

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 10, 1983

EVENING SESSION

COMMITTEE OF FINANCE

CONSOLIDATED FUND BUDGETARY EXPENDITURE

JUSTICE

Ordinary Expenditure — Vote 3

Item 1 (continued)

Mr. Koskie: — Mr. Minister, I was on, I think, a document which to me indicates some of the concerns in respect to the direction that you may in fact be proceeding in regards to the legal aid clinics. And I want to just indicate a number of concerns that the former dean of the law college, Mr. Roger Carter, has indicated. And as I stated in part, he indicates another further concern and that is this; he says:

Turning to the MacPherson report, the fundamental objections which I have to its recommendation is that each of the 13 local community boards, which are now in charge of management of their respective clinics, should be transferred into mere advisory groups. These boards constitute an essential part of what is completely unique legal scheme. In every other part of Canada legal aid is controlled either by the provincial government or by the law society of the province involved.

I think that is a concern, and I think I have demonstrated here this afternoon that there are a large number of groups and citizens who are indeed concerned that the local control will in fact be eroded and that it will either be under the control of the government or under the control of the law society. And certainly, as he indicates, Saskatchewan had a unique legal aid system of allowing the establishment of the boards, and this was done with the recommendations of a committee. I want to ask the minister whether or not he feels that there is the potential for the erosion of the legal aid system by either diverting the control to the government or over to the law society of the province.

Hon. Mr. Lane: — One, first of all I do not see the diversion of control to either the government or the law society. I think a careful reading of Mr. MacPherson's report will indicate that the government is to play a minority role in the operation of the legal aid plan. I personally subscribe to that position. With regard to the law society, that was never contemplated in the MacPherson report nor was it referred to the MacPherson report.

I will be the first to admit that I will be unable to devise a perfect system. I would hope that the hon. member opposite is not arguing that the existing system is perfect, because it's not. I see no difficulty with the changes. If one keeps in mind the objective of maintaining the highest quality of legal services to those that cannot afford to use the private lawyers, I suggest that if we keep that objective in mind, if we can supply the highest quality — really the form of supplying that is not that important. Ensuring that the highest quality services are supplied must be the fundamental objective. That will

be the fundamental objective under the changes being considered. I suggest with that in mind that if we are in fact supplying the highest quality legal services, the system will be well accepted by the users and the public.

Mr. Koskie: — Well, I want to continue the record of this topic. Mr. Carter goes on to say that a number of considerations led that earlier committee to recommend this kind of structure. Briefly some of them were:

1. That the legal aid scheme should be responsive in areas where public legal education (a vital concern of the system) to local needs . . .

So he says that the legal aid scheme should be responsive in areas of public legal education to the local needs. That was a consideration.

2. That a legal aid scheme should in appearance, and in fact, be divorced as far as possible from government intervention and control.
3. That on-going and meaningful involvement by local people would ensure that the system would remain a vital part of our social structure.

Those were the essential considerations.

I want to say that those considerations were developed, not by one individual. I want to correct the Attorney-General. I want to put the record straight — that what I have in fact been putting forward here is not any allegations against the report on behalf of myself. I am putting forward concerns in respect to the report by the former dean of the College of Law and the various groups which were here.

I want to say, Mr. Attorney-General or Mr. Minister of Justice, that you can't turn it around by alleging that I am in fact personally, in any way, denigrating against the work in which Mr. Justice MacPherson endeavoured to perform. And I want to say it was in respect to your limited time limits and also the terms of reference that you set forth that he had to work within. So I want to ask the minister: how in fact does he see a more efficient and a more available service of legal services under the proposal as set forth by Mr. MacPherson? Can you outline how in fact you see an improvement in respect to the many groups that are concerned?

Hon. Mr. Lane: — I see an improvement, first in the uniformity of standards. I see an improvement in uniformity of training. I see an improvement in uniformity of services being supplied. For example, under your scheme, tax advising was one role, and where the local board happened to have a surplus of funds, it would increase the number of services supplied; others that had a shortage of funds or different work-load cut back in the services. So I see a better ability to be able to move the council, the lawyers, around the province to where the demands are. So certainly on those areas I see a significant potential for improvement of the quality of legal services.

Mr. Koskie: — Well, you indicate the uniformity of service. And I would think that is a major concern of many of the groups, where you're going to have a central body determining that it's going to be a uniform service.

I want to tell you, and I raised it with you, Mr. Minister of Justice, the concerns of the community board that they expressed — which are located at La Ronge — indicating

that in fact they live in a different environment of vast areas and a different culture. And here you stand up and say that the very thing which they are frightened of — you stand up and say it's going to be the mark of improvement, uniformity of service. How do you reconcile that with the concern of the Northerners?

Hon. Mr. Lane: — Well, I'm reluctant to give a legal lecture, but my understanding of the law in the province of Saskatchewan is that it applies throughout the whole province. My knowledge of the Criminal Code of Canada is that it applies throughout the Dominion of Canada.

