

LEGISLATIVE ASSEMBLY OF MANITOBA  
Friday, 7 March 1980

Time: 2:30 p.m.

INTRODUCTION OF GUESTS

MR. CHAIRMAN, Mr. Abe Kovnats (Radisson): Before we start proceedings this afternoon, I would like to bring to the attention of the honourable members that we have a group of 45 students from the Precious Blood School, St. Boniface, under the direction of Ms Annette Boucher. This school is in the district of the Honourable Member for St. Boniface. Bienvenue.

In addition, this afternoon, we also have four representations in the Speaker's Gallery of the championship curling team, the provincial mixed champions of Manitoba, who will be representing Manitoba in the Seagram's Mixed Dominion Curling Championship starting in St. John's, Newfoundland, next Sunday. The group consists of Jim Dunstone, Carole Dunstone, Del Stitt and Elaine Jones. This group comes from the area of the Honourable Member for Radisson, and I am very pleased to welcome you here this afternoon.

CONCURRENT COMMITTEES OF SUPPLY

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN, Mr. Morris McGregor (Virden): I call the committee to order. When we broke up before lunch, we were on Resolution 16, 2.(b)(1). The Member for Rossmere.

MR. VIC SCHROEDER: Last evening, somehow in the change of Chairpeople I lost my place, but I will try to continue now. In response to what the Attorney-General said last night, which was in response to my questioning, I'm not questioning the general affairs of the criminal prosecutions division of the Attorney-General's Department. I am in contact with that department usually once a week or more, and I believe in general it is a well-run department in the way that it previously was.

One of the problems in life is that very frequently people get facts mixed up because we get them through second and third parties, and this Hong Kong matter is one of those affairs. Now, the Attorney-General has been suggesting in the last few days that I have said that the Hong Kong expedition cost \$300,000.00. I never did. What I asked was, could the Attorney-General confirm that it did cost \$300,000, and I then, at a later stage, told the House that the question should have been, that I had mispoken myself, that the question should have been, did the total investigation cost \$300,000? And I still don't say that it cost \$300,00.00. I was asking a question, based on information which I had received. And all of us occasionally receive information which is incorrect. I don't know whether my information was correct or incorrect, and I'm here to find out.

These things happen to all of us, as for instance, they happen to the Attorney-General. He occasionally gets his facts wrong, and I will give you an example of that. Several days ago in the House he stood up and informed the House that our Leader of the Opposition was the individual who had been Attorney-General when I was hired on to the Attorney-General's Department. That in fact, is not true. The fact of the matter is that there was another Attorney-General who was in charge of the department at that time. I'm not suggesting that the Attorney-General was deliberately misleading the House. What I am suggesting is that he got his facts through second or third parties and they proved to be incorrect.

That is why I am here asking questions. We have a situation here which is not your usual criminal prosecution case. This case is considerably different from the general run-of-the-mill criminal case. The Attorney-General last night, mentioned the fact that the Court of Queen's Bench had made an order, and therefore this commission went to Hong Kong. The Court of Queen's Bench didn't make that order out of thin air. That order was made based on an application from the Attorney-General's Department, and so to pretend that somehow, some higher court has forced all of these people to go to Hong Kong, is simply

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not factual. The Court of Queen's Bench was requested to make the order based on evidence presented, probably affidavit evidence presented to it by a member of the Attorney-General's Department, and it made that order.

So to try to make it appear that it was the Court of Queen's Bench that ordered these people to go, as opposed to the Attorney-General's Department who decided that it should be done, is not quite correct.

Now, there are things about this case that are different from ordinary prosecutions. For instance, I have frequently gone to Fort Alexander, which is one of the stops in the eastern districts, I have never seen a Crown Attorney show up there four days ahead of time. Not once. In this particular case, we have Crown Attorneys showing up several days ahead of time, and there was a newspaper report indicating that what we had was jet lag, that these people had to recover from jet lag, and I think that's an area where we should be concerned, in view of the restraint that this government suggests that it is imposing on all Manitobans.

We started out the questioning on this affair about a week ago. At that time the Attorney-General started out by saying this was res adjudicata, we can't talk about it, even though he knew, I'm sure at that time, that there would be no further evidence heard and that there was an understanding that the charges would be dismissed at the hearing yesterday.

Then, yesterday, after the charges were dismissed, and after he agreed that there were no further appeals pending, he informed me in Question Period that this is a proper case for the Committee of Supply. I showed up at the Committee of Supply last night and was informed that he didn't really understand why we should have any questions about this.

Now, I really think, Mr. Chairman, in view of the fact that this is an entirely different prosecution than your ordinary run-of-the-mill prosecution in this province, that this committee should be entitled to the information that I have requested and other information with respect to the matter. Therefore I am now asking the Attorney-General, is he prepared to answer questions with regard to the investigation involving Dragan and the Wongs and the general administrative functions which were an adjunct to the proceedings?

MR. CHAIRMAN: The Member for St. Boniface.

MR. LAURENT L. DESJARDINS: Mr. Chairman, I'd like to go back to the question brought in by the Member for Wellington, and I'd like to speak in support of the position that he had, that is in regard to publication. I, as a layman, always felt that a person was innocent until proven guilty, and unfortunately, this is not what is actually - I say actually - happening in society. It might be that a person is not sentenced unless he's sentenced by a judge, but he is sentenced in many cases by society. And I think that's wrong. I haven't heard a single person bring forward any reason why the name should be published.

It is a fact, I think we all know, human nature being what it is, the higher profile a person has, or if he's in a position of authority or power or something, there's always some people that want to tear him down. And you know, there's enough fair ways of doing it without having a situation where a man is accused - falsely, it might be - and then where do you go from there? The man is sentenced, and his life, he's going to suffer, it's going to be a mark on him for a long time.

I hesitate to bring this case, but it's a public case, it's given an example of one of us. Even the Legislature, themselves, didn't want him in the caucus room, at one time, and that's before his case is in front of a judge, before it's decided if he is guilty or innocent. And I think this is wrong.

How many times? You read in the paper, as I say, I'm a layman, I don't know the way these things work, but I can read the paper, like 99 percent of the population of our province, and let's say that it's a sex-related act, and he was accused of doing something. Well then, that's probably the worst as far as leaving a mark on himself and his family and maybe causing him to get a separation, to lose his wife and family. And sometimes, it could be some young people that are, for some reason or other, to get back at a teacher, get back at somebody, will make an accusation.

So I can't see, as I say, if the Attorney-General or anybody can tell us, anybody on this committee, or anywhere, can tell us, well this is the reason why. You're talking about the freedom of the press and so on. Well, fine. Let them report what is going on at the trial, but why do they have to mention names? Why do they have to mention names? So what? So then, if he is falsely accused, there will always be something left. You know, Voltaire used to say in French: *Mentez, mentez. Il en restera toujours quelque chose.* That means, lie, lie, there'll always be a trace, something, it's very hard to vindicate yourself.

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And let's be honest and let's look at ourselves. Let's just take one of the things that we read about, somebody that we don't know, or somebody that represents something, not really our class, let's say, somebody else, or somebody on the opposite side of the fence politically and so on, and boy, you want to think right away if there's something, well there he is. There he is. And then, if the case then is thrown out of Court, you say, oh, the guy had pull. This is why. This is why it was done.

So, Mr. Chairman, I don't really know which side the Member for Wolseley is. I can agree with some of the things that he said, that we can try to educate the public, but I believe the Attorney-General, in a way we all agree on that, I'm sure that he agrees on that, on that question, and try to make sure the Member for St. Johns said, make sure that the lawyers going in on these things are well-prepared, well we can always improve on that.

And this is why we have the opposition here to make sure that the Attorney-General doesn't forget, no matter who the opposition is, no matter who the Attorney-General is, because I am sure that he would like to see everything well-run. But in this case, my colleagues here start talking about the question publication, and then we start talking about educating the people. That is something else, that should be done, it is not one in lieu of the other, or, you know, take your pick which one. It is not an alternative. They are two different things. But I could not support my colleague any stronger, I think that he is absolutely right, I think it serves no purpose at all.

You know, you want all the details and all that when you read a story. You know, human nature being what it is. . . It doesn't have to be a trial. Read about a movie star or somebody that you know that announced that a baby was born. What do you do? You start counting the months since they were married. You know, there is a lot of that in human nature, and I don't think that you should mark that person maybe for life, maybe for life. It is bad enough, that person, especially if he is innocent - if he's guilty, he'll get his, he'll get his, this is the way it works. We don't take the law in our own hands, we have a system, a system that is not perfect, but that's working, and fine. So therefore if we adopt this system, if we chose this system, if we say the courts will decide after a fair trial, why should society have a chance to decide beforehand to brand somebody as guilty, and they won't change their mind. They will probably say, well, okay, it was, you know, the guy had a lot of pull, there was something wrong, or it's a technicality.

I don't agree with the Member for Wolseley, it depends what - if it is wrong for one, it is wrong for the other. Of course his choice of what might be important is not necessarily the same as mine. If he says beating the income tax and so on, well, you know, maybe we all like to beat the income tax, but there's beating the income tax and beating the income tax. You know, you are talking about somebody - I mean how many times have I started to make a big case in the House. I start cutting up certain things in the write-up, where somebody steals, well, maybe a case of bread, like in the Les Miserables or something, and look at what, go for the rest there, and somebody --(Interjection)-- Mr. Chairman, would you tell Mr. Green to keep quiet. I have to sit by him all day and now he is trying to interfere with my. . . --(Interjection)-- No, as long as he supports my position he can go ahead, Mr. Chairman.

I don't want to prolong this. I think the case was well put by my colleague from Wellington, and I am interested to know if there is somebody that has a reason why they should name names, that should be for everybody and it should be for everything. If you are guilty, it doesn't matter what the offence is. I think that you shouldn't be judged. We accept a system, let's live by it. If the system is wrong, fine, but right now society has placed a responsibility of judging and sentencing to a court, and let's wait until that court is finished its work before you decide to name somebody as undesirable or a dangerous person and so on.

Thank you, Mr. Chairman.

MR. CHAIRMAN: The Member for Emerson.

MR. DRIEDGER: Thank you, Mr. Chairman. I would like to refer back to the Member for Rossmere's statement just a minute ago. I am wondering whether the Member for Rossmere is prepared to retract the implication that he made in his question the other day, on page 141 of Hansard, where he implied that the trip to Hong Kong cost \$300,000, when I think indications were given that it cost inbetween \$30,000 and \$35,000, or whatever . . . I don't have the figure on that. The implication that he left in the House with his question that it cost \$300,000 to do it, I am wondering whether he in his statement before is prepared to retract that kind of a statement now.

MR. CHAIRMAN: The Member for Rossmere.

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MR. SCHROEDER: Well, Mr. Chairman, I would be pleased to go over that again for the Member for Emerson. I take it that he had some difficulty understanding what I said before. What I said before was that I had asked for confirmation in the House that the cost of the trip to Hong Kong was \$300,000.00.

I then in my maiden speech in the House in the first paragraph thereof stated to the House that I had misstated myself. I did not say that it was Hansard's fault or your fault or anybody else's fault. I said that I had misstated myself, that what I had meant to ask was: Did the entire investigation, including the trip to Hong Kong, cost \$300,000.00? And quite frankly, I don't know whether it did or didn't. What I do know is that the Attorney-General has indicated that the trip to Hong Kong cost \$35,000 approximately. I don't know whether that includes wages and salaries, I don't know whether it doesn't include them. I don't know whether he has added in any of the police investigation costs. I don't know whether he has added in any of the court preparation costs. I don't know what is included in that \$35,000 figure at all. So I would hope that that is a satisfactory explanation, Sir.

MR. CHAIRMAN: The Member for Inkster.

MR. SIDNEY GREEN: Mr. Chairman, I am going to ask a question which I have sort of wondered to myself why I have not asked myself this question all of my adult life. Why is something which appears to me at the moment to be very very wrong, why does everybody accept it and not do anything about it?

First of all, I want to make sure of my facts. When a person is charged with an offence, after he is charged and before he is tried, he is mug-shotted and fingerprinted. Is that not correct? I believe that that is correct. Now that person is an innocent person and he has been fingerprinted as distinct from another innocent person. If he is acquitted, his fingerprints are there as being somehow different from those other innocent people walking around in the world who are also not guilty. First of all, am I correct? I believe I am correct.

Secondly, if I am correct, why don't we do something about this? Why do we not say at the very . . . First of all, I don't why he should be fingerprinted. I can see a reason for it. If the police during an investigation, have prints and they reasonably suspect somebody to be guilty of an offence and therefore, in the same way as a Search Warrant or others, charge and say that prints are a feature of the case, then perhaps they should get prints. But if prints are not involved at all, if there are no evidence of fingerprinting, why do we sit by and let the policeman take fingerprints of innocent people, who are then acquitted or convicted and really, in the case where no prints are involved, because a person is convicted of a criminal offence, are his prints more relevant than the person who has never been convicted of a criminal offence? And I tend to think, Mr. Chairman, that the practice of taking fingerprints of people who are innocent and I'm not even going to - let's take one step at a time. If they are convicted I still in logic can't see the reason for taking prints unless they are to link up the evidence for the offence. But maybe that's too radical a step. Surely we can make an encroachment on the taking of prints of innocent people. Why should an innocent person have his fingerprints taken by the police and then kept as some record against him, or relating to him, not against him, which is not required of any other citizen?

Now, Mr. Chairman, I believe it goes on. I mean I believe it's so traditional and so accepted that someone will be astonished that I'm asking the question. I'm not astonished that I'm asking it, I'm astonished why I didn't start asking it 25 years ago and I have not heard it asked. We accept the fact that a person charged with an offence is fingerprinted.

Mr. Chairman, before I sit down or stop, and before I stand up, I want to note the point that I made yesterday. Mr. Clarence Campbell was today sentenced for bribery, conspiring to bribe. He got one day in jail. Now I don't happen to want Mr. Campbell to spend time in jail. It bothers me that somebody has to be in jail. It's something that I would dread having happen to anybody and I know that it is necessary and it has to happen sometimes. But I want to again compare Clarence Campbell getting one day in jail to a 32 year old mother of four children getting nine months in jail for diverting welfare funds from welfare to recreational activities in her community. Now the two questions are separate. I would like the Attorney-General to deal with the first one and tell me whether there is any validity - unless I hear something astonishingly bad about what I have said - I would like to move a resolution in the Legislature, that the practice of fingerprinting people who are not guilty of any offence except for the purpose of investigation and to link prints is something that we should have eliminated.

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MR. CHAIRMAN: 2.(b)(1). The Member for Wolseley.

MR. WILSON: Yes, the Member for Inkster has raised an interesting point and I wondered if we might also ask the question: When a person is accused and her effects are taken, her personal belongings are taken, her business records are taken, at what point in time if it's then when the charges are laid, these things are all taken beforehand and then the charges are laid, at what point in time does the Crown return the irrelevant material to their case and is it customary for the Crown or would it be customary for the Crown to turn all her affects over to the Income Tax Bureau? Does the Crown and the RCMP and the Income Tax Bureau all work hand-in-hand?

MR. CHAIRMAN: The Member for Elmwood.

MR. DOERN: Mr. Chairman, I just wanted to ask a question of the Attorney-General. There has been, I guess, quite a bit of attention given in the past year in Winnipeg to this homosexual ring that was broken in the city and a dozen or so men involved with juveniles, and I think the impression of a lot of people, including myself, is that the sentencing was very light, because of the fact that there were minors involved and because of the fact that in a couple of instances there was an obstruction of justice or an attempt to obstruct justice. And more recently, the Court of Appeal has been handing out stiffer sentences and reviewing these cases and extending the period of jail sentences, etc., etc.

I wanted to ask the Attorney-General whether this has been the result of the department's policy or attitude toward this particular crime, or whatever it is - whatever homosexuality is - namely that in the judgment of the Attorney-General that these sentences have been too light and that it is, in fact, the result of his direction that his department has attempted to achieve longer and stronger sentences? Or on the other hand, has it been just the result of a normal review by the Appeal Court?

MR. CHAIRMAN: The Member for Rossmere.

MR. SCHROEDER: Thank you. Again, to the Attorney-General, I have been getting all kinds of information about that Hong Kong Commission. I don't know whether it is true or not, and that's why I'm asking these questions. I suggest that there are a lot of people spreading all kinds of rumours about that commission, and that the sooner we get this whole thing cleared up, the better. Hopefully we can drop it after today and that will be the end of it. I have been told, for instance, that the public trustee is still involved in litigation against the defendants at McGay College. Is that, in fact, true?

MR. CHAIRMAN: The Member for St. Matthews.

MR. DOMINO: I'd like to ask the Attorney-General a question concerning the question that was brought up by the Member for Inkster. When individuals who are accused of a crime are fingerprinted and their pictures are taken, and later on, when the case is disposed of . . .

MR. CHAIRMAN: Point of Order? The Member for Wellington.

MR. BRIAN CORRIN: On a point of order, I apologize to the Member for St. Matthews for interrupting the flow of his remarks. I sincerely apologize but I think I'm representing the best interests of all the people on the committee.

I'm wondering, Mr. Chairman, if you could make a ruling as to whether it would be preferable that the Attorney-General could have an opportunity to respond to each question as it comes, rather than banking seven or eight. I've just been counting, and I think he's now got five, and this will be the sixth different question. It must be very challenging to try and maintain a bank of all those questions in his mind so that he can give adequate responses to each question. It seems to me in years past we have allowed the Minister to deal with each question individually, if that was his or her disposition, and I think in terms of the ebb and flow of committee discussion, it's more rational and logical in that sequence. Otherwise you have a hodge-podge of questioning with no opportunity for the Attorney-General to express an opinion until the very end.

