backdrop for that. So, even though there was a reference to the Court of Appeal, there were a number of prosecutions in Provincial Court which I think helped the court to have a fuller understanding of what was

actually the mischief complained of in terms of what the statute was trying to address.

That is the only one I can recall. The other one was a case involving pornography, the Butler case, which I eventually argued in the Supreme Court of Canada, where all the factual background was there, and it was incredibly important to have that background. I believe the case was Butler. That factual background gave the court, I think, an understanding of how the legislation was being utilized. If one proceeds in this factual vacuum by taking a quick reference, and by no means in this case would the reference be a quick one—we still have accused who have been denied bail sitting in our Remand Centre—the constitutional case would proceed independent of the trial.

So, even if you referred it to the Manitoba Court of Appeal directly, ultimately there would, of course, be an appeal to the Supreme Court of Canada. The time involved in that would still be ticking in respect of the trial that the Crown would have to prosecute. So, by proceeding jointly as motions rise—and I have got to say, as far as I am aware, there have been no formal motions on constitutionality filed yet. I believe those motions are going to be heard in August of this year. So, by proceeding together, we avoid some other significant constitutional difficulties, and one of them is the delay in terms of getting matters on to trial. So I do not pretend to know all of the reasons, but certainly those are the reasons that would cross my mind in terms of why there should not be a separate reference, because it would not increase the speed at which the trial was heard; in fact, it might delay it to the prejudice of the actual case.

Generally speaking, the courts prefer that these matters are heard together. So, for example, if you have the constitutional motion in the context of the trial, then, if the motion is ultimately dismissed and the legislation is upheld, the trial can proceed then. So the entire trial has to proceed, and then the matter is appealed holus-bolus or the constitutional issues, other issues, are appealed to the Court of Appeal. The reference, I think, is advisory only in some respects. Although a reference is binding, the question always remains: what is it binding; in what respect?

So, when you have the underpinning, the factual underpinning, it is not simply advisory. It relies, when you have a trial, the trial has evidence that may well lead to a more favourable conclusion in terms of the validity of the legislation. The other point, of course, is courts abhor a multiplicity of proceedings.

Mr. Chairperson: Six o'clock. The hour now being six o'clock, committee rise.

Call in the Speaker.

IN SESSION

Mr. Deputy Speaker (Marcel Laurendeau):
The hour being six o'clock, this House now adjourns and stands adjourned until 1:30 p.m. Monday next.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 24, 1999

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