Surely the people that are arguing for the people in the North that are utilizing legal aid should be as well skilled and as knowledgeable in the law . . . (inaudible interjection) . . . Yes, that is precisely what I am saying and I suggest to the hon. member that he is not listening. I suggest to you that the more skilled counsel that we have in northern Saskatchewan . . . When you talk about uniformity of services, you tell me the advantages of a system that — here we have services to the poor — is supplying tax advice. I question whether that really should be an objective. Certainly the need for quality legal advice to people undergoing or going through a divorce is vital. Quality legal advice for people going through matrimonial property settlements is vital.

Properly trained legal counsel to defend an accused is vital. And I suggest that we have a far more greater likelihood of improving the quality of service under the proposals in the MacPherson report than under the existing system and that is really the nuts and bolts of the MacPherson report.

Mr. Koskie: — Mr. Carter goes on:

There is one other aspect of the MacPherson report on which I would like to comment. It contains criticisms of the ability of the lawyers presently practising in the schemes. Unfortunately there is no hard evidence in the report on which to base these conclusions. None the less, I have no doubt that here and there young lawyers first stepping into practical work encounter some difficulties. That being so, he goes on to say) I am somewhat surprised that Mr. MacPherson did not consider whether the general counsel's office established under the system might not be expanded and reinforced so as to provide the kind of overall professional direction and advice which would solve any such problem.

I wonder, first of all, if the minister is prepared to accept the statements made by Mr. Justice MacPherson about the ability of some of the lawyers under the community clinic, community legal aid system — whether you are prepared to accept without any hard evidence the statements which were made by Mr. MacPherson. And secondly, I want to ask you whether or not you are prepared to take a look at the recommendations that Mr. Carter makes of the use of the general counsel's office.

Hon. Mr. Lane: — Well I could, except that Professor Carter's criticism there is a rather contradictory one. Because here, on the one hand, he argues for a chief counsel, which is in existence, to deal with the whole province and oversee the whole province. At the same time he's arguing for autonomous local boards — obviously a contradictory position.

I suggest to you, I suggest to the hon. member that the recommendations of the MacPherson report, that in fact there be two legal directors in each of the cities of

Regina and Saskatoon --one responsible for criminal matters and one for civil matters — is a far more practical way to deal with the problems in those two areas. Should the problems in other areas be similar to Saskatoon, I would be supportive of the same type of operation of the two. What it means is that we have, on a day-to-day basis, contact with people responsible for the improvement, the legal services — criminal and civil. Right now we have assigned one person with that overall responsibility, a highly onerous position — very competent individual. But I suggest that the Carter position is highly contradictory and that in fact the MacPherson report is a far more responsive position to dealing with the problem.

Mr. Koskie: — Mr. Carter raises yet another concern in respect to the direction. A final comment:

The earlier committee managed in a meaningful way to reach out to and to hear from people who might eventually be clients of the system. It held meetings throughout the province with a host of different organizations including the anti-poverty groups. Many of those hearings were informal. They gave the committee a real feeling for the needs of the disadvantaged people in this province, and an understanding of their attitudes towards law and the possible legal aid system. Again, here it was in my view, most unfortunate that Mr. MacPherson, by reason no doubt of the severe time limitations placed upon him, was unable to meet with the most important group, the very people who use the system, or their representatives, in order to have the benefit of their assessment of the operation of the scheme.

I ask the Attorney-General: why will you not, in fact, hold public hearings to answer the concerns of this great number of people — public hearings which, in fact, we held in the past? And I want a specific answer of why, in fact, you're not prepared to have public hearings.

Hon. Mr. Lane: — Well, I answered the very question several times this afternoon, and I would like to raise with the hon. member a couple of facts that I did raise this afternoon. One, the writer of the letter that you referred to, Professor Carter, was one of the architects of the original proposal. I would expect him to say nothing different from what he has in fact said. Those are expected criticisms when the father of a system sees the system change.

Secondly, in turn, in the matter of public hearings, go back to the matter you raised this afternoon, wherein you referred to the McClelland report and the public hearings that were held. And I ask you to take a look at the McClelland report, and remember that that earlier study done by your government made it quite clear that there was a serious problem in the relationship between the autonomous local boards, the lawyers delivering the services, and the commission.

The McClelland report basically threw up its hands and said that we hope that good faith prevails and the problem's solved. In fact, the MacPherson report (and I've never heard anyone deny it), states that it still has not been solved. So here is an effort, making significantly . . . I think that's the only criticism that people are concerned about, is whether the boards be autonomous or advisory. Here we address the very problem that's been a carry-over since the day the legal aid plan was developed; here we attempt to address it. The McClelland report notes the problem, MacPherson report refers to the problem; the McClelland report refuses to deal with it, the MacPherson report does deal with it.

All of the other matters, all of the other matters really haven't been changed with the MacPherson report. So I suggest to you that one, the people concerned have been corresponding with my office; that in fact, there will be a meeting between myself and representatives of the boards. I know that the objection will come that they want the boards to be autonomous, but I suggest to you, at that narrow issue, that it's really a policy decision that has to be made. I suggest to you as well, you may not like it, but I believe that the quality of legal services will in fact improve with the new scheme.

Mr. Koskie: — I want to indicate, Mr. Attorney-General, if you are so confident that the direction in which you are going is going to be a major improvement, which you are alluding to, then what have you to fear to go and to listen to the public? What have you got to fear?