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MR. CHAIRMAN: The Member for Wellington does not have a point of order. The Chair is in touch with the Honourable Minister and the Minister has indicated he is prepared to bank the questions and answer them at his leisure.

MR. CORRIN: On a point of order, Mr. Chairman, I think I am entitled to ask for a ruling from the Chair. I don't think that it's appropriate for you to dismiss that summarily. I think that in assisting you to do your work, it's to the benefit of the committee.

MR. CHAIRMAN: The ruling of the Chair is still that the Member for Wellington does not have a point of order. I have checked with the Honourable Minister; he has indicated he will be answering the questions. I think that is his prerogative.  
The Member for St. Matthews.

MR. DOMINO: Mr. Chairman, I was asking a question of the Attorney-General. What happens if the case is handled and the individual who has been arrested and fingerprinted and the pictures have been taken, what happens in the case where these individuals are found not guilty? Are those fingerprints removed from the files? Are they removed from the RCMP files? Are those photographs returned to the individual or are they kept by the Crown and put into the police bank?

I find, it's not very seldom, or it's not frequently anyway, that I find myself in complete agreement with things that are said by members on the other side of the House.

MR. GREEN: We'll have to re-assess our position, Mr. Chairman, as to whether we have made sense in the first place.

MR. DOMINO: There will be a lot of re-assessing before I agree completely with what was said. I didn't hear anything that was said by the Member for Wellington, having come in a little late, but I think I gather what he said from the subsequent comments made by other members, and I would think he has a good point, an excellent point. Concerning what the Member for Inkster said in his proposed resolution, I hope he does carry it through and brings forth a resolution for the House. I know he is a very busy man, concerned with rebuilding the world in a socialist model and everything else, but . . .

MR. GREEN: I always do carry through.

MR. DOMINO: . . . there are many of us stubborn capitalists to be overcome. However, if he brings forward this resolution . . .

MR. CHAIRMAN: Order please.

MR. DOMINO: Thank you. If he brings forward this resolution that suggests that we don't fingerprint and we don't take mugshots of people until they're proven guilty in court, I don't know who's going to support him on that, but I'll tell you there will be at least one member in this House who will support him, because it seems completely logical and clear to me. --(Interjection)-- Well certainly, he'll have a seconder if he wants it.

I hope that the Attorney-General is going to respond to these questions and give us some rationale for the approach that the police and the government have been authorizing for years, because I think it's very important. I think it's important to people's civil liberties. I've gone on record in this House and I think my position is clear; I think that . . .

MR. GREEN: You want to hang people.

MR. DOMINO: Right. I want to hang people if they're proven guilty. But first I want to make sure that those people get every single possibility to prove or demonstrate that they're innocent. --(Interjection)-- They shouldn't have to.

MR. CHAIRMAN: 2.(b)(1) - The Member for Rossmere.

MR. SCHROEDER: Yes, through you, Sir, to the Attorney-General, could the Attorney-General inform the committee as to the number of man-hours expended during that Hong Kong case investigation by members of the RCMP, by members of the City of Winnipeg

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Police Department, by members of the Manitoba Attorney-General's Department and any other individuals under the authority of the Attorney-General of Manitoba; as well as the number of man hours spent in court preparation time by members of the Attorney-General's Department staff and the costs. The number of days upon which these charges appeared on the dockets of the Provincial Judges Court in Winnipeg and the number of days upon which evidence was heard in this case in Winnipeg; the number of separate days during which the court involved in this matter sat in the Colony of Hong Kong; the number of separate days during which substantive evidence was taken by that court in Hong Kong; whether there was a change from the High Commissioner's Office in Hong Kong of this Commission, that is did the first several meetings, or one meeting occur in the High Commissioner's Office and at a subsequent time did the hearings move and if so, where to. Were the hearings held during a religious holiday in Hong Kong and did that have any bearing on any kind of testimony which was or was not presented.

MR. MERCIER: Mr. Chairman, there's been a discussion from a number of members of the committee, they're in favour of a ban on publication of the laying of charges and evidence in general until the matter is disposed of. The Member for Wellington cited reasons both for and against the proposal. One he didn't refer to and unfortunately it's one that's not emphasized in the news media or probably in the minds of the public and that's the presumption of innocence until proven guilty, and I suppose as we all know, people like to believe for perhaps just by virtue of human nature that a person is guilty when he is charged. We have taken some steps in this area. Members may be aware of a recent case in which we applied for leave to appeal to the Supreme Court of Canada from a Court of Appeal decision in Manitoba dealing with the whole question of pretrial publicity. Leave was refused by the Supreme Court of Canada unfortunately. That was a situation where we were of the view that in a situation where there had been a great deal of pretrial publicity that it harms the prospect of a fair trial and is something that should not occur.

In the review of the Criminal Code which I referred to earlier which was held up as a result of the election, I am hopeful that the new Attorney-General of Canada will proceed with that review and this whole area has been a matter of concern; that I know where concern has been expressed in a number of other Legislatures across Canada. There are views on both sides, there's no question about that. But I anticipate that the whole question of pretrial publicity will be a matter that will be reviewed as part of the review of the Criminal Code of Canada.

The Member for St. Johns asked a number of questions with respect to charges, guilty pleas, numbers of stays, etc. We will endeavour to obtain that information. I might just say that we had some discussion last night on introducing electronic systems or computer systems into the Department. If we had some of those systems that have been introduced into other states in the United States, or has currently been introduced into Alberta, we would have a method of obtaining and accumulating those kinds of statistics very easily. That's one of the difficulties, frankly, that we have and we are not the only Attorney-General's Department, that's a problem right across Canada. Attorney-General's Departments, in general, don't have the basic information in the accumulation of statistics like those asked for by the Member for St. Johns, but we will endeavour from the records that we do have to gather for him whatever answers we can to those questions.

With respect to the Member for Rossmere's first comment where he attempted to clarify his previous remarks about the Hong Kong trip costing \$300,000. I appreciate the fact that this is his first Session in the Legislature, but the fact that the question was asked in the way that he asked it would obviously lead the news media to believe that he had some evidence that the trip cost \$300,000 and that's why they used a major headline of \$300,000 in the paper. He's now suggesting today that he didn't know what the trip cost and just used the figure of \$300,000.00. I accept his explanation.

MR. CHAIRMAN: The Member for Rossmere on a point of order.

MR. SCHROEDER: On a point of privilege, that is not what I said. I said that I had been informed that it cost \$300,000, that the whole thing cost \$300,000.00. I have no way of knowing whether my information was correct or not and that is why I asked for confirmation. If it was true you could have confirmed it; and if it wasn't true you could have said no it wasn't.

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MR. MERCIER: Okay, I accept the member's explanation, Mr. Chairman. I'd just maybe suggest to him that he use different sources in the future then.

With respect to the Member for Inkster's comments about the identification of criminals; my understanding of that federal legislation is that it is in the main used for the purposes of proving previous criminal records where those criminal records are denied. Certainly all of the fingerprinting, etc. photographing is done pursuant to that piece of legislation. I don't have that with me and perhaps we could, I don't know whether the Member for Inkster has reviewed the legislation in detail, but that's all I can indicate to him at this particular time.

He referred to a sentencing in a welfare case. I can only say to him once more that in that particular case, on the basis of the facts, the counsel for the accused decided not to appeal on the basis that he felt that if there were an appeal taken those kinds of cases usually carried a more severe sentence. The other case that he referred to, I have indicated to him and I believe he indicated to the Committee yesterday that my department was in fact appealing that case.

The Member for Wolseley referred to goods that are seized in the course of charges, when are they returned? Well, generally they are subject to an order of the court and usually returned when the proceedings are completed, including the appeal period. I can indicate to him that we get a number of complaints about that from sometimes innocent third parties whose goods have been stolen, for example, who would like to get them back, and are concerned if there is a preliminary inquiry and a trial in not having their goods returned, but those generally are subject to the order of the court and can't be returned until the proceedings are disposed of.

The Member for Elmwood referred to a homosexual ring. I can only indicate to him, as I have in the past, that there was no evidence that there was in fact a homosexual ring. The sentences in Provincial Judges Court were reviewed by the Department and appeals were launched with respect to sentences where those were deemed to be inappropriate, and as he indicated in a number of those case the Court of Appeal has changed the sentences.

The Member for Rossmere referred to the activities of the Public Trustee in the McGay College matter. I can only advise him that I am aware, as of a number of months ago, that the Public Trustee was involved in a civil litigation action for some of the people who were minors. I think that action is still continuing.

In answer to the Member for St. Matthews, the question was: If an accused is acquitted, are the fingerprints, photographs, etc., that are taken under that Identification of Criminals' Act, I believe is the name, can they be returned? My understanding is that on the request of the individual involved the police will destroy the records.

The Member for Rossmere asked a number of questions on some detailed information, one of which - I believe we started and answered a number of these last night. One question was with respect to the number of days the Commission sat in Hong Kong. I thought we had gone over that last night that the Commission adjourned on Monday, February 11th because of some difficulty with Hong Kong witnesses, and heard evidence on the 12th, 13th, 14th and 15th. So that, I suppose in answer to his question, there were no matters of substance generally heard on the Monday because of some difficulty with witnesses which was dealt with that day on the basis of which the hearing was adjourned. There was also that day, as I understand it, some consultation with the defence counsel with respect to documentary evidence and providing all of that material for defence counsel.

The question of the High Commissioner's Office. My information is that the court party was not asked to leave the High Commission, but that the room provided by the High Commission, which was the largest they had, was not big enough to house the Commission and therefore the Commission moved to the hotel to facilitate the hearing of evidence.

I have no information to indicate that the evidence of witnesses or their hearings were held on any religious holiday which affected the evidence by the witnesses or the effectiveness of the Commission.

With respect to the other information asked for by the Member for Rossmere with respect to the number of man-hours, etc., I say to him that since yesterday I had an opportunity to speak to one of the defence counsel, who shall obviously have to go unnamed, who indicated to me that on the basis of the documentary evidence and the written reports of the RCMP there was no question that the Crown, in this particular case, had reasonable grounds for proceeding with these charges; but as we reviewed yesterday, commercial fraud cases are very complicated and there is a great deal of documents and it just happens that in some cases the evidence that is anticipated is not produced. When that happens obviously an acquittal is in order, and that is what happened in this particular case.

MR. CHAIRMAN: The Member for Wellington.



MR. CORRIN: I want to thank the Minister for his responses to that long list of questions, Mr. Chairman.

Moving back to the question of publication, I would ask that the Minister direct himself to the question I put to him this morning. I asked him why he thought the names should be published. He indicated that he had an express preference for publication of names. This was of some concern to several members around the table because the Attorney-General will be representing Manitoba's position to the Federal Law Reform Commission should they deal with that matter further in the upcoming year and what members, I think, want to know is why the Attorney-General takes the position that he does? What is the rationale, what is the foundation for the position? Otherwise, it is absolutely impossible to deal with the substance of the issue. Presumably there must be some good reasons why he thinks that the enforcement of the law is enhanced by publication of the names. One presumes that it is isn't just an internal disposition to retain the old law. One presumes there is more than that involved. So I ask again, Mr. Chairman, through you, if the Minister would indicate why he favours the publication of names?

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, I didn't indicate that I was in favour of legislation that would require the publication of names. I said I was, at the present time, realizing that people on both sides, the opposition and the government, probably have different personal views, and some of our members no doubt agree with some of your members and some of your members may differ. I didn't indicate I was in favour of requiring names to be published. I think the danger in all of this is how far do you go, if you're going to go in this direction, in prohibiting publication of what is going on in the courts in this country.

MR. DESJARDINS: That wasn't suggested, just the publication of the names.

MR. CHAIRMAN: 2.(b)(1) - the Member for Inkster.

MR. GREEN: Mr. Chairman, the area that is being discussed is fraught with difficulties, because if we have open trials, people can come in - and someone is going to know who is doing it - and to try to limit the name being then bandied about is a real problem. I'm not dismissing the concern but if you have open trials and I can say to my neighbour that somebody is on trial, my neighbour can say it to somebody else, you'll have great difficulty saying that everybody can say so except the media. It is a problem. So it's not one that can be handled that easily. But I certainly think that the concern that is being registered and the discussion is a constructive one.

I want to come back to the fingerprinting. There are two things that you have indicated, and I'm not criticizing the Attorney-General here because I didn't look at the Act, frankly that's why I asked the question, on the basis that I didn't know what it says.

You've indicated two things, (1) that it may be required or is required. I could see where it's required in order to try to link a fingerprint, such as a search warrant or other investigatory procedure, but if there is no print and a person is charged and not convicted, then there can never be a question as to whether it is a second offence. So the only time that you need the print in order to prove a previous conviction . . . And by the way, I've never seen this happen that you had to prove the previous conviction by a print because it's usually agreed to, but you may say the reason it's agreed to that they've got your prints. But the only answer to that - the Deputy Attorney-General is nodding in agreement - is that, if that's the case, it's only necessary if you're convicted; only necessary if you're convicted. Because you don't have to prove a previous conviction unless there is a conviction. And that may be, although I'm not satisfied - you certainly don't have to pursue it that far at this point - it may be the reason for taking prints of a person who is found guilty.

It still doesn't justify taking the prints of a person who is charged, and with respect to the suggestion that, well if you ask for it you can get it back, there are two problems associated with that. First of all, unless it's mandatory, I would prefer not to have people say that the investigative authorities, the Police Branch, will undertake to give it back. I would be wanting to make sure that they had to give it back, and of course if they didn't take it, unless you were guilty, then there would be no need to ask for it back.

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Secondly, for the protection of society generally, it is not, I think, enough to say that the police can say they have destroyed it or given it to you, because there is no way of knowing whether they will not have copies and keep them. And the safest way, it seems, is that until you are convicted, the print is not something that you should be required to give, just as any other innocent person in society.

I'm not asking the Attorney-General to make a swift opinion on this, I am canvassing the problem to find out whether there is a legitimate need to take prints of an innocent person. If you don't take them, you don't have to destroy them. And if you don't take them, then there is no question as to whether they were or were not destroyed, and if they're needed for guilty people, why do they take them before a person is convicted?

MR. CHAIRMAN: The Member for Wolseley.

MR. WILSON: On the same subject, I wondered if governments at some certain level, could not really be a little more open about this subject. Because it seems to me if you were to look at either Orwells 1984, or the fact that they're all demanding your social security number now, wouldn't it be nice if governments could get everyone at the age of 18, have a mandatory fingerprinting, because then governments would not only have your social security number but they would have your fingerprints?

It seems to me that if you're truly looking for a way to better spend your law enforcement dollars, if you feel that every person that is brought in, before they are charged, is fingerprinted and photographed, you're looking at at least two to three personnel, and I believe when I was in city council it was something like \$16.80 an hour for a policeman. I believe if you want to rent one for the Carlton Club or something, it's something like \$24.00 an hour.

But what I am trying to say is that it seems to me that I wonder at the priority of the law enforcement dollar that's being spent. If we're spending that taxpayer's dollar on something that I consider that is completely unnecessary at a certain stage, I have an underlying feeling that maybe, just maybe, they want to build up the bank as a way, together with the social security number, of being able to have more and more people on their computer, on their records. If this was the honest approach that the federal government wanted to tell the citizens of Canada, then they would have a mandatory fingerprinting of all adults at the age of 18.

If they are interested in truly having priorities in the protection of individuals in our battle against crime and crimes of violence in the street, then I think the priority of the dollar spent should be more for citizens' protection rather than spent on what I call clerical work, such as fingerprinting, that may involve two or three individuals.

MR. CHAIRMAN: The Member for Rossmere.

MR. SCHROEDER: Thank you, Mr. Chairman. Further to a point that the Member for Inkster was making with respect to open trials and the right of people to know what is happening, back to that Hong Kong matter, I suppose that's one of the reasons why people have these concerns and why these rumours are going around. There is a situation where we didn't have a trial that took place in the open in the city of Winnipeg or in Manitoba, it took place outside of this country. I'm not saying that there was anything improper; what I am saying is that as a result of the lack of opportunity of anyone from here to be present at the trial there are certain rumors which have developed and this would appear to be the only opportunity to answer those kinds of rumors.

The Attorney-General indicated to me that I ought to check my sources, maybe change them. He may be right; he may be wrong. He is attempting to use the one figure of \$35,000, which is apparently the cost of certain items included in the trip to Hong Kong, I don't know which items, I don't know which items were excluded. When we are talking about a total investigation the \$300,000 as being related to the entire investigation is not something which I first brought up this afternoon, in fact I mentioned that, as I said, previously in my maiden speech in the House - I believe the Attorney-General was present - and therefore it was clear about a week ago that what I was referring to was the total cost of this investigation including the trip to Hong Kong. Now to suggest that the \$35,000 is the answer to my total question I suggest is considerably misleading. So that what I am saying is, and it may well be that my source is wrong but I don't know that and I wouldn't want to change my source at this time until I find out and that's why I'm asking what the total cost was.

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Now a question that I have of the Attorney-General is will the action, the civil litigation by the Public Trustee's Office, continue; and I have several other questions again dealing with that High Commissioner's Office? On what day did they move? Was it on the first day of the hearing or on the second day or on the third day and when did the Court party leave Hong Kong?

MR. MERCIER: Mr. Chairman, the hotel room, as I understand it according to the information I've received, was only used for two days. I would point out to him that although it was being less expensive, as I've said on numerous occasions, to go to Hong Kong to take the Commission evidence which was approved and authorized, as I said by an Order of the Court of Queen's Bench; there was a court reporter there. I assume a transcript of those proceedings could be ordered, the evidence was taken by the court reporter.

MR. CHAIRMAN: 2.(b)(1)--pass. The Member for Wellington.

MR. CORRIN: Mr. Chairman, I don't want to belabour the question of publication of names any further but I think that the last response that was elicited from the Honourable Attorney-General muddied the waters. This morning it was my distinct impression, and I think that I can reasonably infer from the debate it was the distinct impression of virtually everybody at the table, that the Minister had said that the publication of names should be permissible. In other words, upon a charge being laid by his department the publication of a name should be permissible at the discretion of the media. Now a few moments ago he says, and I think I can almost paraphrase his remarks, perhaps quote them almost verbatim. He says that he is not in favour of requiring publication of names.

As a matter of clarification, Mr. Chairman, through you to the Minister, I don't think anybody at this table has suggested that they're in favour of requiring the publication of names. I don't think that has been an issue in the course of today's discussions at all. I think the question quite simply put is should the law allow the press to publish names? Now that is the question to which I would like to have a yes or a no answer. If the Attorney-General is going to go to Ottawa, meet with his federal counterpart, Mr. Cretian, or whoever is now, I'm not sure that he is actually his counterpart but whoever occupies that particular position, I would like to know what position the Minister will take in those discussions. I think that it's an entitlement of the members of this committee to be apprized of positions to be taken on behalf, if not of all the members of this committee at least on behalf of the people of Manitoba through the official government member, in such important discussions. And I think it's just a matter of a yes or a no and I don't want to belabour it, but it's just simply yes or no.

And if the member differs from the stated position as expressed by members around the table that there should not be enabling legislation or there should not be, I guess you don't need enabling legislation, there should not be allowance for the press to publish names, he should say so. I think he should feel free to justify whichever position he takes and he should feel both qualified and capable to be forthcoming and forthright with the committee. I think it's simply a matter of integrity in the sense that one presumes that there are good reasons why the Minister takes one position or another; that he really believes as a matter of principle that one position is more tenable ethically than the other and therefore he is willing and able to defend it and to assert it to his colleague in Ottawa. But I think in all fairness it should be disclosed to members of the committee.

On another point, because the Minister has indicated a disposition to bank his questions, I would very much like to know some more details about the tapping of member's telephones in the past 12-month period. There were press reports, I'm not sure that they were confirmed, but they observed at the time that the telephones of certain members of this House were under surveillance by members of the Royal Canadian Mounted Police. I'm not sure, I presume, I think the tenure of the press reports was to the effect that this was done as a part or part and parcel of the surveillance leading up to the laying of charges against my friend from Wolseley. It seems to me, Mr. Chairman, that the Attorney-General owes it to the members of the Legislature, his peers as it were, to indicate how it came to pass that the telephones were monitored or tapped, whether it was done with his consent and permission. And I would like to emphasize that I want to know whether it was done with his consent and permission, whether or not there was judicial permission given to the police prior to their interception of these calls, and, Mr. Chairman, I would like to know whose telephones were tapped? I would like to know if my telephone was tapped.

And, Mr. Chairman, on a broader plane . . .

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MR. DESJARDINS: I thought you were against publication.

MR. CORRIN: Mr. Chairman, on a broader plane, I would like to know the Minister's position vis-a-vis the publication of lists, as they do in Ontario, disclosing the names of all persons whose telephones have been tapped in any given year. I understand, and I think I am correct, that in Ontario there is legislation that requires that the Attorney-General table in the Assembly of that province a report disclosing the names of all citizens whose telephone calls were intercepted by the police during the twelve-month period preceding the report.

Now, Mr. Chairman, I think this is a matter of fairly great substance. I think it goes to the very heart of the civil liberties which we so proudly proclaim ourselves to enjoy, and I would like to have some response with respect to all those matters. I think it is again incumbent on the Minister to advise us.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, with respect to the first item. I have indicated that my position at the present time is that I would have to be persuaded further before I would change my position with respect to publication of names of persons charged with criminal offences. I would prefer to see an emphasis, perhaps it would have to be an educational function, of strengthening the legal presumption in the minds of the people that a person is presumed to be innocent until proven guilty.

I recognize that this is a very controversial matter, that other persons besides the Member for Wellington and others who have spoken, have expressed the same view he has taken; it has been expressed in other provinces and concerns have been expressed. I would expect that it would be included within the terms of reference of a review of the Criminal Code, in which we took, and the previous government agreed there was to be some close consultation with each provincial Attorney-General's Department.

I would propose that, in that view, as it affects this province, to involve outside organizations. For example, the Criminal Justice Subsection of the Manitoba Bar, I would think should be consulted in that review when terms of reference for that study are drafted. So that while I express, as requested, a personal view of this matter as I see the matter now stands, I recognize it as a controversial one and I am prepared to arrange to have that matter, as well as all others that are proposed in the major review, discussed as widely as possible with organizations and groups in the province.

With respect to the second question from the Member for Wellington, I have been assured by the police force that there have been no unauthorized interceptions of communications in this building. There is published in The Manitoba Gazette each year figures relative to the numbers of wiretaps that take place. The persons involved in those wiretaps receive notice pursuant to the provisions of the Criminal Code.

MR. CHAIRMAN: The Member for Wolseley.

MR. WILSON: Well, I just wanted to say . . .

MR. CHAIRMAN: The Member for Wellington, on a point of order.

MR. CORRIN: On a point of order, Mr. Chairman. are we not following the usual rules? Do not supplementary questions take precedence to new questions?

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Thank you, Mr. Chairman. I would ask the Honourable Attorney-General, through you, Mr. Chairman, to indicate whether he believes that it is possible - and I now remind him that he represents the interests of not only the law enforcement agencies in the prosecution of cases against individuals alleged to have broken the law but he also represents the interests of the people who are appearing before the courts, who are indeed usually taxpayers, voting citizens of this province - in light of that, I would ask him whether he believes that it is possible, after sensational publication of the names of an accused, for that individual to have a fair unbiased impartial treatment before a jury of twelve or his or her peers?

I would ask whether he believes that it is possible in a small province with pervasive mass media, such as we have, for a man or woman to stand before a jury of twelve men and women and have his or her case adjudicated in a truly impartial manner? If the details of the case, as are by the way usually revealed by the police to the press, Mr. Chairman, not by the accused; nobody comes back to the accused and says, what did you do, what is your version of the story. You know, did you do it or didn't you do it. Then there are all sort of rules. The press doesn't want to get involved in that. They want to hear details, perhaps from the Attorney-General himself, about the nature of the prosecution, the substance of it. They will go to the police authorities responsible for the investigation and get some more detail. This may well find its way to the front pages of a daily newspaper in the city where the accused lives and from where all the jurors will be selected, probably hotly debated and discussed on the Peter Warren Show during the morning hours.

Now I ask, Mr. Chairman, whether the Attorney-General believes that it is possible, within our concept of justice as we know it and as we respect it, for such an accused to have a fair and impartial trial before a jury of his or her peers?

MR. MERCIER: Well, Mr. Chairman, almost anything is possible, but I repeat to him again that we applied for leave to appeal under the Supreme Court of Canada very recently and were turned down on a question of pre-trial publicity, where we had received an adverse ruling to our position in the Manitoba Court of Appeal, because we were concerned what we submitted was publication of evidence prior to a trial.

We have, I think, demonstrated through these court proceedings a concern in this area and I suggest that it will be a matter that will be dealt with in the review of the Code.

MR. CORRIN: A supplementary, Mr. Chairman. Dealing with the other aspect of the response the Attorney-General made to my first query, he indicates that there is requirement - and he is quite correct - that there is requirement that the numbers, the absolute numbers of wiretaps within the province, be published in The Manitoba Gazette annually. What I asked him was whether or not he would endorse legislation similar to Ontario that would require all people whose telephone conversations have been intercepted to be informed of the fact at some subsequent date after the interception takes place. In Ontario there's a . . .

MR. MERCIER: Mr. Chairman, the Criminal Code requires that they be notified within a period of time.

MR. CORRIN: I'll take that under advisement. I don't believe that.

MR. CHAIRMAN: Order please. The Member for Wolseley.

MR. WILSON: I was a little concerned because of the fact that if you published a list of all the persons wiretapped as you do in Ontario, if what the Member for Wellington says is true, wouldn't the media then have a field day of unbelievable proportions, because they would take it the same as most of my little ladies and homeowners in my district say, it must be true it's in the newspaper. Could you imagine what would happen to the citizens of this province if a list of all the people that were wiretapped was ever made public? Because people would assume from that certain things, and I would be rather concerned of that list; that the Minister give some very serious thought to that before he does adhere to the Ontario system.

I would also like to say that the Minister has indicated, on a number of occasions having referred to the former Attorney-General, said there were 18 wiretaps in Manitoba during the last year of his government, that it would seem to me with an increase in the RCMP budget of \$17 million to \$27 million, and the advent of a new building in a direct line with the telephone system, that I would suggest that a very sophisticated wiretapping system is in place in Manitoba and I would be very much surprised if that list of 18 wiretaps was not in fact maybe tripled or maybe even 10 times what it was during the last year of the former Attorney-General.

I appreciate that it's going to be available in the Manitoba Gazette, but I think it would be of interest to the general public, because of the fact people such as Mr. Warren have referred to 1984, that maybe it's upon us now and the liberties and civil rights of people certainly are being affected. And I would say that if there is a sort of massive xeroxing of wiretap orders going out by judges in the province, permission for them, that the general public should know.

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I recommend to everybody that they should always maybe carry their conversations on to the extent that maybe there is some sort of surveillance.

I again think that we shouldn't have to wait until the Manitoba Gazette is published to find out how many wiretaps there were in the year 1979.

MR. CHAIRMAN: The Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I find it quite difficult to go back from one to the other, but apparently you've made your ruling. I think that things would be speeded up if we discussed one thing at a time and then tried to do away with it. We can't call closure but I think it would make more sense. But if we must keep on like this I am a little concerned. It seems that somebody is missing the point. Maybe we have too many lawyers around here, but on this question of publication, the Attorney-General keeps talking about the question of a fair trial which is very important, which is his responsibility. But publication, as far as I am concerned, there is something that is being missed here. Even if he has a fair trial, and even if it is proven that he is still innocent, the thing is that I feel that that man is marked for the rest of his life in many instances. You're not washing the slate clean in this case, and that is the concern. I don't think we have to wait until they discuss that, I'd like the Minister to at least look at it. I ask him and I issue the challenge now to anybody to tell us what good will it do? Will it improve justice? Will it improve fairness in the trial and so on by publishing names? Does it do anything? I don't think it does and I think we could show leadership if we can, try it anyway, bring legislation that would prevent that.

I'm less concerned in this case because the names are mentioned. I'm less concerned about a fair trial because I think that the lawyers are sufficiently trained, and the judge and so on, that they won't let that bother them too much. I say too much, because it will up to a certain point, they being human beings. But I'm talking about something that will be left long after. How many times do you hear, oh yes, he's the guy that did that - no, no, he wasn't proven guilty; but it stays with you, and that's what I'm concerned with more than anything else.

There's just an example here. "Charges cost man job and family despite being cleared." And as I say, even some people around this table, we'd do the same thing ourselves, we'd be afraid of business, we'd be worried about political repercussions and so on and we ostracize these people and I think that's wrong, I think it's too different things.

All right. Do everything you can, and if you have something to show me, well we need that because that's the only way you're going to get a fair, or even if it'll improve the situation, it'll make possible that they'll have a fair trial. But what the hell difference does it make if somebody wants to read all the gory details. The Attorney-General said well, they're freed, the details should be known, I'm not even arguing that. I could at another time but that's not my concern right now. If somebody wants to read the whole thing, let them, but why do you have to put a name? Just, it's Mr. X or something. If a man's guilty, well fine, that will come out, but if not, there's no point. There's no reason at all.

As I said earlier, we accepted a certain way of doing things in a free society and we delegate the courts who have the knowledge, who are trained in that to do a good job the same as we do in anything else. Doctors do the same thing, we license them to specialize in certain things, I don't fight that, I'm not against that at all. As I say, nothing's perfect but it's the best that we've seen. It's fair compared to a lot of other countries where they have a different system, but I don't think that there is any reason in the world to start mentioning names and slap that in the newspaper, especially in this day and age. That's what the people seem to want; you want the gory details, you want the dirt. You focus, you know if somebody's going to do good you don't give a damn about that, you might find the story on Page 44, you focus on the misfit in society, and what's wrong? You don't give credit. And why start naming names, maybe we should stop for a minute, keep quiet and you should call a recess and just bow our heads and think, what the heck would happen if we were accused. I can go and make an accusation that somebody has done something, trying to get even with them and so on, and then that's it. It stays with them for a long time, as I say, mostly with the sex-related offences and it might be some sick person; nothing more than a mere child can make an accusation, that's it, that'll be in the paper right away. You might find out that the fellow was somewhere else, but that's going to stay and I see no reason. And I think that if we, for a minute, try to put ourselves in the place of these people we'd change our mind fast. It doesn't change anything.

The Minister said that he appealed and so on. That is another question. Even if you had a fair trial, it doesn't change anything if you have your name in . . . Well, like this one here, I

haven't read it, I don't know what this is all about but the heading, "Charges cost man job and family." I don't know, maybe it is, but . . . So Mr. Chairman, I think the Minister should look at that. He doesn't have to go and talk to the other Attorneys-General. If it makes sense let's show leadership here. Has he the right, have we the right here in Manitoba to enact legislation to protect our people? Are we afraid to do something? You have a system, and then you say, don't rock the boat. It must be a good system, it's been on for ten years. That doesn't mean anything. It's like my friend from Inkster said, he's a lawyer himself, he said, "I'm wondering why I didn't think of that before?" And it's brought in. If it has no merits. But not because we want to keep on doing things the way they have been doing. If there is any advantage at all in the publication of names of somebody that is not found guilty, and according to law, and according to the way we operate here, that man is innocent. Well, why would you want to put an innocent man's name in the paper and relate it and say all the things he is supposed to have said.

It's the same thing in politics, you can start talking about the Minister was incensed that apparently my friend here asked a question, and it was above board, he asked a question, but there was an innuendo, the Minister thought that he was making a statement. If that is fine why should you object to that? Because you feel that that wasn't correct and that some people will read that and it's wrong.

So Mr. Chairman, I think the Minister should take into consideration the suggestion of my honourable friend, not only for the fair trial but for the innocent person themselves.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Yes, thank you, Mr. Chairman. The Minister, through the Deputy advised me that there is in place, today, through the Criminal Code of Canada I believe the Deputy said, law which requires the disclosure of the names of all persons whose telephone conversations are intercepted by the police pursuant, I presume, to authorized interceptions, judicially authorized interceptions. I'm wondering, for clarification, and I must admit, Mr. Chairman, I suppose it would be incorrect for me not to admit that perhaps I'm growing in the sense that I am being, if not educated at least re-educated. Perhaps he could advise when the law came into existence and whether or not the reporting process, the informational process is related to the person whose calls are intercepted, or whether or not the intercepting party merely has to inform the courts, or some authority such as the Attorney-General within the province. I'd like to know, as a matter of my own interest now, and I am interested because I think it's an important area of law and one that did at one time require reform, perhaps it no longer does.

I'd like to know whether or not it is the case that the reporting authority, namely the police department, has to disclose the interception to the individual whose calls were received. I would draw a distinction between the report being made, for instance, to the judge who issued the order or the Attorney-General responsible for the province in which the interception took place. Is it the actual person, and if so, what time limitations prevail? At one time, it seems to me there was some - in the deep recesses of my memory I remember something that did require a report to go forward, but it seemed to me that it could go forward any time within five to ten years after the event. I'm not stating that to be a fact but it seemed to me at one point that there was a requirement that a report be tabled somewhere, I just don't remember who it was with, but that there was virtually unlimited time and latitude given to the authorities on the tabling of the report.

So I would like some clarification now from the Deputy or the Minister on those points.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, the notice goes to the person whose telephone has been tapped. The legislation, as I recollect, came into effect in the mid-seventies. With respect to the actual time requirement for notifying the person, we're going to get a copy of the Code and we'll show it to the member. I just don't recollect whether it's 60 or 90 days.

MR. CORRIN: A supplementary to that, Mr. Chairman. I would ask, what then will happen in the case of MLA's telephones, office telephones being tapped? Is the Attorney-General aware whether or not notice will be given, and presumably by now, 60 to 90 days, he says, presumably by now we are well past the limitation period, so did he receive notice on behalf, or any other Minister of the government receive notice on behalf of those MLA's?

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MR. MERCIER: In the matter to which the member refers, Mr. Chairman, I would presume that, it being a federal prosecution, that the federal prosecutor would have informed anyone as required under the provisions of the Code.

MR. CORRIN: I'm sorry to ask the Minister to repeat an answer after he has given it. I should have been paying better attention but I missed part of the response and, Mr. Chairman, through you, I'd ask the courtesy of . . .

MR. MERCIER: Mr. Chairman, on the presumption that the member is referring to a federal prosecution, I presume that the federal authority would send out the necessary notifications in conformity with the code.

MR. CORRIN: Well I don't want to split hairs, Mr. Chairman, but we were talking initially about provincial prosecutions and we're talking about legislation that pertained in the Province of Ontario. I know that the tapping of telephones that took place with respect to MLA's lines was pursuant to a federal enforcement matter, namely Narcotics Control, an area that was within the domain and jurisdiction of the federal government not the provincial government.

I am also concerned with the same point as it relates - and that's how I thought I phrased it - as it relates to the provincial jurisdiction. If the Attorney-General's enforcement officers, if officials of a law enforcement agency are pursuing a case, a line of investigation in Manitoba and that case will be prosecuted by members of the Attorney-General's Department in this province, will there be disclosure?

MR. MERCIER: Disclosure?