Hon. Mr. Lane: — Nothing to fear. I'm just so anxious to get on what I think to be a big improvement that'll better the quality of legal services that I want to get on with the job.

Mr. Koskie: — All right. You're so anxious to get on. Will you indicate to me the specifics of how you see the legal services being improved?

Hon. Mr. Lane: — Well, I gave you that answer 10 minutes ago. I'm prepared to stand here for days, for weeks if necessary, and keep repeating the same answers. I gave you that specific answers in terms of improvement of the training of the lawyers involved in the legal aid system. I believe that there will be significant improvements in the ability to ensure quality of work, that there will be a better opportunity for the lawyers to in fact develop some expertise in areas as we get a central control — that will help the poor. I believe as well, that the ability to start developing uniformity of services will in fact improve the advice to the poor. I believe that in the two cities of Saskatoon and Regina, if the two directors as proposed by the MacPherson report are implemented, that in fact we'll develop a high degree of specialization amongst legal aid lawyers to better serve the impoverished and those using the system. I believe that if we can, in particularly those two cities — and as I've indicated, I'm prepared to extend it throughout the province if the need is there — that in fact if we can develop an expertise in divorce, and matrimonial properties, and matters of child custody, and areas such as that, that in fact the people using the legal aid plan will be far, far better off.

I hope the hon. member would reconsider his position and realize that there's a great chance for significant improvement.

Mr. Koskie: — Mr. Minister, if you are so in favour of improving the legal aid system for the poor and those which find themselves in circumstances requiring this assistance, then I ask you: why have you, before making modifications, at least why have you then cut the total budget for legal aid services in this year's budget?

Hon. Mr. Lane: — Well, I believe the cut was in the range of 1 per cent, was it — approximately \$150,000 out of a total of 5 million, previously 877,000; that's less than 1 per cent. I believe in anticipation of the operation of the plan and the changes and the efficiencies, that that will be more than made up.

Mr. Koskie: — Mr. Minister, you keep talking about efficiencies, and as soon as the report came out you indicated a million-dollar saving. What I would like you to do is to provide me with a breakdown of how you intend — because you had to have made a

calculation — how you intend to save a million dollars under the new scheme.

Hon. Mr. Lane: — Well, I indicated at the time, and perhaps the member was not listening . . . I indicated at the time that the advice I had was that there was a potential for savings up to a million dollars. No way did I say that that would in fact be the saving. The people involved in the operation of the plan feel that in fact there can be significant savings with the proposals followed by the MacPherson report. I suggest that they will be significant. If not, then of course we will be back for more funds.

I suggest to you if the savings are not attained, then . . . Well, as I've said, that we'll be back for more funds next year. I happen to expect that there will be significant efficiencies. I realize the figure in the MacPherson report, but there is a feeling that in fact with the centralized administration and better controls and better monitoring of lawyers and staff activities, some of the activities such as duplication of effort referred to in the report; the extremely worldly affidavits; the possibility of personal conflicts which exist which were referred to in the report — all of these things in my view can be rectified, and I believe there will be significant savings.

So if you carefully listen to the phrases that I used, you will indicate, or you will know that that is the advice that I have.

Mr. Koskie: — I think when you make a statement to the public that you're going to make a change and you base it on one of the significant things is a change, and as soon as you got the report, you indicate a million-dollar saving. Tonight I ask you, you said there was a potential for that savings. I think, as a responsible minister of the Crown, you didn't make it without a breakdown, an analysis of the potential in savings. And what I am asking you: can you or can you not file and provide me with the basis on which you made that statement rather than generalities?

Hon. Mr. Lane: — Well, I don't know where the generalities were. I just listed several specific details and I suggest to you that all of the details that I've given you will result in savings. I suggest to you that what you should be doing, if you challenge my figures, is let's put it into effect and if they turn out to be less than that amount, then you have grounds for criticism next year. I suggest that you be very careful and hear carefully the words that I chose and that you wait for it to operate and you will see the savings.

Mr. Koskie: — I think again you're being totally . . . totally misrepresenting the facts in making that type of statement. And now you say you won't categorize or you won't come forward with a calculation of the million dollars which you had headlines across the province. 'New System: Save a Million Dollars for the Taxpayers.' And what I'm asking you is you obviously must have had figures, not just categories of potential, because you put a specific figure on it, Mr. Minister. And what I am suggesting that if you don't come forward with a detailed analysis of your calculations, that I think in fact what you're doing is you've pulled a figure out of the hat for purposes of trying to defend the new direction in which you are going. And clearly enough, you don't know whether there is a million dollars, nor did you know at the time. Because if you did, certainly if you could make that statement at that time, you should at least be able to break it down here tonight. Because the very groups which are opposing it would like also to be able to take a look at the authenticity of your calculations. And obviously what you're doing is evading the issue.

So I'm asking you once more: can you or can you not give an analysis of the breakdown on which you made your calculations of a million dollars? That is, can you be more

specific in respect to sums that you think will be saved in the various areas?