MR. CORRIN: Yes, will there be disclosure to those persons who had their telephone conversations intercepted? I don't want to, as I said, split hairs but we want to be precise in our terms.

MR. MERCIER: Mr. Chairman, in any investigation involving the provincial Attorney-General's Department, involving wire taps, the department will comply with the terms of the Criminal Code. The person tapped will get a notice.

MR. CHAIRMAN: The Member for Inkster.

MR. GREEN: Mr. Chairman, I want to go back to a point, with regard to sentencing, that the Minister dealt with in a way which, to me, raised more questions than it answered.

I believe that society generally would be offended if they were told that a mother of four children, 32 years of age, first offender, was sent to jail for nine months she diverted welfare moneys to recreational activities in her community and she lives in a collective community. And by the way, I know nothing more about the case, I am stating what I understand to be the events, with no more aggravating circumstances than I have indicated. The Minister's response is that the defense counsel felt that to appeal this type of case would be to invite a higher sentence because in this type of case the sentence could go up.

Now, Mr. Chairman, that's what offends me. This type of case - what you are saying is that this is not a particular case, that in this type of case, that is a woman of this kind with that type of an offense, that she would get more than nine months. Well I believe that the Attorney-General's Department, which is involved in dealing with the public interests and public morality, if they are telling me that this type of case is one in which the department accepts the fact that a person should go to jail for nine months, then I have a bigger argument with the Attorney-General than I thought I had. Because I don't think he should rest quietly or passively to know that type of case would inspire that type of sentence. And that if he does say that is what is occurring, then his Crown attorneys should be going to the court, speaking for the public of Manitoba, saying the Crown does not ask for prison for this type of case. And then if he said that the judge is the one who is the sentencing authority and we did everything we could, then my argument would be with the Minister of Justice or the judiciary. But if he says that this type of case invokes that kind of sentence, then I'm going to say do something about it.



It is not as if we are impassive people with respect to this type of sentence. There is nothing wrong with the Crown attorney going before the courts and saying the Crown does not feel that a prison sentence is warranted for this type of case and this type of defendant. And we should not be satisfied with the prison sentence because defense counsel said that he's afraid that he'll get more. There should be a public element involved here and the public element should be to the effect that the Crown does not seek that kind of punishment.

Now, Mr. Chairman, if the Minister is saying that sentencing is always the prerogative of the judge, I won't argue with that. I think he said that to the Member for Wellington yesterday, that talking about what pleas should be made is not improper, on the ultimate understanding that the Crown can't impose a sentence, that the judge imposes a sentence. But the Crown can say it is not in the interests of society that a woman be sent to prison for nine months. And in the ultimate, Mr. Chairman - and don't discount this and I hope that if I was occupying the Minister's chair, I hope that I would be strong to my conviction to do it - I would appeal that sentence. The Crown can appeal that sentence. The Crown can go to the Court of Appeal, if they are offended by what occurred, and say: The judge imposed nine months; we think that's too much.

And it's not enough for the Minister to say that we leave that up to the courts. The courts will accept their responsibility. The courts will accept their criticism if it's due, but the Crown has a responsibility which they cannot ignore and in a proper case should exercise: first, to the point of saying that they don't ask for that type of sentence and, second, to the point of saying that they will appeal it if it's imposed.

Mr. Chairman, I cannot help but make comparisons. If ever there were a law for the rich and a law for the poor, it's been indicated with a few comparative sentences. Clarence Campbell got one day in jail for conspiring to bribe a senator, a conviction. A man who stole several hundred thousand dollars from the government was fined \$110,000 which presumably he will pay. The man who took DREE money and diverted it to his private dwelling, not to recreational services in his community, was ordered to pay a \$3,500 fine. Let me make it clear. Each of those merciful sentences may be appropriate. I am not seeking blood. I am not saying that those guys should have got more. I'm saying this woman should have been treated as mercifully as they. And if the Attorney-General sees that is not happening, then do not say that defense counsel was scared, because defense counsel sometimes can be appropriately scared. He can say that maybe she'll get more than nine months if it goes upstairs. What is our position? Are you satisfied that justice was done in that particular case and, if not, then the Attorney-General can appeal that sentence?

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, as a result of public concern over this and a number of other cases, I requested a review by the Director of Prosecutions with respect to them.

The Member for Inkster started off by acknowledging that he was not aware of the facts of the case other than the . . .

MR. GREEN: Other than what I've stated.

MR. MERCIER: Right. The review of the case that I have indicates that there was a breach of trust situation, in which incarceration is usually warranted. The accused had counsel. Surely counsel formed a view not to appeal and that's where that particular matter ends.

Now the question of the nine-month sentence is another matter. When the Member for Inkster indicates that this woman is going to be in jail for nine months, that is a cause for concern in the minds of many people involved in the judicial system. I don't know whether she's out or not now. I suspect that she is . . .

MR. GREEN: I hope so.

MR. MERCIER: . . . and she was sentenced very recently.

MR. GREEN: Mr. Chairman, the Attorney-General has said that I am not aware of the case and he has not given me one additional fact which would aggravate the offense. I know that she was in breach of trust. I know that money was sent to her to be used as welfare in the community and she used it for recreational purposes. She did a wrong thing.

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She is convicted. She is then to be sentenced. And the fact that a person can get out on immediate day parole is not something that the Attorney-General has to inform me of, and I asked in the House and I've still not been given an answer. If she was given a day parole immediately the next day, it would prove to me that the sentence was not considered something which should have been imposed. But I would hope that she is not in jail. I would hope that she is with her children.

But we are still talking about a first offender. We are still talking about the fact that the moneys were diverted in this way and we are still talking about the fact that people who commit, people at a much higher intelligence level, with much less - and you can't even talk about justification for the crime - with what society would view as more reprehensible and conscious activities, have been given much less sentences, and I'm not seeking to increase them. I'm talking about the sentence that is imposed and I say that the Crown has an obligation, when one looks at the situation and says that this cannot be, to, if necessary, appeal the fact that it's nine months and ask that it be reduced.

MR. MERCIER: Mr. Chairman, the Member for Inkster indicated the money was used for recreational purposes. The report that I have indicates that the money was used for a number of other purposes by the accused, not just for recreational purposes for the community. The Member for Inkster refers to a number of other dispositions in other cases where either the federal government prosecutes or another province prosecutes. I don't agree, Mr. Chairman, with the results of every prosecution by another jurisdiction. We only take responsibility for the ones that occur within our jurisdiction.

MR. GREEN: Mr. Chairman, I'm going to ask the Attorney-General . . . Well, I'm going to ask him a very blunt question because he has his agents appearing before judges on these questions, and he is a lawyer himself. If he was the Crown Attorney would he go to that court and say, "I believe this woman should get nine months". Because if he does, then I have a much more serious problem with him than I think I have; and if he wouldn't say it, and I don't believe he would, I really don't believe he would. The Minister is a softie and I say that as a compliment, not otherwise, because I believe that softness is better than hardness in dealing with this type of thing. If people ask for money that is something different, then you have got to be tough. But in terms of dealing with punishment, in dealing with a woman in these circumstances, I believe that the Minister, if he was on the floor of that courtroom would say, Your Worship or Your Honour, as they now say, I believe that this woman has erred, that she has made a mistake but she has never done it before, that in much respect it was done with an erroneous but good motivation. I believe she is sufficiently punished by what has occurred, and I would ask that she be given a suspended sentence, to be of good behaviour and keep the peace for a period of two years; and that is all I am asking him to tell his Crown Attorney to do. I believe that is what he would do and I am asking him to tell his Crown Attorney to do the same thing.

MR. MERCIER: Mr. Chairman, in this particular case the Crown Attorney involved, on the basis of the case law that he felt was appropriate, requested a period of incarceration but made no recommendation as to the amount of incarceration. The defence counsel also apparently indicated that a period of incarceration was appropriate.

MR. GREEN: Mr. Chairman, I would ask the Minister on the basis of everything that he has told me to try to see that that kind of thing does not happen.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Mr. Chairman, getting back to MLA's telephones and the events of last summer. I would like the Minister to confirm a few things, and if he can't confirm them he can advise me.

Is it not true that the notice that is sent out to the person who was the subject of the special judicial permit, that is the person who the police wish to investigate - people are shaking their heads all ready, I haven't asked the question yet - is it not true that the notice just has to be sent to the person who was the subject of the authorization? That is just yes or no, I think the answer to that is yes.

MR. MERCIER: In any wiretap case the answer is yes.

MR. CORRIN: Is it also not true that there is no disclosure on the notice of where the telephones that were tapped were located?

MR. MERCIER: The answer is yes.

MR. CORRIN: Right. So is it not true then that if, for instance, the RCMP were tapping the telephone, well were tapping any telephones that may be used by a person under investigation, that other persons whose calls were also intercepted, because they happen to be on the same trunk or party lines, would not legally have to be informed? Is that not the reason why no other member of the Legislature received notice from the federal authorities advising them that their telephones had been tapped?

MR. MERCIER: Mr. Chairman, I made one answer previously in response to the Member for Wellington and because of the requirements of the Code I hope he will bear with him when I tell him that I am unable to answer any further questions.

MR. CORRIN: Mr. Chairman, with respect, I think that is simply obfuscating the issue. We are not dealing with the matter sub judicata now. What I am asking is whether or not members whose telephones were tapped, members of this Legislature, and I could address this as a matter of a privilege of this House, Mr. Chairman, whether members of this Legislature are to be advised of the fact that their telephone conversations were intercepted by members of the police?

MR. MERCIER: Mr. Chairman, I repeat my previous answer to the member. I advised him that I have been assured by the police forces that no unauthorized interception of communications in this building occurred.

MR. CORRIN: Mr. Chairman, as I pointed out to the Honourable Minister a moment ago, the authority to intercept a conversation, a telephone conversation, is only made with respect to the name of the person who is suspected of having committed a criminal offence, so the police are empowered, as I understand it, to tap any telephone anywhere, any place where they believe that person may be using that particular telephone instrument. So they can have 25, 35, 55, 155 telephones in this province tapped. If they believe that a person in this building has committed a crime and they receive permission to intercept telephone calls, it is my understanding that they need only inform the person who is under suspicion 90 days after the last telephone tap and they can renew the permit over and over and over again in order to obviate the necessity of having to inform the party under suspicion.

But what I am directing myself to, Mr. Chairman, is the question of why all the people in this building, all the members of the Legislature, were subject to this sort of scrutiny without some sort of intercession or protection on the part of the Attorney-General. I would like to know why there is an authority for everybody, every member of the Attorney-General's caucus, to have their telephone conversations intercepted for a length of time simply because one member of the group is under suspicion of having committed an offence? I would like to know whether the Attorney-General thinks that right, whether he approves of such conduct on the part of the law enforcement officials; and I would like to know whether or not he will undertake to find out what telephone conversations were indeed intercepted and find out whether or not these people will be informed? And if that is not the law today, I would ask him whether he thinks the law should be reformed so that all people who are the subject of those interceptions would be properly informed.

MR. MERCIER: Mr. Chairman, the Member for Wellington's assumption is incorrect.

MR. CORRIN: What assumption?

MR. MERCIER: The assumption you just made, that all telephones of the whole caucus were wiretapped.

MR. CHAIRMAN: 2.(b)(1)—pass. The Member for Wellington.

MR. CORRIN: Then if the assumption, which is based on news reports, is incorrect, Mr. Chairman, I think as a matter of great concern the Attorney-General should take this

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matter up with the media that reported the incident and perhaps ask for some reason, some justification, for the media having made that publication.

MR. CHAIRMAN: 2.(b)(1)—pass. The Member for St. Vital.

Order please. The hour being 4:30, my apologies, the hour being 4:30 the Committee will adjourn for Private Members' Hour.

#### SUPPLY - LABOUR AND MANPOWER

MR. CHAIRMAN, Mr. Abe Kovnats (Radisson): I would bring to the attention of the honourable members, we are on the Main Estimates, Page 68, Labour and Manpower. Resolution No. 89, Item (c) Women's Bureau, Item (1) Salaries—pass - the Honourable Minister.

HON. KEN MacMASTER (Thompson): Mr. Chairman, I was asked to pass some samples of some of the pamphlets that our Women's Bureau have been handing out throughout the province of Manitoba. We have handed out approximately 2,000 of them - they were to be handed over to the opposition.

In addition to that, the kind of press the Women's Bureau is getting, the Tribune of Friday March 7th I think, is an example of the fine work that they're doing in this particular province.

MR. CHAIRMAN: (1)—pass - the Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Chairman, I would like to say a few words under this subject item. I believe that, too frequently, only cosmetic measures are presented pertaining to employment opportunities and equal opportunity proposals for women, that what must in fact be done must be measures that are much more fundamental and important than simply the cosmetic. We listened to the statement which the Minister read this morning about the International Year of the Women, and we certainly appreciate the statement, but Mr. Chairman, in practice, in fact, the statement is little more than cosmetic and public relations. Because there are deep and fundamental problems within our economic framework that give rise to the present situation confronting women in the workforce.

When we are dealing with a situation such as we are now in Canada, and certainly Manitoba's statistics would bear similarly to the Canadian situation, where 71 percent of the women are employed in but four occupations, 33 percent in clerical, 19 percent in service, 11 percent in sales, 8 percent in nursing; indicates that in general, women are relegated to a narrow concentration of employment fields, rather than enjoying the opportunity to participate in the wide array of employment opportunities that are available to both male and female.

Secondly, we are faced with a situation in Canada, where there is a sizeable wage gap, and unfortunately, that wage gap is not narrowing, but has been stabilized, or in fact has been widening. The result, now for example, in Canada, is that analysis demonstrates that 77 percent of workers are women, but that their average income is approximately \$5,000 less than the average income for men in the clerical field - 77 percent, women in the clerical field, their average pay cheque \$5,000 less, wage gulf and concentration of employment in a few occupational areas. And 6 percent of the male force is unemployed; 8 1/2 percent of the female workforce unemployed.

Then we are dealing, of course, with policies which have been presented federally and provincially, which have contributed to this present situation. And regrettably, Conservative governments, both in Ottawa and in Manitoba, contributed to this situation, of widening the gulf, of creating the unemployment situation. And I would like to detail a few of those policies, Mr. Chairman, which have directly contributed to not an equalizing of the present situation, but a widening of the present situation pertaining to women.

No effort to provide some cosmetic public relations at last minute can detract from the fact that the Minister and his government, in the space of the last two and a half years, along with his Conservative colleagues in Ottawa, have helped to worsen the situation rather than to improve the present situation. There is no doubt, Mr. Chairman, that cutbacks that we have been subjected to in the past two and a half years in regard to various programs in the fields of health and other areas have contributed to the situation. The freeze insofar as day care, over the past two years, has contributed to a situation where more and more working mothers are finding it, and had found it difficult to participate in the work force, in many instances, totally impossible.

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Luncheon after school - the refusal of this government to expand the luncheon after school program beyond that which it was in 1977, has made it increasingly difficult for mothers, single parent mothers, to participate in the workforce. And as well, Mr. Chairman, we have a situation by which Unemployment Insurance Commission proposals, amendments to the Unemployment Insurance Act, by the former Clark government, have not eased the present situation, but have worked towards intensifying a situation of inequality. And by that I am referring to proposals which were introduced by which there would be amendments - a two-tier form of amendment - which would cut back on the benefits to those workers who don't have dependants. And we know that in the usual situation insofar as the Unemployment Insurance Commission, it would be the male within the household that would be considered to have the dependants, and the female would not have been considered to have the dependants. The result is that the female would be prejudice against - federal policies that have contributed against the ensuring of equality within the workforce.

Unfortunately, what this is doing, whether wittingly or unwittingly, is to attempt to build up a reserve labour force, a secondary labour force, and that labour force is given the lowest priority during difficult economic times. During times of increasing economic stress, a slowdown in economic growth, it is the woman in the workforce that often is the most affected. And what, in fact, such proposals as those that were presented in Ottawa by the former Clark government, in fact, were worsening that situation.

In fact, Mr. Chairman, I would like to read a statement by economist Monica Townsend, which I believe sums up this impact very well, and I would like to read her comments pertaining to the effect of the proposed changes to the Unemployment Insurance Program: "Married women who will be expected to pay into the unemployment insurance scheme on the same basis as other workers would not be entitled to full benefits because they are considered secondary workers. And they are considered secondary workers because they do not make as big a contribution to family income as their husbands do." Of course . . .

MR. MacMASTER: Mr. Chairman, I am just wondering, the Leader of the Opposition is wandering substantially away from the Women's Bureau operation in Manitoba and he is getting into something relating to unemployment insurance, which certainly is a federal matter, and I wonder if he could keep his comments for a Federal Election, which is quite open and quite fair, but we are dealing with the operation of the Women's Bureau here in the Province of Manitoba.

MR. DEPUTY CHAIRMAN, Mr. J. Wally McKenzie (Roblin): I thank the Honourable Minister for his comments and I will be very careful and try and monitor the remarks of the Leader of the Opposition and ask him to proceed. If he will kindly confine his remarks to 1.(c) Women's Bureau salaries which is what we are dealing with.

MR. PAWLEY: Mr. Chairman, if the Minister had been listening, he would recognize that the premise of my remarks deal with the ineffectiveness of the type of leadership which is provided by his ministry insofar that his ministry is not . . .

MR. DEPUTY CHAIRMAN: Are you speaking to the point of order?

MR. PAWLEY: Mr. Chairman, if I could complete my remarks . . .

MR. DEPUTY CHAIRMAN: Are you speaking to the point of order or are you continuing with your speech?

MR. PAWLEY: Yes.

MR. DEPUTY CHAIRMAN: You are speaking to the point of order?

MR. PAWLEY: Does the Minister have a point of order then, Mr. Chairman?

MR. DEPUTY CHAIRMAN: I am not sure. I am not sure, as I said here, because I just took the Chair a couple of moments ago, and I tried to listen as best I could. I suggest, just for the record and for the members of the House, if we can refer just to Salaries under the Women's Bureau, then the House will proceed.

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MRS. JUNE WESTBURY (Fort Rouge): On the point of order, Mr. Chairperson, I do appreciate the fact that you weren't in the Chair earlier in this discussion. We have been talking about the entire subject of women in the workplace, under 1.(c), this morning and yesterday.

MR. DEPUTY CHAIRMAN: I have to inform the honourable member that just spoke - maybe she is new in the Legislature - that the rules here prevail, once you go off the Minister's Salary, prevail to the subject matter before us, and it is Women's Bureau, salaries only, that we are dealing with at the present time.

The Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, in view of the answer which you have provided to the Member for Fort Rouge, in which you are implying that the Member for Fort Rouge is incorrect, I can't help but wonder if, in fact, you are ruling in favour of the Minister's point of order, that we are so restricted on our discussion of this subject matter that we cannot discuss the problems relating to women . . .

MR. DEPUTY CHAIRMAN: Order, order please. That was not my intention. If I left that impression with the Honourable Leader of the Opposition, it was not my intention. I said I would take it under consideration because of the fact that I just arrived in the Chair. My further remarks, I hope that the Leader of the Opposition would confine his remarks to 1. (c)(1) Women's Bureau - Salaries.

MR. PAWLEY: Well, Mr. Chairman, just so that there be no misunderstanding, it is my view that we had been doing that for the past fifteen or twenty minutes and I intend to continue along the same route. I am discussing the Women's Bureau . . .

MR. DEPUTY CHAIRMAN: Order please. I am sitting in the Chair; I am the Chairman of this Committee, and I will have to ask the Honourable Leader of the Opposition if he would be kind enough to refer his remarks to the Women's Bureau, 1. (c)(1) Salaries.

MR. PAWLEY: That is what I am doing.

MR. DEPUTY CHAIRMAN: Well, the Minister alleged that you were referring to matters not related to salaries, such as the Unemployment Insurance Commission. I think he had a point. I said I would listen to the debates and then I will monitor it very carefully and make a ruling, so I ask the Leader of the Opposition to proceed.

MR. PAWLEY: Mr. Chairman, again, and unfortunately it is the Minister that has put you at sea, because your ruling is neither here nor there. I want to --(Interjection)-- Well, there hasn't been a ruling to challenge.

MR. DEPUTY CHAIRMAN: My ruling is, and it is very clear, I am sure the members of the Committee understand, we are dealing in Estimates with the Labour and Manpower, Resolution 89, 1.(c)(1), Women's Bureau, Salaries.

MR. PAWLEY: Thank you, Mr. Chairman, that's precisely as I am doing at the present time.

MR. DEPUTY CHAIRMAN: The Honourable Member for Fort Rouge.

MRS. WESTBURY: Acknowledging the fact before you do, Sir, that I am new, nevertheless I have sat through most of this debate for the past couple of days, and the only matter that it was suggested that I shouldn't be allowed to speak on, Sir . . .

MR. DEPUTY CHAIRMAN: Order please. Are you speaking on a point of order or a point of privilege?

MRS. WESTBURY: A point of order, Sir.

MR. DEPUTY CHAIRMAN: A point of order?

MRS. WESTBURY: The point of order that has already been discussed, Sir.

MR. DEPUTY CHAIRMAN: Proceed.

MRS. WESTBURY: When I spoke about women and trades, I was asked if I would delay that until we get to the Manpower Division, and of course I was properly reminded that that comes under that Division; otherwise the discussion, Sir, this morning particularly, and perhaps the Honourable Member for Churchill, who was one of the chief speakers this morning, can verify this, ranged far into the entire work field of women in Manitoba and the responsibilities of the Women's Bureau. I am sure the Minister will acknowledge this too, because he was participating in the discussion. I am not saying we should talk about the Unemployment Insurance Program or anything like that, I am just saying that we were not required this morning to confine ourselves to the salaries under Women's Bureau.

MR. DEPUTY CHAIRMAN: May I reply to the honourable member - and hopefully she will learn the Rules of the House after she has been here a little longer - and spell out that under Women's Bureau 1.(c)(1) Salaries, that we are dealing with, we basically under the Rules of this House can only deal with the salaries in that department of the Minister's that relates to the salaries of the people employed in the Women's Bureau.

Now if the members want to go and stray wide over, then you're welcome to do that. I am at your mercy. I'm your chairman, and if that's the way you want to go. . . The Minister has already indicated he doesn't think we should go that way. We've been through this battle many, many times over the years, and members can espouse their points of order and their points of privilege. It's not an easy job to sit in this Chair and try and sort it out, because the politicians in this room are a lot smarter than I am and they can find ways and means to get around the rules. I am just asking, for the benefit of the members and the House and the province of Manitoba, let us try and proceed under the estimates under the rules that we have and the estimates before us, Women's Bureau: (c)(1) Salaries. The Honourable Member for Churchill.

MR. COWAN: Speaking to the point of order very briefly, Mr. Chairperson, when the Minister opened his remarks on this particular item under the estimates, he gave us a brief overview of some of the functions and some of the responsibilities of the Women's Bureau. Now I don't have the Hansard before me, but I am certain that if you peruse Hansard tomorrow or the next day, at the next opportunity, you will note that he said words to the effect that the Bureau promotes greater understanding of women's problems and concerns, etc. and that was the opening for the discussion, the same item under which we are operating now, to discuss some of those concerns and what that particular Bureau was doing in regard to it.

I think my leader has justifiably so enunciated one of those concerns, being a specific concern in this instance, the concern to deal with unemployment insurance and how it affects women. And then I'm certain that my leader was intending to relate that to the activities of the Women's Bureau and to determine what it is exactly now the Women's Bureau is doing in regard to that, just as this morning I talked about affirmative action for the purpose of finding out where the Women's Bureau was proceeding. I think that is a legitimate quest for opposition and so would hope that my leader would continue on that vein to find out more about what this department is doing for the women of this province, a responsibility that the Minister outlined in his opening remarks, which I believe gave us the opportunity to answer.

MR. CHAIRMAN: To the members of the committee, I thank you very much for your comments, your suggestions. I suggest in replying to the comments of the Honourable Member for Churchill, the remarks that he is alleging to can be made under (c) (2) Other Expenditures, which is a wide broad - it says Other Expenditures, it is very wide. I suggest to the committee, if we want to stay with the rules and run the House, I think the way it should be run on this item, if we can, and I don't know if we can or not, that we deal strictly with salaries, then on Other Expenditures then I have a difficult time ruling on matters. But I would just like if we could keep the debate to salaries on this matter.

MR. MILLER: Mr. Chairman, on the same point of order.

MR. CHAIRMAN: The Honourable Member for Seven Oaks.

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MR. MILLER: Mr. Chairman, the distinction between salaries and others, I don't think you can hang your hat on that. The people are being paid a salary to do certain things. Their responsibility is not just to draw a salary but to generate certain ideas and execute certain programs and follow through on certain positions which the government wants them to adopt. In this instance, I think it makes sense that the activities of the Women's Bureau, for which people are being paid a salary, is what we are talking about. That's what the salary is all about. Simply to ask whether the person is being paid one dollar more or less is really not very important and I don't think anybody is questioning how much they are being paid. So to suggest that it be limited to dollars, is what I think you are saying, is far too narrow and doesn't really serve the purpose of exploring what that particular branch does. They're being paid a salary to address themselves to the problems of women as outlined in their objectives, and I believe that my leader was simply discussing what these objectives are, what the purposes of the branch are, what these people who are being paid a salary are doing about protecting the rights of women in Manitoba in the labour force, and that is really what he was talking about, by using the example of perhaps unemployment insurance. He might have used other examples but that simply is a reference point and was not debating, as I could see it, the Unemployment Insurance Act as such.

MR. CHAIRMAN: Well, to the members of the committee, I thank the Honourable Member for Seven Oaks. He's a very learned member. He's been here many years. He knows the rules, and I think the record will show that he and I were elected the same year, but as a chairman of this committee, my jurisdiction is that we are dealing with Resolution No. 89, (1)(c) Women's Bureau, Salaries \$143,200, and that is the subject matter before the House and I hope we will confine our remarks. . . I don't care if you want to stay here and debate my ruling. I would like very much - and I know I'll never have the last word - I just ask the members to kindly confine their remarks to salaries and the expenditure of \$143,200, which the Minister of Labour is asking to be approved, and if you'd be kind enough then we could proceed. I have no quarrel. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, I appreciate your comments and your suggestions. Mr. Chairman, I was dealing with the problems pertaining to the amendments to the Unemployment Insurance Act. I'm not going to go back to deal with that in great detail, but to point out that those amendments were working to the prejudice of women in the workforce.

Now we have the Women's Bureau, members of that bureau are paid salaries. I assume that they are paid salaries in order to monitor legislation that is being presented by the federal government, by other provincial administrations, and from time to time hopefully, Mr. Chairman, to take stands pertaining to that legislation if it's contrary to the interests of women in the workforce. So that when the Minister rises to speak later to this subject matter, I would be interested in hearing the Minister's comments as to whether the Women's Bureau did research pertaining to the effects, the impact of proposed changes to the Unemployment Insurance Commission, to women in the workforce, whether he himself took a position as the Minister responsible for the Women's Bureau pertaining to this, or did he simply let the proposals go by without comment.

Secondly, I believe that insofar as the entire question of women in the workforce, that the former Minister of Labour, I remember early in her days as Minister of Labour, expressed a conviction that there should be movement towards equal pay for work of equal value. And remember that members were rather interested in the thought that the former Minister of Labour . . .

MR. CHAIRMAN: I'll have to remind the Honourable Leader of the Opposition again, I'm really concerned now that he has learned through his years of experience to get around my ruling, and that's easy to do. I would hope that the honourable member would finally get back - do we approve this \$143,200, or we don't approve it, or where are we going? He's into the speeches of the former Minister. We're on unemployment insurance. The Honourable Member for Kildonan.

MR. PETER FOX (Kildonan): I would like to assist you and remind you that we are discussing a departmental Estimate. There is a certain sum involved. It comes under a heading, but it also has some duties to do as a department. And, if we cannot debate what that department does except say "yes" or "no" to the amount of money, then we may as well close shop. Now I think, Sir, if you will kindly look at what kind of debates we have had in the



past, you will realize that we are entitled to discuss the philosophy and the actions of that department under Salaries.

MR. DEPUTY CHAIRMAN: The Honourable Minister of Government Services.

HON. HARRY J. ENNS (Lakeside): Mr. Chairman, on the same point of order, I appreciate that you, Sir, are attempting to handle the discussion of these Estimates in the correct way. I also appreciate that honourable members opposite, and I acknowledge when we were opposite, that that wasn't always done. We have, though, made some significant changes in the way we approach these Estimates, by dropping off to the bottom, for instance, the Minister's remuneration item which, by tradition, has given us the opportunity, all members, to discuss in the broadest terms, the entire philosophy, the approach of this Minister or of this government on the subject matter that involves the entire department. Having, by agreement, chosen to not discuss that item in the first instance when the Estimates come up, but rather latterly, the procedure that you are attempting to enforce, Sir, is entirely correct.

The question is Salaries. If the Leader of the Opposition believes that the salaries provided for under this item aren't sufficient for the Women's Bureau to do the job that he is concerned about, if he thinks that they need more manpower, better salaries to do the necessary research that he thinks the Women's Bureau ought to be doing, that's the item that quite legitimately could be discussed under this item. And that, Sir, is all that you are asking the members to do.

But, I would have to take strongest objection to the remarks made by the former Speaker of this House, who should have some understanding of the rules, that when we are going on the line-by-line consideration, it is not the opportunity to discuss, in broadest terms, the entire philosophy of this Minister and this department. That occasion arises, has always been there for us, when we discuss the Minister's salary. Now, for instance, I have some objections, Sir, to the way we carry out the rules because, in my belief, we should be discussing the Minister's salary first, and then everybody can get off their chest the broad and wide-ranging debates that they would like to bring to a department, and then proceed on the line-by-line, item-by-item discussion. However, we've chosen this way, and I would have to support you in your attempt to carry out that ruling.

MR. FOX: Mr. Chairman, I would just like to indicate to the Minister of Government Services that I'm sure that he doesn't just say to an employee that he's going to hire, here's the number of dollars, and that's it. He would like to know what capabilities he has, what experience, and what he's going to do, and those things are outlined. Now, if we're going to pass these Estimates and this Salary amount, then we would like to know what that department is doing, how it's doing it and --(Interjection)-- I would suggest that I did not interrupt the Honourable Minister. I would hope he would have the same courtesy and not interrupt me while I am trying to state my point.

I am just suggesting to you, Mr. Chairman, that if we are to pass the Estimates for the amount of money that is being asked for, we would like to know what the department is doing, how it's doing it, whether it's doing it efficiently, inefficiently, or otherwise, and that is the thrust of my leader's remarks.

MR. DEPUTY CHAIRMAN: I again thank the honourable members for your comments. We've been through this many many times. I have a difficult problem as a Chairman. Maybe I shouldn't be sitting in the Chair. Of course, you know what you can do if you don't like my ruling; you can challenge the ruling. But, as I sit here this afternoon as your Chairman, I want to proceed with these Estimates as fast as I can. And I'm asking you to just confine your remarks to the item that we're dealing with. Women's Bureau, Resolution 89 1.(c) - do we approve the salaries of \$143,200, or don't we?

I have already expressed comments to the Member for Churchill that if you want to get into a wide-ranging debate, Other Expenditures, then you can go into that field, and I'm with you all the way. But I'm just asking us, on this item, stay with Salaries. On the next item, we can go into wide - because I have a difficult time ruling on the next item on matters, because it says Other Expenditures. Proceed.

The Honourable Leader of the Opposition. Oh, I'm sorry, the Honourable Minister. I apologize. He was on his feet before . . .

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MR. MacMASTER: I'm not speaking on the point of order. If the Leader of the Opposition wants to speak on the point of order, that's fine. I just want to say to the Leader of the Opposition, and to others, the Members for Kildonan and Fort Rouge and Churchill have certainly been here the last few hours. They have heard the description of the titles of the people that work within the department, they have been told the type of work that they do - not once, several times in various ways - the people that are paid to do the work, they have been told the research methods, they've been told the kind of research projects they're in, and maybe what the Leader of the Opposition is leading into will be repetitious to what we've been through the last couple of very good hours, I think.

MR. DEPUTY CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Thank you, Mr. Chairperson. Speaking to that, I have to agree with the Minister that we have gone through this particular department in some detail, and there is more detail that we will have to cover as soon as we have settled the matter before us. But in speaking to what the Minister did say, he must be aware that we are operating now in two committees, and that I believe my leader, as former Attorney-General of the province, was in the committee reviewing the Attorney-General's Estimates this morning and didn't have the opportunity to discuss with us much of the detail that the Minister talked about. And so I see no reason why, at the given moment, the Leader of the Opposition should not be allowed to come in here and acquaint himself with some of what had gone on earlier, and to make his presentation. I believe all he is trying to do is make a presentation to this committee, and at the same time elicit some information so that he may better understand the department.

I think that if we allow him to proceed in such a manner, we will clear this matter up much quicker than if we become involved in these sort of procedural wrangles which I don't believe are speeding the process up at all, although they may be necessary. I'm not going to comment on whether they are necessary or not. But I do know that they are slowing it down, and I, for one, would like in the most conciliatory manner possible to move through these Estimates as quickly as is possible.

MR. DEPUTY CHAIRMAN: I thank the honourable member. I can associate myself with his concern in this particular matter. For years, I have been trying to find how I can be at both committees at the same time, and I recognize the problem that the Member for Fort Rouge has. She almost needs running shoes to go back and forth to the various committees and get her remarks on the record regarding various Estimates. It's a difficult matter and I recognize the problem of the official Leader of the Opposition.

But the rules that are before us, and the Estimate that I'm supposed to be chairing this afternoon is Women's Bureau, Salaries, \$143,200.00. I have already indicated to members of the committee that if you want to go in a wider-ranging debate, you can do it on Other Expenditures. But I have a difficult thing, as your Chairman, to try and let you have that wide-ranging debate under this item, 1.(c)(1). Under 2., I think the debate can be more freewheeling because it says "Other Expenditures".

The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Well, Mr. Chairman, I am afraid I have to beg to differ with you on what other expenditures are. Unless there is a new method of preparing the Estimates, Other Expenditures are pencils, papers, supplies. They are not the things that you have been stating. I can appreciate, I sat down in that Chair for many years. It is not the easiest job in the world to make the ruling. But I think that the Leader of the Opposition, my leader, has been trying to present a point of view, which is dealing with the Women's Bureau, what their work is, and I have some questions myself that I am going to test you on a little further when we get into this debate, because I just don't know where they should be. But they are dealing with women, and they deal with another section of the Estimates.

I will abide by your ruling at that time, but I think that the Leader of the Opposition has been trying to point out - and after all, we were chastized by the First Minister during the Throne Speech Debate that we were not coming forth with ideas. Well, I think the Honourable Leader of the Opposition, my leader, is now presenting some ideas for the Minister to consider. You can accept them or reject, them and I think that is all he was attempting to do.

MR. DEPUTY CHAIRMAN: Well, I am back to Square One if the members of the Committee - so if you want to have a wide-ranging debate we'll go back to the Minister's Salary, then we can talk about everything. I'll try and monitor it. Here is the Chairman coming back and he will likely clear it up.