Hon. Mr. Lane: — Well, I've given you specific examples. I'll give you a couple of examples which may cause the savings to be reduced. Any delay in putting the legislation through would delay it. We do not yet know the first-year costs of the efforts that will be undertaken to improve the quality of legal advice and services. And that may impact because that will be the first priority and we have made that very clear. So I suggest to you that with the variables that I have mentioned, and the possibility — if today is any example — of a delay by the opposition to stop the savings from going through — and I think that the public can only read that into the questions today — that in fact the savings will be reduced, but that will be on your heads.

Mr. Koskie: — I'll certainly take a lot of responsibility for stopping any program which is going to undermine the benefits of a system that was helping the poor, I'll tell you that. I'll answer to the public for it. So you don't have to start warning me whether I'm setting up a delay.

But I want to ask you, Mr. Minister . . . You pretend to be in such agreement with the legal aid system, and improving the legal aid system, and when I asked you why didn't you increase the budget, you said, 'Oh, well we only cut it by \$150,000.' I would like to ask you, Mr. Minister: can you indicate to me whether you have done an analysis of the case-load in respect to the various community clinics in the province, and can you indicate whether the trend is upward as the economic condition deteriorates under this Tory government?

Hon. Mr. Lane: — Well, it will be on your head, as the taxpayers are already on your head for wasteful government and overexpenditures. I'm glad to see that you are the only member of the New Democratic opposition that's prepared to take the responsibility for that and be prepared to take the responsibility for wasteful expenditures. I will give a very simple example, for I believe there can be significant savings with a tightening up . . . with a tightening . . . (inaudible interjection) . . . Well, I'm prepared. I'll have my officials prepare the case-loads, and we will get them from all of the independent, autonomous branches of the legal aid system, the offices around the province. We will pull all that together for you and we will get you the case-load in each of these autonomous boards that you want to keep autonomous . . . But now you want a central control to pull all the records in, so I'm having a little difficulty with your position. But we will supply that to you.

For example, there has been a practice which has been brought to my attention, primarily by senior members of the bar and the judiciary, that in fact in most cases, or many cases . . . (inaudible interjection) . . . Well I don't know if you want to hear the news that I'm going to give you because I think it would be enlightening — that, for example, in matrimonial cases the legal aid lawyers do not ask for costs, even though they may be the successful party. I would suggest that that will save perhaps several hundreds of thousands of dollars merely straightening that up, so that the successful party asks costs.

Now I agree that if both litigants are receiving legal aid then the question is an academic one, and an irrelevant one. But where one party is on legal aid and the other party is not, the successful party on legal aid does not ask for costs, and somehow that tradition has arisen. I would suspect, without prejudging the commission, that that would be one of the areas that would be seriously looked at. I've had that criticism brought to my

attention on numerous occasions. I suspect that that would be dealt with.

So I suggest to the hon. member that there are ample opportunities for major savings. There's an ample opportunity for better recovery of cost, and I suggest that a centralized administration is the best way to do that. And, as I've said, I will have the officials pull the case-load, and we will give it to you perhaps this evening.

Mr. Koskie: — I have here in respect to the Regina community legal aid services, and this is a press release, and it indicates:

If no changes are made to the current budget proposals emanating from the provincial government, poor people in Regina face the prospect of reductions in legal services available to them over the next year. We are now looking at budget figures indicating an increase of one-half of one per cent over our '82-83 budget.

That's for Regina. And it goes on to say:

The Regina legal aid office dealt with 5,100 new cases during 1982-83 compared to about 4,600 in the previous year. The legal aid office expects added work resulting from the government's decisions to cancel funding for the mediation diversion project operated by the John Howard Society.

They go on to indicate the seriousness of your lack of funding.

Cut-backs have already hit other legal aid offices in the province. The provincial legal aid commission, which must approve the hiring of all lawyers employed by local boards, has frozen the hiring of 10 existing vacancies across the province, leaving only 46 lawyers employed. The situation is made worse by the threat of new legislation aimed at removing locally elected legal aid boards as employers of staff in the local clinics.

The association said, reading just parts of it here, said MacPherson had recommended removing of the power of the local boards after allowing only two hours for discussion with a delegation representing all 13 boards.

What I am concerned with, and I have a fact sheet here which demonstrates in respect to the Regina Community Legal Services Society. And this fact sheet I have to draw to your attention, Mr. Minister.

In a time when the unemployment is high, when the economic conditions are not as good as they were in the past — and I may say under our government — during this period of difficult times for many people in society, there is often more and more need for people to use the services of the legal aid clinics. I want to go through what the fact sheet indicates here because I think it will draw out clearly that what you have done is not only receive a report from Mr. MacPherson where you may well be acting upon, but you have in your budget, even before putting into place a new one, you have slashed the capacity of the legal aid clinics to the proper work for the poor of this province.

I am going through this fact sheet:

The total government funding for legal aid in Saskatchewan for 1983-84 has been set at 5.7 million — this a reduction of over \$100,000 from the 1982. The increase for Regina legal aid clinic for 1983-84 is about 4,000 or 0.5 per cent more than 1982-83. The immediate effect is that the Regina clinic will not be able to hire either summer law students or articling students during 1983-84. The number of files opened by the Regina clinic increased by more than 10 per cent in 1982 — 5,100 — compared to 1981-82. There is no reason to expect that the number of clients will not increase by a similar percentage in 1983-84. The provincial legal aid commission has frozen all the hiring of lawyers in the system leaving 10 vacancies unfilled out of a total complement of 56 lawyers province-wide.

The Attorney-General has floated rumours of even further cuts to the legal aid budget during the current year and has spoken of savings to the system of as much as a million dollars. The provincial legal aid commission has already circulated a menu of services for discussion by the local legal aid boards in recognition that cuts in service will be necessary under the current budget estimates tabled by the provincial government. If implemented, the menu would deny a wide variety of legal services to the poor people. If the menu had been in effect during 1982-83, the Regina legal aid clinic would have had to refuse service in several hundred instances involving some criminal as well as civil cases.

The Attorney-General has said he intends to act on the recommendations that the locally elected aid boards be removed as employers of staff in the local clinics.

I want to say that here is the concern which many of the citizens of this province find themselves in viewing what is happening is that, for this year, what you have done is actually cut the budget. And I think it's clear from what the Regina Community Legal Services Society has said that there is an increasing case-load.

What I want to say is: how can you indicate that you are committed to improving the legal services and at the same time, before having the new system in place, cutting back on the services that can be provided by the existing system? Can you explain why you have indeed cut back at a time when the case-load has been increasing?

Hon. Mr. Lane: — Well again, I go back to the MacPherson report. I don't frankly know why you have not referred to this when you talk about case-loads, because there is an indication in the MacPherson report that perhaps the indicator of case-load is not a fair one the way the present system operates, in that a legal aid office . . . Supposing a person is charged with seven offences, a legal aid office, and this was I think indicated in the MacPherson report and admitted, may well open seven different files with seven different lawyers, whereas a private firm would probably open up one file.

If we look at the civil matters where in fact, — and it's referred to in the report — that a legal aid clinic may open up a separate file for a custody application, a separate file for the divorce application, a separate file for the matrimonial property, and may have three different lawyers, in fact, assigned. So the opening of files is not necessarily a proper indicator of the use of the system. And I do believe that the changes being proposed may go some ways to addressing that particular aspect.

You also have the situation where an accused may have an offence in Saskatoon,

another one in Regina; then two different lawyers maybe involved or he may move. The offences could take place in Saskatoon — two different lawyers involved. So I suggest to you that the examples that you give are not fair examples, and not necessarily accurate examples.

Mr. Koskie: — I asked you a question: if you are supporting the legal aid system, why did you cut the budget? Are you saying that your analysis is that they're doing less work, or there's less work anticipated this year? Is that the basis for cutting the budget?

Hon. Mr. Lane: — I've given you the answer on several different occasions already, that the indications from the MacPherson report is that with a centralized system there will be efficiencies and savings that should more than offset that. I suggest that you may disagree with that, but the examples of where savings could take place are many. And I suggest that if the administration is more centralized, and better controls, that in fact the savings will more than offset the less than 1 per cent reduction.

Mr. Koskie: — Well, I don't think you're going to convince very many people with that type of remark. Number one, you're afraid to go to the public and allow them . . . and to set up public hearings. You've clearly indicated that. And I want to indicate that the list of groups that have been soliciting and asking that you have public hearings, or that you continue with the local control boards . . . And I have here yet another organization which, of course, you may scoff at, too, because they may be offending the report, as you indicated; you dismissed the others. But this is a resolution from the United Church of Canada, and they indicate, and I'll just read the resolution:

Be it resolved that the Saskatoon Presbytery of the United Church of Canada urge the Attorney-General for Saskatchewan not to remove the control of legal services from local community boards.

So this is from the United Church in Saskatoon. I have gone through, Mr. Minister, that there are others who have asked you, at least, to allow them to have an input. The president of SANGSSA (Saskatchewan Association of Non-Governmental Social Service Agencies) strongly supports the concept of services being provided by people via community-operated organizations.

I have a report on legal aid by the board of directors of the Regina Community Legal Services Society which analyzed the report, but expressed much the same concern. I have also a press release here by the North Central Community Society Incorporated, and they say:

The community association representing Regina's largest inner-city neighbourhood wants full public hearings held before any major changes to the Saskatchewan legal aid system are contemplated.

I think what I have been able to do here this afternoon and this evening, Mr. Minister, is surely to indicate to you that there are a large number of organizations and representatives of various groups — native groups, women, labour, church groups, various organizations throughout the province — who have asked at least for public hearings to be able to voice their concern. And I would think that if you are convinced that your system is going to be an improvement, that in the end the total support that you would get from that would be by having public hearings, allowing people to make their representation.

I guess what one has to come to the conclusion here is that this government, which purports to be so-called open government, has suddenly closed the doors. And it is really disconcerting, Mr. Minister, that one individual as yourself, the Minister of Justice — a very important portfolio where the rights of individuals are affected — that you would be the first to close the doors to the public, that they may not in fact make representations. And I ask you again: what have you to fear by listening to these people, by setting up public meetings?

I want to go on with other important areas in your portfolio, but I really want to make it abundantly clear that I think that your actions is nothing other than contempt for the very people who use the system. I ask you once more: why will you not have public hearings in order to allow a large number of the segment of this population who are users of a service to have input?