The Honourable Leader of the Opposition.

MR. PAWLEY: To the point of order, I am attempting to restrict myself to the Women's Bureau. I don't believe you have heard me deal with any subject that was wide-ranging or dealt with the Department as a whole, or the ministry as a whole. The items which I have been dealing with have been those items dealing to the functions, as I perceive, and the Minister can very well disagree, that is his entitlement. But what I perceive to be functions of the Women's Bureau, areas that the Women's Bureau should be researching, that he as Minister responsible for the Women's Bureau ought to be requesting of that Bureau and the staff of that Bureau to develop and to work upon.

I don't want to, under Other Expenditures, when we are supposed to be discussing the amount of money for pencils and the amount of money spent on paper, to find myself again restricted, Mr. Chairman.

So that in proceeding with this area of equal pay for equal value, and if it has been dealt with, fine, I will read the Minister's answers in the Hansard later. But I would trust that with the initial burst of enthusiasm that was expressed from the former Minister of Labour, that in fact this Minister and the Women's Bureau have been doing some endeavouring pertaining to that to bring us some reports so that we can proceed in what I think, Mr. Chairman, is a very important direction that ought to be undertaken.

Thirdly, I'm interested, Mr. Chairman, as to whether or not the Women's Bureau had been monitoring and doing an effective analysis as to the effects of various cutbacks pertaining to women in the workforce. And by there, I am referring to cutbacks insofar as freezing, insofar as Day Care Programs are concerned over the past two years; the impact upon the freezing of the Lunch and After School Program; all programs, Mr. Chairman, that permitted the working mother to continue to enjoy employment for herself and for her family, rather than to be thrust upon the welfare roles. Has the Women's Bureau, has the staff of the Women's Bureau, undertaken an analysis as to the impact upon the women workforce in the Province of Manitoba?

Fourthly, we wonder, Mr. Chairman, insofar as the Affirmative Action Program is concerned, a program which was already pretty well under way towards thrust in 1977, a program which I believe that this government, the Ministers of this government, have pretty well torpedoed, and I would ask the Minister and the Women's Bureau as to whether or not there is any intention to revive the Affirmative Action Program in order to ensure there is better representation of women within the ranks of the Civil Service. I think it is regrettable, Mr. Chairman, that we have had a situation where there was a great deal of work that was done in regard to this particular program, and I believe that in the year 1980, we are further behind insofar as Affirmative Action is concerned for women in the Civil Service than we were in 1977.

Also, Mr. Chairman, I would like to know as to what the Women's Bureau has done in respect to ascertaining what steps, what other actions, whether any legislation is required regarding the problem of sexual harassment in the workplace. The Minister is fully aware that there has been concern expressed by the Manitoba Federation of Labour, and by other union groups, pertaining to that increased tendency within the workforce, and what is happening pertaining to the Women's Bureau insofar as this area of concern.

Mr. Chairman, in conclusion, all the cosmetic measures will be inadequate until such time as there is an overall analysis as to the economy, planning within the economy, the industrial-economic strategy that will enjoy maximum participation by women within the workforce. And I would trust that at least the Minister would have some views as to ensuring that the economy is stimulated, and that there is a degree of planning within the economy in order to ensure the maximum participation by women in that workforce.

The figures which have been mentioned earlier in debate this afternoon, and I gather this morning, of the gulf which exists, the wage gap which presently exists, the female unemployment, would not just go away by use of fine phrases and phraseology in a cosmetic attempt to suggest that efforts are being made in order to remove barriers from women participating in the workforce. What is required over and above that is a commitment to economic direction, a strategy in planning within the total context of the provincial community.

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MR. CHAIRMAN, Mr. Abe Kovnats (Radisson): The Honourable Minister.

MR. MacMASTER: There are some points that the Leader of the Opposition has touched on which I have already dealt with previously and I won't repeat myself by going all through them again. He did talk about cosmetic actions taken by governments, and if he was to avail himself and wander through the Civil Service and wander through the people employed by the government here today, he would find out that really, in fact, during his time in office was really when most of the cosmetic approaches were taken in dealing with women's issues.

He is aware, of course, that the women's organizations in this province started asking for an advisory council a way back in 1972. And he sat over here for five years and nothing really came of that, and I don't think you can really call that cosmetic. He may hope that he is getting some press out of his comments today, but I think we should be made aware, Mr. Chairman, that it's not cosmetic when you're doing positive things.

He talked about affirmative action thrust - great word but what does it really mean? It meant that there was a lot of verbiage attached to it and there was a little bit of chatter about it and there wasn't really very much done and that, again, is important to the people that work within the government today. The people that I talk to are extremely pleased that we're not necessarily talking about affirmative action but we're sure doing something about the equal opportunity concept which I've previously told the Member for Churchill, who's been here and followed the entire series, that the type of things that we are doing in educational opportunities and upgrading courses, we'll go through in the Civil Service Commission, and he's aware of that. In fact I would suggest he probably knows now about a great number of the things that have taken place in the last particular year.

The Leader of the Opposition keeps using the word affirmative action. It falls through and it flows from there. Some of his people who associate themselves with him come close to the quota system, and I've heard them talk that way. Well, just for the sake of the record, whether it's good PR or bad PR, I don't happen to believe in the quota system. So if that's the route that the Leader of the Opposition thinks that we should be taking then he will not get any support on that particular line of reasoning with myself.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, it appears that one should elaborate a little bit on affirmative action. In October 1977 there had been a great deal of effort undertaken in order to develop an affirmative action program. The Human Rights Commission in Manitoba had been involved, the Civil Service Commissioner, the Province of Manitoba was involved and others were involved in the development of the Affirmative Action Commission. There were personnel that were involved in the development of Affirmative Action. There were techniques that were being developed and had been thoroughly discussed, insofar as a part of the former government was concerned. It was not one which was based upon quotas but an Affirmative Action Program that would insure that more women, more natives, more handicapped, were given an opportunity to participate within the workforce of the Civil Service.

So, Mr. Chairman, I find myself somewhat taken back that the Minister, who must have this information available to him and must have been fully aware of what had been done leading up to 77 prior to his government torpedoing the program it appears, would know more about the basic detail of that program than to suggest that it had something to do with quotas per se. It was an attempt to improve the numbers of handicapped, native people and women within the workforce of the Civil Service of the Province of Manitoba.

And I would hope, rather than simply getting a negative comment from the Minister and comments which really do not reflect well upon the Minister, that he would deal with the question as to whether or not any effort is being undertaken, of a systematic and positive way, to develop affirmative action along the lines that were being commenced back in 1977 - 1976.

It's not just enough for the Minister to stand here today and say those that I have spoken to, those close to me, said everything is fine; that we're doing very very nicely. What we want to know from the Minister is whether a mechanism, whether a system is being developed in order to insure that the arrival of certain objectives are realized upon. I'm not interested in heresy comment, Mr. Chairman, from the Minister.

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MR. CHAIRMAN: The Honourable Member for Fort Rouge.

MRS. WESTBURY: Thank you, Mr. Chairperson. I wanted to speak about (c)(1) Salaries and the people to whom salaries are paid, and the Minister in his treatment of those people. I would, with the greatest respect, Mr. Chairperson, I would hope that the Minister, when he is discussing with the female members of his staff, what their duties are, I hope that he will not refer to them by one of the many euphemisms by which women are still known in some circles. Of course some of the euphemisms for women are not used in public any more, just in the back rooms and parlours but not in public places, especially by political people, but still we find some of them being used even in a forum of distinguished people such as this.

The Minister referred yesterday, I believe it was, to the little old lady from Churchill and this morning he referred to the fairer sex. Now I know he meant no offense, Mr. Chairperson, but this is a sample of the kind of conditioning to which men have been subjected over the centuries, I would suggest, and still are being subjected; that women who are striving for equality both in the workplace and in society and in politics expect to be called women or members of the legislature, not by some of these other apparently charming euphemisms, as I have referred to them.

Fairer sex is a matter of opinion any way. From where I stand, men sometimes look very attractive and sometimes quite fair. But I'm just suggesting that there are some ways in which the Minister is in the best position, perhaps of anyone in this House, to set a superb example to other people, so that the next time a woman is introduced in this Chamber as a new member of the legislature, she will not be subjected to some of the patronizing remarks on the floor of the Chamber to which I have been subjected, Mr. Chairperson.

Another way in which the Minister could be of great example to his colleagues is by insuring that when women MLA's are elected to this House, they are provided with proper facilities, Mr. Chairperson. I have asked three members of the front bench if a washroom could be provided for women MLA's and I have been told no. One Minister gave me a very facetious and amusing answer; I laughed, still I suggest that the government become used to the fact that women expect to be members of this Legislature and more of us are going to be elected over the years, and make appropriate arrangements, Mr. Chairperson.

I just want to take small issue with one remark of the Honourable Leader of the Opposition, who said sexual harassment is a growing problem, I believe is what he said, in the workplace. I suggest that it's not so much a growing problem as the fact that women are increasingly aware that they no longer have to put up with sexual harassment. Sexual harassment in the workplace has existed for many many years. If the problem is growing, it's because there are more women in the workplace. So I agree that in that sense perhaps the honourable member was correct, but it has been there. Women have learned to accept it and, in many cases, to run away from it, but now they know that they can stand and fight and that society is prepared to help them fight against this sexual harassment. And again I ask the Minister to provide leadership through his bureau and perhaps he already is doing that; perhaps he would answer this point. So that women complaining of sexual harassment will have a sensitive adjudicator to turn to with the problem, where they will not be further harassed or embarrassed because of what has happened to them where they work, Mr. Chairperson. Thank you.

MR. CHAIRMAN: The Honourable Member for Minnedosa.

MR. DAVID BLAKE: I don't know whether this is a point of order or whether I'm speaking to the particular issue but I just wanted to mention the member for Fort Rouge has mentioned the facilities in the building, and we are all well aware of what they are. They are, I think, about equal for either sex in the building. But I happened to attend my caucus room between the Christmas and New Year break when the Youth Parliament was in session last Christmas, I attended the member's lounge, anticipating to use the facilities there. There were, I would suppose, 20, 30, 50 young men and young women in that lobby and using the facilities equally. I was taken somewhat aback when a young member of the opposite sex said to me, "If it doesn't bother you, it doesn't bother me." And nature being what it was, I really didn't have time to argue with her, and I didn't find any problem, Mr. Speaker, whatsoever, and I would suggest to the Member for Fort Rouge, feel welcome to use those facilities. We shall not peek, Mr. Chairman, and we shall not be abashed, whatsoever.

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MR. CHAIRMAN: Order please. If the Chairman could just make a couple of remarks. I allowed the last member to speak because somebody else had brought up the subject, but I would remind the honourable members that we are on Women's Bureau 1.(1) Salaries, and I would believe that washrooms and toilets should be discussed under another item. I don't think it comes under Labour and Manpower so I would just advise the honourable members, please, let's get back to the subject under discussion which is Labour and Manpower, Item (c) Women's Bureau. I have allowed a lot of latitude and I am going to have to ask the honourable members to please stick to the subject.

The Honourable Minister.

MR. MacMASTER: Just a couple of quick points, Mr. Chairman. The Women's Bureau has been, in fact, in touch with the Human Rights Commission in Manitoba, and there is a series of meetings arranged as it relates to sex harrasment. That, I think involves two sets of questions. We went into a fair amount of detail on the Advisory Council on the Status of Women and I am not going to tell them what to put at the head of their list of priorities, what they wish to work at, discuss, or study, but that may be one of their particular points.

The Member for Fort Rouge has made reference to the fact that you shouldn't use the word "lady", and I've had people comment that way before to me and I don't intend to be stubborn about it. I guess maybe I'm just old fashioned enough that the word "lady" means to me, a member of the other sex, of which I respect. So if I use the word "lady" when I'm addressing the member, then that's the intentions I have and I have explained that on a couple of occasions.

MR. CHAIRMAN: The Honourable Member for Logan.

MR. JENKINS: Mr. Chairman, I'm on the horns of a dilemma here because—(Interjection)— no, I don't want to use the bathroom, I can assure you. I just want to find out from the Minister where I could ask this series of questions, and I'll abide by his decision. But I think since the Director of the Women's Bureau is here, that perhaps this might be the right place.

But the question I want to ask is one dealing with women apprenticeship in the construction trades, and I wonder if it's possible to discuss it here or whether I should discuss it under the Manpower division. If the Minister tells me that Miss Bradshaw will be available for that portion when we are dealing with female apprentices, then I am quite prepared to discuss that item under the apprenticeship. But seeing as the Director is here with us this afternoon, perhaps the Minister could let me know one way or the other.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: I think, Mr. Chairman, we can adequately deal with that particular point under the apprenticeship division. We dealt with it last year there, I think with some degree of success, and we have some other thoughts and we think we are making some progress in that area, which I think the member may be interested in when it comes up to the apprenticeship division.

MR. JENKINS: I thank the Honourable Minister for that answer, and I just want to ask one more question: Will Miss Bradshaw be available when we are discussing the apprenticeship program, since I think the question that I will be asking will be falling partly under her purview? If the Minister could assure me of that, I would be quite happy to discuss it under the apprenticeship program.

MR. MacMASTER: She can be in the vicinity, Mr. Chairman. There is no problem with that.

MR. CHAIRMAN: (1)—pass - the Honourable Member for Transcona.

MR. WILSON PARASIUK: I may be covering some ground that's been covered already, but I'd like to ask the Minister where is the focus in this government for the analysis of issues pertaining to greater equality for women? Is it being done within the Women's Bureau with material then coming up to the Minister for discussion in Cabinet? Where is that focus for analysis of this core of issues relating to greater equality for women?

MR. MacMASTER: The Member for Transcona is correct, it has been answered before. We have done a great deal under the Civil Service Commission and I will be dealing with it there.

MR. PARASIUK: Are you then saying that the Women's Bureau doesn't do any work in this respect? Because the whole set of issues relating to greater equality for women just aren't within the Civil Service, surely. I think what's lacking with this government is any type of focused approach with respect to the issue of greater equality for women. Is there a focus in the government? One would assume, and I think a great deal of women assume that somehow the government is looking at this matter and that the Women's Bureau is a logical place to look.

And if it is the logical place to look, then I have a whole set of questions. If it isn't the logical place to look at it in terms of wherein now this is being done, I ask the Minister, who do I ask these questions to? You can't have something called the Women's Bureau and then say that if in fact I raise questions relating to greater equality in the workplace for women, outside the civil service in the private sector, municipal levels of government, that somehow I should deal with this when I get to the Civil Service Commission of Manitoba.

So could the Minister specifically tell me where I can ask, in this Estimates process, questions about general issues relating to greater equality for women.

MR. MacMASTER: I think it's about the fourth time now, and I don't intend to repeat it again, that the Civil Service Commission are working in a variety of ways that will be explained when we get to the Civil Service Commission. The duties and the qualifications and the work of the Women's Bureau has already been outlined and I say to the Member for Transcona, with all due respect, I have no intention of going all through that again.

MR. PARASIUK: Since the Minister really is ducking the question, because frankly, the Civil Service Commission doesn't deal with the whole set of issues that has to be dealt with. Is day care sufficient for women in the private labour force, who are working in the private sector? Who looks at that question? The Civil Service? Or the Women's Bureau? If it isn't the Civil Service, who should be looking at it? It's a very simple question. And I ask if there is a focus approach on the part of this government. There used to be a Cabinet Committee looking at this whole matter. It was abolished by this government. —(Interjection)— Sure. You can abolish all the committees you want, pat yourselves on the back, say how much money you are saving for one year, and then two years later, up the level for administration and salary for the Premier's office, because you can't deal with the problems, because problems like those relating to women don't neatly fall into one department. There is something that the government, as a government, has to look at and that is one thing that this government could never understand; you can't pigeon-hole problems. The causes of problems are too diverse. They don't fall nicely into one little compartment and the solutions that you might put forward don't come out of one department.

So therefore when you want to do some problem solving or do some problem analysis, at least in the first instance before you get into problem solving, you then look to that group that might be doing something about this, and we don't have anything happening.

It is obvious from the Minister's responses that they don't consider the inequality of women a problem because if they did they would establish some focus; they would recognize that the inequality of women is something that pervades the system that we live in and the society that we live in. It is just not a matter of a few things of a token nature within the Civil Service Commission. You know if you did have a focus, if you have some analytical focus within the administration, if you had some analytical focus within the Cabinet, maybe then you would look at questions like day care more seriously, maybe you would realize that the lack of day care prevents women from actively participating in the workforce, maybe you would understand then that we need Lunch and After Four Programs if women, in fact, are to participate in the workforce.

In my particular area . . .

MR. CHAIRMAN: Order please. The Honourable Member for Roblin on a point of order.

MR. McKENZIE: On a point of order, I fail to see that Day Care Centres are included in the Item that we are dealing with before the House this afternoon.

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MR. CHAIRMAN: The Honourable Leader of the Opposition on a point of order.

MR. PAWLEY: Mr. Chairman, we went through this debate when the honourable member was now sitting where you are. It seems to be the continued intention to try to restrict the debate on this subject so that we are unable to discuss what function the Women's Bureau are undertaking. The Member for Transcona very clearly asked whether or not there was any monitoring, any analysis by the Women's Bureau pertaining to Lunch and After School, the Day Care Program, and one would assume that we should, if we were to do anything, Mr. Chairman, discuss the functions of the Women's Bureau under this section.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: The problem is very obvious. The Leader of the Opposition chose to be some place else when these Estimates were being discussed; the Member for Transcona chose to be some place else. And that is fine and dandy, you know, God didn't bless them as he didn't bless any one of us with the capacity to be in two places at once, but I say to you, Mr. Chairman, with all due respect, I do not intend to go through the entire functions of the Women's Bureau again because the two members happened to be absent. I respect their interest. They can read the record. If they are not satisfied with what is taking place today or yesterday with debates between myself and the Member for Logan, Kildonan, Churchill; if they've got a point to raise, they can raise under the Minister's Salary. Just about everything that has been said by the Member for Transcona I have alluded to, explained and talked about.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Chairman, as the Minister fully knows, we are trying to operate on the basis of two committees; today one dealing with the Department of the Attorney-General, the other dealing with the Department of Labour. In order that that system can work, it requires a degree of flexibility on the part of those Ministers that are dealing with the individual departments. I do not recall this being a problem last year. There was sufficient common sense and flexibility on the part of the Ministers that were reporting to the Chamber for their departments that matters went reasonably well. There may have been some difficulty from time to time, but generally there was adequate flexibility.

Now what the Minister is attempting to do, because members are attempting their best to deal with two departments, is to suggest that we can't raise any item that was dealt with while we were in the other department.

Mr. Chairman, I say to you that this will cause problems for us to continue to operate on this basis, if there isn't some common sense and flexibility exercised.

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

HON. WARNER JORGENSON (Morris): When we were on that side of the House we had that same problem, but we managed to overcome it through organization. We managed to overcome it simply because if there was a particular member who wanted to speak on a subject he was notified that that subject was up for debate and he moved in here and made his comments, what he wanted to say, asked the questions he wanted to ask at the time it was being discussed. We did not come in relays and repeat the same argument over and over again, ask the same questions over and over again. I don't think it is necessary to have to do that.

The Minister has indicated that he has responded to all of the concerns that were raised by the Member for Transcona. They are on the record. He can read the record, and then when we come to the last item, the Minister's Salary, then it will be possible for the Member for Transcona to raise and regurgitate all of those things again. That is the reason that the Estimates were structured in that particular way to ensure that, in the final summing up of the Estimates, every member would have an opportunity to cover those points that he felt had not been covered adequately during the course of the item by item consideration.

So the opportunities are there and I suggest to my honourable friends that with a little bit of organization, if they would only talk to one another once in awhile, they could organize themselves in such a way that they could go through these Estimates without any difficulty. I don't think it poses the kind of a problem that my honourable friend alludes to, because we didn't find that kind of a problem when we were on that side of the House.

MR. CHAIRMAN: The Honourable Leader of the Opposition.



MR. PAWLEY: Mr. Chairman, I must beg to differ with the Honourable Member for Morris. I can recall very well reporting for departments as well, and I recall having to repeat myself from time to time, but it was an attempt to accommodate. I know that it has happened while the honourable members were in opposition. So when he talks about organization, it is not a question of organization; there are times when you must participate in two committees simultaneously and the honourable member recognizes that, I am sure, and if we are not here to pose questions - the Honourable Member for Transcona is posing some specific questions to the Honourable Member, and I believe that this is the proper opportunity for the posing of specific questions to be answered by the Minister in question, and the Minister states they have been answered. But until the Minister hears the entire outline of the Honourable Member for Transcona's questions he does not really know whether he has adequately covered the area in question.

I would think that the Minister would be anxious to ensure that there is the widest latitude under Women's Bureau so that no areas go unexplored, that there is the fullest degree of discussion. We are not just rubber-stamping. This is an important area and requires considerable discussion.

MR. CHAIRMAN: The Honourable Member for Brandon East on the same point of order.

MR. LEONARD S. EVANS: Yes, on the point of order, Mr. Chairman, I am a bit amused by the statement just made by the Minister of Consumer Affairs. It is a bit holier-than-thou type of statement, because, Mr. Chairman, I recall, on many occasions when I was on that side as a Minister defending my Estimates, how the members of the Conservative Opposition of the Day would come in, indeed, in relays and would be very repetitive in their questions.

I also remember, in Room 254, spending perhaps an hour on a particular item and then at nine o'clock some member opposite would wander in - I am not going to name any particular names but a few of them are in the back of my mind - wander in and start the whole subject all over again, and it is very exasperating. Perhaps I should take the time and go back through the Estimates or rather the debate, the proceedings, and look at the Hansard for the Estimates review and just see how many times we repeated some subjects. But I fully recall that we had to be prepared to repeat ourselves not once or twice, sometimes three times, and unfortunately this is partly because of the fact that we have two committees and it's just impossible when a member does have an interest that happens to be in both committees at the same time; it's just virtually impossible, Mr. Chairman, to be right on top of every issue, at every minute, every hour, of every department. I would just think that a bit of flexibility is called for.

I recall repeating many a time, over many a year, an item that I was asked by the Honourable Members of the Opposition of the Day, not only once but twice and sometimes three or four times and, as I am reminded, I don't recall complaining about it and not trying to accommodate because somewhere along the line we have to be prepared. We are spending millions of dollars; we are dealing with millions of dollars of taxpayers' money. This is not like a business where the bottom line, the profit and loss item, is crucial and we don't have that discipline. What we do have is this form and it's exceedingly important that members of the opposition have every opportunity to insure themselves regarding the spending of moneys under what they deem to be the appropriate heading.

MR. CHAIRMAN: To the honourable members, it is not my duty to limit debate but it is my duty to restrict and to see that repetitiveness is not repeated. I would suggest that in the sake of not restricting debate that there will be an opportunity for items that have been debated to be debated again under Minister's Salary. So under no circumstances am I limiting debate but I am going to ask the honourable members to please restrict their remarks to the item under discussion that haven't been debated on these particular items before, and if you are not in the Chamber at the time that the item comes up and the item has been answered or the question has been answered, you will have another opportunity, at least, under Minister's Salary.

The Honourable Member for Roblin.

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MR. McKENZIE: Mr. Chairman, we have to have rules. We have to have rules in this committee; we have to have rules for this House and, to the best of our ability, we have to abide by them. The opposition knows their position. If they don't like the rules, they can challenge them. I suspect that we are going to be in real problems if we continue. The Rules Committee have met. They set up the guidelines for us to proceed with this Session of the Legislature and I suggest if we can't proceed any faster than we are proceeding this afternoon, we better call the Rules Committee real quick because we are going to be in many many problems.

I have concerns like the honourable members opposite about the expenditure of dollars, close to two billion dollars. I recognize what the expenditures of the province was when I first came here in 1966. It is our duty and responsibility to check those dollars out and make sure they are expended to the best interest of all the taxpayers in this province but, at the same time, I have another responsibility to not see members running back and forth from one committee to another and getting the Minister to espouse matters that's already in the record. Hansard got them, the record is there and if the Minister stands up in this House and said I've already discussed this matter, it's in the record, then I think that the Rules Committee is going to have to intervene and say we can read Hansard. And if we want to carry on the way we are going to day, Mr. Chairman, we're going to be in real trouble. We'll likely be here to Christmas arguing about rules and I suggest, Mr. Chairman, to you and the members of the committee, to clarify this matter and hopefully clear it up. Again, we'd better call the Rules Committee; either that or adjourn the House because I'm very annoyed with what's going on today.

And I recognize, as I said when I was in the Chair, the problems that we got and I know, in opposition, I love wide-ranging speeches and run back and forth committees but we are, hopefully, trying to save the taxpayers the dollars for our time. Because I could be someplace else today, and so could other members, but we have a duty and responsibility here. The rules are here and if we can't apply them as we are today, then we'd better call the Rules Committee or adjourn the House because we are wasting the taxpayers' dollars arguing about how we are going to proceed.

MR. CHAIRMAN: The Honourable Member for Transcona.

MR. PARASIUK: Mr. Chairperson, the Member for Roblin has just wasted 20 minutes of this committee's time. --(Interjection)-- That's exactly what you are doing, wasting time. It's exactly what you're doing. You're not talking about women's issues. You're not talking about the Women's Bureau. You're wasting time. If you don't want to talk about the Women's Bureau, get out.

MR. CHAIRMAN: Order please, order please. I would again direct the honourable members that we are on an item titled Women's Bureau, (1) Salaries. I will not be accused of restricting debate, and under no circumstances would I restrict debate, but I don't believe that repetition is allowed and debate will not be restricted if items that were not discussed while the members were in the House were discussed and the Minister has answered. I think that I am going to have to rule it out of order and make reference to those questions being asked again at a later date when we are under Minister's Salary.

The Honourable Member for Churchill.

MR. COWAN: Speaking to the point of order, if I can, Mr. Chairperson, because I am disappointed now because I had hoped that these Estimates would proceed much quicker than they have. And I know the Minister shared that hope with those on this side. We wanted to go about this in the most expedient and efficient manner possible and had made every attempt to do so, and are still trying to do so, for that matter. We had, for that reason, tried to confine our debate as much as possible. Perhaps we have not succeeded as well as we could have but we felt the questions that we asked were important questions. We felt that especially today, this day before the International Women's Day speech that the Minister made this morning, that we could contribute a fair amount of time to discussing some of the problems of women, that the Women's Bureau was set up to deal with.

I have been through the entire discussion on the Women's Bureau to date and I know that I did not ask any questions on day care and I cannot recollect any of the other members in any sort of significant manner asking questions on the effect of day care and how day care was being handled by this government, how their policy decisions were being handled, how the Women's Bureau

was interacting with that whole policy thrust of day care and what should happen with day care. We had not asked those questions. It was an entirely new area of concern that the Member for Transcona was discussing and that, itself, is not the point. I present that to you only as an aside.

The point is that we do have repetition in these Estimates for a number of reasons, Mr. Chairperson, for a number of reasons. One is sometimes we don't understand the Minister's answer; that happens, our ignorance. Sometimes a Minister does not understand our question; that happens, his ignorance. Sometimes a member comes in here and had not intended to speak - I know it has happened to me on a number of occasions - comes in here and had not intended speaking and something happens and he says, I want to ask a question about that. I want to find out some information about that. And so we tend to go over.

I have sat through, not as many estimates as the Member for Roblin, neither am I as well versed in the rules of this Legislature as the Member for Roblin, but I've sat through enough Estimates to know that there is repetition. I have sat through them with you, Mr. Chairperson, and you know that on occasion there is repetition. And I can assure you that on this side, at least in these Estimates of which I am critic for, that I have suggested that we keep the repetition to a very minimum, that we are trying to co-ordinate our efforts to the very best, but - and I think you will have to agree, Mr. Chairperson, having sat through the Estimates so far, but we do have the two committees meeting and that does hamper us. So while we try to deal with these Estimates and all Estimates in the most expedient and efficient manner possible, at times we do get sidetracked into those procedural harangues, where we are accused of being repetitious, where we accuse the Minister of not answering, and where we detract from our actual purpose here of discussing what is happening in the Women's Bureau.

I believe, having listened to the entire debate on the Women's Bureau, I believe that the Member from Transcona's concerns were legitimate concerns for the Member for Transcona and also, in many instances, were new concerns. I don't know if you recollect day care being discussed in any detail, I do not, I make that point again.

But I will not stand here and listen to threats about the Rules Committee being convened, or adjourning the House. We are here for a purpose, and the purpose is to investigate the expenditures of the Department of Labour, in this particular instance, and in general to investigate the expenditures of the government, the nearly \$2 billion expenditures that the Member for Roblin talks about, and we will not be dissuaded from a thorough and complete investigation of those expenditures. It is not only a right which I happen to believe is pertinent to the issue, but it's a responsibility. It is a responsibility to our constituents, it is a responsibility to our province. If we do not do so we are not being the type of opposition that we want to be. If we do not do so we are letting the province down.

So we will muddle our way through, on occasion, these procedural wrangles and we will sort them out as we have in the past, I am certain of that because we always have, we have precedent behind us on this. But we will not be dissuaded from bringing up news items and we will not be dissuaded from discussing items which may have gotten some discussion but not a complete and thorough discussion. And to that point, Mr. Chairperson --(Interjection)-- the Member for Roblin says, challenge the Chair. Well, that's what I'm trying to avoid, we are trying to avoid that sort of acrimonious debate in this House that does not serve the purpose of any member whatsoever. We do not want to challenge the Chair, Mr. Chairperson, we want to work with the Chair. We want to work with you, we want to work with the people of this province to find out where that money is going and what that government is doing; and that we will. And that we will. --(Interjection)-- The Member for Roblin tells me, "without rules". No, sir. No, sir. With rules. And with precedence, which the Member for Roblin is well aware of, as am I.

And we will peruse the transcripts of Hansards before on Labour Estimates for both governments, and we will find that we've had this sort of harangues before. They are not new to this House; they are not new to me in my few years here; but they will not dissuade us.

So if I can make a plea to you, and not a reflection on your ruling, and not a reflection on what has gone on, but just to try to get this back on an even keel, if I can plead to you, Mr. Chairperson, that we allow this debate to flourish because this debate does nothing but good for the people of the province, because it, No. 1, makes them more aware; and No. 2, we are offering suggestions and it makes the Minister a better Minister and Lord knows he needs that.

And Mr. Chairperson, for the final point, and I think the most pertinent point in this regard, that it does allow for a genuine interaction between three parties of opposing philosophy, to be able to present their ideas for the public, because in a few short years that

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public will have to make a decision as to whom they want to sit on this side and whom they want to sit on that side, and one of the best vehicles for them to make that decision is by watching what happens in this House and listening.

So I hope that we do not, and I know that you do not want to, nor do I believe that you intend to restrict debate, but I hope that you will go further than that, Mr. Chairperson. I hope, and I know from past experience that you will allow the debate to flourish, for all our sakes.

MR. CHAIRMAN: The Honourable Member for Transcona.

MR. PARASIUK: Mr. Chairperson, I was debating the whole matter of issues relating to greater equality for women, and I was debating it. I may ask some questions in passing with the Minister, but I want to use this opportunity in the Estimates process when we are on the issues before the Women's Bureau, to raise my concerns about the fact that this government is doing very little in a focused manner to increase equality for women, and that there are such a broad range of issues under this item - if you look at the newsletter of the Women's Bureau you find them talking about health hazards of women in the workplace, talking about word processing in relation to the way in which women are stereotyped. So obviously the matter is very broad. It is a set of issues that require a focused approach on the government. And I was saying that since this government has abolished its central committees, Cabinet committees which might have looked at this matter, since it has fired any type of staff that might have looked at the entire issue of women in society and how they might participate more in society; but then you have to look at those other places where this may, in fact, be taking place or where it could take place, given the way this government structures its activities.

I have asked questions about affirmative action in the Health Estimates. And the Minister said, well, look somewhere else. Well, you know, somewhere we have to find out where the thrust of this government is with respect to the issue of women. And it strikes me that this is the best place to try and find out whether in fact the government is serious about the women's issues, or whether it's just using a symbolic approach, namely entitling something the Women's Bureau, having some newsletters go out, and stopping there, because you don't rock the boat that way.

And the whole point about affirmative action is that you do have to rock the boat. You do have to try and get people to change the way in which they operate. And you do have to look at the major things, and you look at a lot of the minor things. So something like washroom facilities are very important. If you look at INCO, and the mines, when we talk about women having the opportunity to work in mines, but they needed washrooms first.

And you have to change attitudes when you start talking about affirmative action. You have to change attitudes when you talk about affirmative action for women, you have to change attitudes when you start talking about affirmative action with respect to Indian people, and you have to look at those things that in a sense shape our attitudes, and some of those physical things, some of them possibly small, that are the reflection of our attitudes, as well. And unless you start doing that in a systematic focused manner, we will come back 20 years from now and find that really little has changed. And I argue that you need a strong group within the bureaucracy to monitor what is taking place within society with respect to greater equality for women, and I wonder if the Women's Bureau is in fact that entity within the bureaucracy. I wonder if there is some entity in the bureaucracy of this government that might be able to tell me whether in fact women are participating more in the work force, or not participating. We are going through a type of economic recession in this country, in this province. Who are the dropouts? Is the participation rate going down, if so, is it the women who are dropping out first? If there is competition for employment, who is losing out?

Because you know, we look at a whole set of other statistics that come out from different agencies like the Social Planning Council, and we find that the group in greatest need of housing are single parents who are predominantly women. And it was the Social Planning Council that discovered that, and it's something that sits out there, as a fact, as a reality. And what I wonder about, Mr. Chairperson, is, what happens with this government? How do they take something like that, and then start saying, well that's reality out there. How do we then start changing what we do in order to change that reality so that single parents, who are predominantly women, aren't in the greatest need of housing, so that some of their problems are ameliorated.

So you need some group sort of being the prodder, I think, within the bureaucracy; and you need some people within the Cabinet who are advocates of programs --(Interjection)-- well, no, I haven't seen you get up and speak on this matter, I haven't seen you or heard you get up and speak on it for three years. And I find it somewhat disconcerting to have the former House Leader, the present Minister of Consumer Affairs, say that when I raise matters relating to luncheon after school programs as being important to women being able to participate in the work force, that that somehow is a regurgitation. That surely isn't a regurgitation, that surely is a very important condition for women to be able to participate in the work force. And I think that that's something that we, as a group, would agree is important, if we in fact believe in greater equality of opportunity, if not greater equality.

I hear people on the other side of the House say, yes, we need greater equality of opportunity for women. I go further and say, well I think it's very important then to look into those things that are necessary in order for greater equality of opportunity for women to be actually realized. And I don't think that the Minister is activist enough in this area, and I don't think the Women's Bureau is activist enough. I don't know whether they've not been given the mandate but I think they have to be given the mandate, Mr. Chairperson, because there is no other entity within this government to be aggressive with respect to this matter.