Hon. Mr. Lane: — Well, I've made clear my position. I find it somewhat strange when the NDP were in office and decided, perhaps on a whim, to nationalize the potash industry. And I remember the efforts made by the public to try and get public hearings about it. And of course, there were no public hearings about it. And don't tell me that it was raised in an election campaign, because it wasn't. I can remember the debates in this Assembly requesting public hearings on freedom of information that the New Democratic Party refused. The public then received the opportunity for public hearings on freedom of information.

I've suggested to you that on the matter of legal aid, that the issue of whether the boards be autonomous local boards or whether there be a centralized system, is really a policy decision — that the quality of legal services is the true issue. I suggest as well that the proof of my argument will come out in the operation of the legal aid system. If in fact the public is dissatisfied once the changes have had an operation to work, with the quality of service, one, they will certainly let me know; they will let the government know, and the government will respond in a positive manner. I suggest to you that for you to argue that you always had public hearings on every major issue is not a fair one and not an accurate one.

Mr. Koskie: — Mr. Minister, soon you must become acquainted with the fact that you are now in government. You must also become cognizant of your clichés that you give to the public, that you will, in fact, open the doors for consultation. And I want to ask you how you can justify this position that you're taking, as being consistent with open government.

Hon. Mr. Lane: — Anybody can communicate, and I received copies of the letters that the hon. member has received, and replied to them. Secondly, I indicated again on several times this afternoon that I am prepared to meet with representatives of the boards and that has been scheduled, and their representations will be brought forth at that time.

So, to suggest that there's no opportunity to representations is, again, not accurate. So, I can repeat my position over and over and over and over and over again as you ask the same questions over and over and over and over and over again. You may not like the answers; you may disagree with the answers. But I suggest to you that the public of Saskatchewan like the answers, and the public of Saskatchewan believes that there is an ample opportunity in the legal aid program to bring about some savings to the taxpayers, some significant savings, and the public of Saskatchewan also realize

that with the savings there is also an opportunity to improve the quality of legal services. That's what this government stands for and that will be in direct opposition to your position when you were in government.

Mr. Koskie: — I have here, just a . . . Revert back to return no. 79, department of Attorney-General, return no. 79 which you provided to me this afternoon. And this has to do with the number of out-of-province trips made by the Attorney-General of Saskatchewan and also the number of people accompanying the minister. And I just want to ask you a couple of questions in respect to the trip to Banff, a cost of \$3,901.92. That to me seems like a very substantial amount. I wonder if the minister could give a breakdown. I know it's attending the joint annual meeting of the Benchers Law Society of Alberta and there may be a very substantial fees that you have to pay and they may have been paid out of this amount. But if it's just indeed travel and accommodation, I ask you, could you give me a breakdown as to the items?

Hon. Mr. Lane: — It was Jasper. It was the joint annual meeting of the Benchers of the Law Society of Alberta and Saskatchewan. Accompanying me were Dr. Gosse, the deputy attorney-general and John Whyte of the constitutional branch of the department of the Attorney-General. We will supply that detailed information. I think you will find that the bulk of the expense was on the aircraft charges to the annual meeting.

Mr. Koskie: — The reason I ask you in respect to the breakdown, I just have another return, return no. 89, and this is one trip. This was not by yourself, though, but by the minister of public works, supply and government services. No, that was the federal-provincial conference of ministers of public works and supply and government services, and there were indeed accompanying the minister in this instance . . . There was one, two, three, four, five — five individuals plus the minister. And that was to . . . Yours was to Jasper. This was to Banff. I note that for the six in comparison with the three, the total was about the same. The total for return no. 89 was \$3,941 and the total cost of your trip to Jasper was \$3,901, and there's a fair number of extra passengers than which the air fare would have had to be paid. And so what I would like, and I'm sure it's all accountable, but I just would like the breakdown. It may well be for the law conference and you may have picked up for all of the lawyers that attended with you.

Hon. Mr. Lane: — First of all, you can rest assured that it's all accountable. Secondly, I hate to tell you this, but Jasper is a little further away than Banff is, and one is outside of Edmonton, and the other is close to Calgary. I think that the hon. member may not understand, but I'm sure he does . . . This was in government aircraft, and the number of passengers at that point, other than some limited changes, doesn't make a great deal of difference and that may be accountable in the figures. But again, the officials will pull that information in detail, and we will be more than pleased to supply it to you.

Mr. Koskie: — Just in respect to the court-houses in Regina and Saskatoon — I wonder whether you're proceeding with them, what is the present status, are you leasing, are you building, does one department know what the other is thinking? Because I can indicate that you have seem to have said one thing, the department of government services seem to be off on another flight, and I'd like to ask what your intentions are.

Hon. Mr. Lane: — The matters of the court-houses — they're not being proceeded with in this budget and that has been made clear. The options as to what form of development, if it were to proceed, had several aspects. There was consideration of

whether having it developed, project managed, and then leased back, the question of whether the department of government services would build it. All of these options, I believe, have been publicly discussed and that perhaps is where the member has a degree of uncertainty. But those options were discussed. Obviously, in this year's budget, they're not proceeding. It was simply a question that this government has made some very tough decisions. We are making and are prepared to make tough decisions. We realize that the revenues proposed by the previous government were perhaps somewhat inflated — and I'm being polite when I say that — that there is a downturn in our revenues and that we, along with the public of Saskatchewan, are tightening our belts and that's one of the difficult decisions that we had to make. I hope that sometime in the foreseeable future we will be able to proceed with court-houses. But if we're making the choice between court-houses or a new cancer clinic in the city of Saskatoon, this government chose to proceed with the new cancer clinic.

Mr. Koskie: — Well, I know economic times are tough when they're Tory times and I know that there has been major cuts in university construction and I know that there has been cuts in the Justice department and you're not telling the public anything new.

I want to ask you whether . . . The report here says:

Plans for court-houses to be unveiled next week. Expansion plans for Saskatoon's overcrowded court-houses are expected to be announced next week after government officials weigh seven proposals from private firms.

And this is set forth by the deputy minister, Otto Cutts, who made that statement. Now I'm wondering . . . (inaudible interjection) . . . Since Mr. Cutts, and he's got an appropriate name . . . I was wondering whether in fact we can believe his statement or have you overruled the decision of the government services which had indicated that they were proceeding?

Hon. Mr. Lane: — I'm going to have to correct the hon. member on several areas. First of all, I know he will retract his statement about cuts in university construction, that in fact that was not the case. The government is proceeding with the new geological sciences at some twenty-some-million dollars. I believe, and major construction of the universities that in fact there has been no cuts, I am advised, in university construction. So I am sure that the hon. member will withdraw.

I believe that the hon. member asked me the question about the new court-houses and I have responded to that question. In terms of alternate spacing for the overcrowded facilities in Saskatoon, yes, the department of government services is looking. I believe there is a tentative proposal to proceed with moving the facilities to the Sturdy-Stone building in the city of Saskatoon.

Mr. Koskie: — Has the minister any position in respect to . . . rather than having the provincial government build court-houses, that we go on a basis of leasing the court-house space on a permanent basis rather than construction? What is your position? That should we go to the private sector, have them build what would be a court room, and then have the government lease it back, or are you more in favour of the government constructing the court-houses themselves?

Hon. Mr. Lane: — Whatever is the cheapest for the taxpayers is fine with me, I'm not

married to any system.

Mr. Koskie: — I would like to ask the minister which proposal — the private or building it by the government — is likely to be cheaper.

Hon. Mr. Lane: — Well, depending on what factors you take into account. You can certainly take into account the lost opportunity cost if the government . . . For example, if the government has to put up \$25 million out of this year's budget, and take it away from other needed services in order to build a building, then some services are going to be cut, and I suggest to you that the people may suffer. If the government is prepared to lease it and spread that cost over 25 years, in fact it may be far cheaper. I can't give you the answers to that because each case would have to be decided on its merits. But in fact what we have to look at is: which is cheapest for the taxpayer, both over the short term, over the long term, and where can the government best utilize its funds to make sure that these services are being provided to the people of this province?

Mr. Koskie: — You totally didn't address it. You know as a fact that normally government — not normally — but governments can in fact borrow funds at a rate preferable to that which the private contractors . . . and obviously, the cost therefore, should be decreased.

But going on to another document here in respect to the court-houses, and I want to get it clear, because the government services minister, Joan Duncan, says her department will lease space for a temporary basis from the private company to relieve overcrowding; construction plans have been shelved for three to five years. I wonder if the minister can confirm that they have been shelved for three to five years as indicated by your colleague.

Hon. Mr. Lane: — Well, I have no cause to disagree with the statement of my colleague. Certainly in terms of this year's budget, the proposals for new court-house facilities in the two cities of Saskatoon and Regina were shelved. Whether the increasing demands and the problems that do exist — which I freely admit — continue, may cause a reconsideration of that particular position. So I suggest to you that the matter is still up in the air, that in fact it will be reviewed. It will be reviewed on an annual basis.

I had information given to me this afternoon, if we talk about government construction of some buildings, that in fact if we're talking about creating employment — and the record of this government is second-to-none in Canada — that it is far more effective to use our \$5,000 project employment proposal which has caused so far a take-up of approximately 4,000 jobs in the province at \$5,000 per job, is far cheaper than building a building where the cost of one job may be in the range of 20 anywhere up to \$50,000.

So I suggest to you that there may be far more effective ways to stimulate employment and get employment for our people, than your proposal of big government buildings, which you say . . . And I'm sure that the public were watching with interest your statement that the government can build these cheaper than anybody else. I would doubt very much on the record to date that the public would accept that statement at face value.

Mr. Koskie: — All I can say to the hon. member — he should have run for leadership, because his line of fiction is about as effective as the Premier's.

I want to turn to the area of the court of appeal, and as I discussed previously, Mr. Justice Bayda has indicated his considerable concern with the amount of work and the need for additional members of the court of appeal. I'd like to ask the Attorney-General, the minister, whether or not he has worked out with his Liberal friends, his brethren who he was a member of the party before, and whether you have in fact had communications with the Liberal Party (which you in fact were a member before) and worked out a method of communication insofar as your consultation in the selection of the court of appeal justices?