So if the Women's Bureau isn't going to do it, who is going to do it? No one is going to do it. And if you say, well the Civil Service Commission is the Conservatives' cop-out on this matter; it's insufficient, they only deal with the Manitoba provincial Civil Service. They don't deal with the municipal Civil Service; they don't deal with the private sector; they don't deal with hospitals; they don't deal with schools. And you know, if someone came to me, if women come to me and say, well, you know you're in the Legislature, you have access to information and other material like that, can you tell us if in fact women are getting a better shake of it in society right now. I'm not in any position to give them any factual material regarding that matter at all. And so if I'm not in a position to, I say, I want to. I want to start monitoring whether we're doing better or worse as a society with respect to this matter.

Now, in order for us to monitor it we have to have a monitoring body. I look to the Women's Bureau to start doing that, they aren't doing it right now. I don't think the Civil Service Commission can do it for all of society, so therefore I think it's certainly valid for me then to turn to the Minister responsible for the Women's Bureau and to start saying, well, look in the absence of anything else that exists in this government this should be the agency. Or, set up a Cabinet committee - I would think that that would be a much better approach, because a Cabinet committee would then draw on the interests of different Ministers with respect to this overall question.

But that's not happening, and I don't think this government can deal in a governmental problem-solving manner. I think they like to pigeonhole things and in a sense to fine them out of existence, or restrict the mandate of a group. I'm saying, I'm suggesting very strongly, Mr. Chairperson, that this group's mandate has to be expanded; that the blinkers of this government with respect to women's issues has to be taken away; and that more analysis has to be done, more monitoring has to be done, and there has to be more creativity on the part of this government with respect to trying to ameliorate some of the problems that women have.

And I would throw out some suggestions for them to consider. I think it would be very symbolic and real if this government established a day care centre for women workers in the Civil Service in the vicinity of this Legislative Building. We have a whole complex of women workers right around here. Now, I would suggest that we take that old Land Titles Office, right across the street, which is a very nice centrally located facility, and we set up a day care centre so that women workers in the provincial civil service would have access to day care in close proximity to where they work. I think that would help their productivity tremendously, and I think it would set a tremendous example to the private sector, and to the school boards and to other groups. So that's one suggestion that I throw out. Now, who do I put that forward too. Obviously I think, now is the time, through the Estimates process, for that matter to be considered by this government. That's only one suggestion. There are other methods, too. --(Interjection)-- I will.

But you see we can get into a good discussion on the women's issue if people don't try and limit debate, because it is a very difficult issue. It's not something that anyone has snappy answers for. Any program of affirmative action is a very difficult one. A lot of dilemma is built into it, a lot of backlash possible. People don't understand properly what people are trying to achieve. So that's why I think it is important to discuss the issue of it. I don't think that's a regurgitation if one does something like that. I want to give the members on the

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government side an opportunity to hear some different approaches and, at the same time, I want to try and find out what they're really trying to do with respect to this whole set of issues. And it's like pulling teeth, trying to find out from this government what they are doing or what they're interested in doing with respect to women's issues. I will look at Hansard and I'll see whether in fact there is anything that's being done in a way that will actually change something.

You know, where are we going to try and bend what is done? Are we going to follow the path of least restraint because very little happened that way? The path of least resistance is the proper way of expressing it. Because if we follow the path of least resistance, very little will happen. In order to achieve something like greater equality for women in society, we have to take on affirmative action. We have to overcome that desire to follow the path of least resistance because it is the easiest path and we have to be patient because we will make some mistakes along the way.

And some of the things that we think we will do or that we think we can do to change things and bring about, greater equality, may in fact be counter productive. But if we just sit back and say well, things are okay, then we'll never see any progress. So we don't have a monitoring system in this government right now to monitor what is the situation of women within in society and is their condition of life improving or getting worse. We don't have any focused approach to try to deal with this problem, which I, given my value system, say is a problem. And we don't have any set of programs to deal with this whole matter. So I think there is a challenge here for the government to try and meet and I see no indication that they are indeed trying to meet this challenge.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Well, again, it's in Hansard on more than one occasion. The Member for Transcona talks about don't pigeonhole things and again it's in Hansard and again, I repeat it, that's exactly what we're not doing is pigeonholing things. The Women's Bureau's responsibilities have been outlined this morning. I have mentioned before that we are doing things in the apprenticeship field. I have mentioned that we are doing things in the Civil Service Commission, and it's pretty obvious that we finally did what the women's organizations in this province wanted, was establish an Advisory Council on the Status of Women.

I don't know what influence the Member for Transcona had with the particular party he belongs to now, but they had several years of requests from women's organizations in this province to have get on with it and set up the advisory council.

Now, some women think that's a pretty good move and they see some good things out of it and so do I, and a lot of the items that the member is talking about might have been dealt with by that council years before and we might be somewhere down the road.

I agree with him when he said it's a very difficult area but we certainly aren't pigeonholing the activities as they relate to women within this government. We have several departments and several areas that are working on the particular problems.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Chairman, I'd just like to zero in on the report of the Women's Bureau. It indicates that the newsletter about women goes out to 1,500 names. I wonder if we could get a description of what kind of areas this goes to? Is it just the regular stereotype women's areas or is it trying to develop and get into new areas so that other people will be aware of what women are about in the workplace and whether it's going to be an educational process in this newsletter that goes out?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: It's a good question, Mr. Chairman. I don't have the list of those that go out but I can certainly tell the member what we plan on doing. We plan on putting more of them out. We plan on putting them out on a one to two-sheet sort of an information, updating current information that women would be interested in.

I mentioned before that we are establishing an across-the-province list of organizations, of all organizations that we can possibly come up with of women's groups throughout the province and in addition to that, as I mentioned in my opening remarks when this afternoon's

Session started, that we are giving out information as we travel across the country to seminars and sessions, and counselling sessions, and there are literally hundreds and hundreds of pieces of information getting out that way.

The communicator, the media communicator or communications communicator, whatever the term was that we were talking about before, that's part of his job too, to arrange systems. The philosophy is the same as I mentioned before: that it's one thing to be doing things and it's another thing to let people know that you are doing them and what the updated information is as it relates to the opportunities that people have, men and women, and the rights they have and what the legislation says. So we have a great communications job to do, but I assure the member that we are certainly working on it.

MR. FOX: I appreciate the Minister's remarks that it's going to women's organizations and women's groups. I was hoping that he would also indicate that in the future it would go to men's groups because if we are going to change the environment and the climate in respect to attitudes, it has to go to both sides of the people who are involved in the process of living in our society. We have 50 or 51 percent women and if you are only sending it out to women only one side is getting the picture.

Further to that, I would like to ask the Minister, in respect to the report where it says that in the provincial labour force there was a 48 percent with an all time high of 50.8 percent in October in the workforce as compared to 40 percent in the Manitoba labour force, is there any kind of research being done to indicate the differentials in level of women working in the same areas as in the provincial labour force and in the private sector? That's one question. Secondly, if there is any educational research being done in respect to getting, perhaps, more men involved in what used to be the stereotype women's work in the provincial service, so we show leadership and we have a balance in respect to what is normal in the labour force of the province?

And what I am trying to get at is that why should one industry like the particular industry that we have in the province, which has a variety of sectors, still have a preponderance of women in it unless we are creating a climate for more of them to work there, for the various reasons? I won't say that it happens to be less money or whatever but can we, as a provincial government, lead the way in hiring more equitably so that there is a better balance instead of a disproportionate balance in some of the jobs which are stereotyped for women and some which are stereotyped for men?

MR. MacMASTER: I think that's happening to a degree throughout society. I know within my own particular department there's a large number of women who are now holding much more higher classified jobs than was ever the case in history. We have now several inspectors of various divisions in the Department of Labour that there was just not such a thing in Manitoba's history as women holding inspector's jobs, such as they hold today. We have several women within our departments who hold fairly senior administrative positions. That part is happening.

I don't really know what I can do to encourage men to get into what has been predominantly women's jobs. I must confess I haven't given that a great deal of thought. But the member raises a point that's been raised with me, only in a little different sort of an aspect, as to getting information out to men's organizations and the Women's Bureau tells me that there are those that do enquire and they send it out. And it's a good point and we can enlarge on that.

Another interesting situation that has come up and I'll just say it in passing; I don't want to get back into the debate of the Advisory Council but it has been suggested to me that it might not be a bad situation, in fact it might be a good situation, if I was to consider appointing a man to the Advisory Council on the Status of Women for Manitoba. It's not a new thing; there are other councils in Canada that have such representation.

MR. FOX: Well, just as an aside, Mr. Chairman, I would also hope that the Minister would suggest to whoever it pertains to that maybe we should see if we can't get some women power engineers and maybe we'd get over the shortage that we're having and that's creating such a problem for us.

But again getting back to the 40 percent versus the 50 percent, has there been any research into whether there is a difference in pay, that we have more women employed at the provincial level than in the private sector?

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MR. MacMASTER: I haven't specifically researched that personally that I am aware of. I know that our research department is doing such a host and a variety of things. I'll read Hansard and get the precise statistics that the Member for Kildonan wants. I think we have an excellent group of researchers who can put together, generally speaking, that type of material, and I'll get it to the Member for Kildonan.

MR. FOX: Well, I appreciate the Minister's offer but let me be specific. What I am asking for is if there is a differential in stenographic or clerical and secretarial help versus the private sector, that was the specific question, and whether there is any research being done in that area? Thank you.

MR. CHAIRMAN: (1)—pass. The Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson, well a few short questions on this particular line and then I think we can probably manage to cover the entire waterfront in enough detail as to be satisfactory for the time being.

I'd like the Minister to indicate what relationship the special advisor to the Minister - it's a category that was hired this year; I believe it's a new category - the special advisor to the Minister has in regard to the Women's Bureau. In other words, how is that person, how is she functioning or working with the Bureau and how does the Bureau relate to her?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: I think they work well together. They communicate together. They pass bits of information back and forth. The special advisor that I have which was under . . . Take that off the table - I just spilled my coffee, so Hansard will know what I'm talking about. There's no special set of system procedure set up. I know that the director of the Women's Bureau and the special consultant meet just about daily. If they are not meeting physically they're certainly in communication back and forth with one another on a daily basis, several times I would suspect. I don't keep specific track of that, Mr. Chairman.

MR. COWAN: I want to ask the Minister to clarify why it is they are meeting. What is the purpose of these daily rendezvous between the Minister and the director of the Women's Bureau? Is the special advisor to the Minister there to make certain that the Women's Bureau is doing certain things or is she there to advise and give them consent for different programs and policies? Why is it necessary to have this particular Special Advisor to the Minister, which is a new position, meeting on such a regular basis with the Women's Bureau?

MR. MacMASTER: Mr. Chairman, I don't know what they talk about every time they phone each other. I know that they have a good communication between each other, a good appreciation for the abilities of each other, and I think it is really a complimentary situation where they discuss a variety of things that certainly are of mutual interest to both of them and to women in the province.

MR. COWAN: Perhaps we can wait one moment and allow the Minister to clean his desk and then we can continue.

MR. MacMASTER: That is fine, Mr. Chairman, I was getting the chairs dry.

MR. COWAN: I would ask the Minister then why he felt that it was necessary this year to direct that the Director of the Women's Bureau specifically that she would make this special assistant to the Minister knowledgeable of all meetings and that she would be at all those meetings. You know, it seems rather extraordinary that this special directive would have to be made that would superimpose this Special Advisor to the Minister over the entire workings, because I believe it pertained to most meetings if not all meetings, the entire workings of the Women's Bureau. I am just trying, by this line of questioning, to find out what reasoning there was behind such action, which seems to be somewhat extraordinary given the workings of the other departments within the Minister's division. It doesn't seem to be any other sort of special relationship built in; there doesn't seem to be a Special Advisor to the Minister that superimposes him or herself over the Workplace Safety and Health Division or over the Mechanical and Engineering Division. So I would ask the Minister to spend some time to clarify why this situation has come about and what it is indicative of?



MR. MacMASTER: I think, Mr. Chairman, it should be relatively easy to understand that the Consultant to myself on women's activities, and a variety of other things relating to women in our province, should be kept informed of the activities of the Bureau, the same as she is kept informed of the activities of the Civil Service Commission as it applies to the equal opportunity programs that they are putting forth. There is absolutely nothing unusual about that whatsoever.

MR. COWAN: Can I assume from the Minister's answer then that she is only overseeing those two particular areas of concern, the equal opportunity within the Civil Service and the Women's Bureau? Would that be a correct assumption at this point?

MR. MacMASTER: Well, Mr. Chairman, the position itself, as passed in the Estimates as it relates to the Women's Bureau, I think I related what the responsibilities are and when we get into Civil Service Commission I can relate the responsibilities there, and when we get into the Apprenticeship Division I will relate the responsibilities there. I think I have related that they work together and I think they work well together with the Women's Bureau, they communicate well.

MR. COWAN: Mr. Chairperson, the reason I bring that is we all hear rumours and rumblings and discussions, passing people in the hall we hear discussions and rumours. This building is one big rumour mill in many respects. It is hard to keep anything secret in the building and sometimes those rumours prove to be correct, sometimes those rumblings prove to be correct; sometimes they do not and that is why Estimates gives us such a splendid opportunity to bring some of those out into the open and to clear the air, and to disperse any of those rumours that are incorrect and then to single in on those that may be correct and deal with them in that manner.

One of the rumours that I hear is that things just aren't working well in that Bureau, and a couple of things that came specifically to mind . . . The Minister said that we are creating an Advisory Council now. One of the reasons for that creation of that Advisory Council is that the women's group had tried to work with the Women's Bureau over the past year and that had proven to be unsatisfactory. If not unsatisfactory - let me retract that because I don't want to get caught in red herrings in discussing specific words - that it proved not to be satisfactory enough, not to be satisfactory enough, and so we had to have an Advisory Council. Then I hear of this superimposed boss over the Women's Bureau, a person that is specifically directed to be at any and all of the meetings that the Women's Bureau holds, and that leads me to question the effectiveness of the operation.

I have heard rumours, and I am not going to comment on them and I am not even going to place a value judgment on them because if they are true the Minister may well be justified in his actions, I have heard rumours that the Minister runs a tight ship.

MR. ENNS: I can confirm that right from where I sit.

MR. COWAN: The rumour has been confirmed from the Minister of Government Services, and I trust him in the area of confirming rumours without any qualification whatsoever. If I ever do want a rumour confirmed, I know that I can go to the Minister of Government Services and either get a confirmation or a non-confirmation, as the case may be, and I take that as valued advice from the Minister.

But I am somewhat concerned about that; I do not want to belabour the point but I just want the Minister to be aware that if he is trying to imprint his department with himself, that is one thing, as opposed to trying to run a tight ship. One would always assume that a Minister would want to run a tight ship and keep things well under control but one would not want a Minister, especially in a delicate position, as this Minister is, to sort of superimpose his own will and his every thought on his particular department. So I warn him that if that is his idea, if that is his tendency, that we are watching very carefully and we will try to stop that from happening because we on this side believe that would work to the detriment of his department.

I would ask the Minister if he could clarify what is the current status of the Canada-Manitoba Manpower Needs Sub-Committee on Women, if that committee is functioning now and if that committee is meeting, or if that committee has been deactivated and reactivated, or deactivated and not reactivated.

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MR. MacMASTER: Mr. Chairman, so I can remember them all, or at least most of them, the last particular committee that the member is talking about will go into a great deal of detail under the Manpower Division and the structure of the whole Canada-Manitoba Manpower Committee has been restructured, I think, for a good cause and we will certainly go into those details when we get into it under Manpower.

I should tell the Member for Churchill that some of the expressions that he has been using are absolutely incorrect; they are part of the rumours that he alludes to. The particular person he is talking about has not been superimposed upon the Women's Bureau in any way, shape or form, and he is correct that I sort of pride myself in running a reasonably tight ship and if people are available and on staff they should be knowledgeable about the kind of work that they are involved in, and that is simply all it is.

MR. CHAIRMAN: (1)--pass.

The Honourable Member for Kildonan.

MR. FOX: Just briefly, Mr. Chairman, I would like to ask if there are any men working in the Women's Bureau.

MR. MacMASTER: No, there isn't.

MR. FOX: Well, I am not happy with the answer. I would like to say if we are going to make progress in educating our society to come to grips with this question of women's rights, equal rights and equal opportunities, that probably one of the good places to start would be in the Women's Bureau because, having lived a certain amount of time in this society, I am aware that people are conditioned by their sex as well as by their environment and so therefore there could be ideas coming forth and there could be a generation of better ideas if there was one or two males, I don't say any particular number, but at least some input from that particular viewpoint. I would like to ask the Minister what he thinks about that?

MR. MacMASTER: I haven't given that particular point a great deal of thought, but now that the member has posed it I can assure him I will give it some consideration.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: I honestly, Mr. Chairperson, had not intended to speak, but very quickly I will just have to ask the Minister if the reason that there are no men employed in the Women's Bureau is because there are no men's bathrooms there? I want to make certain that that is not the cause.

MR. CHAIRMAN: (1)--pass; (2)--pass; (c)--pass.

Item 2. Labour Division, (a) Workplace Safety and Health, Item (1) Salaries--pass.  
The Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson. Well, there is not much time with which to begin our comments on this, so I believe rather than get into a series of questioning perhaps I will just speak very generally and very briefly to the subject of Workplace Safety and Health and inform the members opposite that we do intend to examine this particular division in some detail come Monday, I believe.

MR. CHAIRMAN: The hour being 4:30, Private Member's Hour, committee rise. Call in the Speaker.

The Chairman reported upon the committees' deliberations to Mr. Speaker and requested leave to sit again.

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IN SESSION

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: We can wait for a couple of minutes until the other Committee members get here.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Member for St. Boniface, that the House do not adjourn.

MOTION presented and carried, and the House accordingly adjourned until 2:30 Monday afternoon.