Hon. Mr. Lane: — Well, I stand certainly convicted of having been a Liberal. I would caution the New Democratic members opposite however, that I saw the light and joined the Progressive Conservatives. You did not take my advice. You didn't learn from my past mistakes. After I joined the Conservatives, you dove into bed with Pierre Elliott Trudeau and his friends, and in fact developed this infamous incestuous relationship which exists between the New Democratic Party and Pierre Trudeau and the federal Liberal Party. So I learned by my mistakes. The people of Saskatchewan may not let you forget your mistake. They, to date anyway, have, at least in my riding, forgiven me mine, if we can call it that. I do suggest to you that you do have time to reconsider your position, and on the road to Damascus you may see the light. I would hope that is the case.

I have made it clear to the hon. members opposite . . . I have indicated previously to the members opposite that this government — and I have taken the position — that we believe that there should be consultation between the government and the provinces in its appointment of superior court judges. We have a difference of opinion, I was surprised to find out during the last estimates, because when you were the government, the then premier indicated that there should be consultation between the federal government and the provinces, at least in the Supreme Court positions. And my recollection was that he suggested it to all superior court recommendations as well. The position of this government is that there should in fact be consultation between the Government of Canada and the provinces as to the appointment of both the superior court, which in this province is the court of appeal, and the Court of Queen's Bench. We maintain that position. Until such time as there is consultation, I really have difficulty answering the question.

Mr. Koskie: — Mr. Chairman, I would ask the minister whether he anticipates an increase in the case-load for the court of appeal.

Hon. Mr. Lane: — No, I can't give any indication of that. I would suspect in the normal course of the increase of charter cases that there would be an increase in the case-load of all courts. Assuming that to be the case, I would make an assumption that there would be an increase in the case-load of the court. But to categorically state that, I'm afraid I can't, nor could anyone else.

Mr. Koskie: — Well, I want to draw the attention to the Minister of Justice:

'Provincial courts to acquire more power.' Estey predicts. 'Senior provincial courts will become de facto courts of last resort for all cases except those involving the charter of rights, and federal-provincial contests,' Supreme Court Justice Willard Estey predicted in Saskatoon Monday.

What Mr. Justice Estey of the Supreme Court has indicated is that the court of appeal level in the provinces will, in fact, be de facto the last court of decision, other than the major cases in the constitutional and charter rights, because he says, speaking to a joint meeting of the Canadian Club and the Rotary Club, Mr. Justice Estey said:

The Supreme Court will be forced to restrict the range of issues covered in the 150 cases it chooses to hear in the year.

He goes on to indicate, as I said, that the provincial courts, senior provincial courts, will become the de facto courts of last resort. Obviously, what he is indicating is that there is going to be increasing pressure on the court of appeal. What I am asking the Minister of Justice: why doesn't he get rid of his desire to wait until after the next federal election, hoping that a federal Tory government will be elected and that a suitable prime minister might in fact appoint him to the court of appeal, and leave the position open?

I think that the justice system of this province is much more important than that you should, for personal reasons, if that certainly has been alluded to, want to delay the appointments of further justices to the court of appeal. I ask you: what specifically have you done since the last time we discussed it in estimates? What correspondence, what discussions have you had with the Minister of Justice in resolving what you indicate is an impasse?

Hon. Mr. Lane: — Well, I first of all would like to correct the fallacy of your argument, and your misinterpretation of the statements of Mr. Justice Estey. Just because a statement exists that the court of appeal of a province may, in fact, become the court of last resort, does not mean that it's going to hear any more cases. All it means is that several of the cases that went from the court of appeal to the Supreme Court no longer will be going there, so it doesn't mean an increase in cases . . . (inaudible interjection) . . .

I suggest to the hon. member that that argument is just as unwise as the previous one, because in fact it just simply means that there'll be less appeals; there'll even be a little less work for the court of appeal in preparing the documentation that has to go to the Supreme Court. So I suggest to you that your argument is not the least bit correct.

I suggest to the following member, another possibility which may have the effect of reducing the work-load of the court, and I'm referring to efforts by this government to have changes to section 96 of the constitution to allow the provinces to appoint their own specialized courts. For example, in matrimonial matters that that jurisdiction could, with the law remaining federal — the law of divorce — to the provincial courts. That in fact we have an opportunity to reduce the work-load of the superior courts, we have advocated that most strongly.

I had been hopeful that at the last constitutional conference there would have been a resolution of that matter. The position was uniformly held by all of the provinces but for Quebec, and Quebec's position being unique, the federal government chose not, at this time, to amend section 96 to allow the provincial courts to take on more matters of jurisdiction. If that amendment had of been proceeded with, in my view that may well have had the effect of reducing the work-load of the superior courts. It certainly would have meant putting it on the provincial courts. But it would have made many aspects of the law more accessible to the public.

Secondly, we will be proposing amendments to the small claims act of the province of Saskatchewan, increasing the jurisdiction, which may take some of the load off the superior courts. If we did not have the existing court rulings as to the jurisdiction of the small claims court and if we had of made the changes to the section 96, perhaps the jurisdiction of the small claims court could have been higher and again, reducing the work-load for the superior court.

So I don't think it fair for you to leave the impression that this problem is rapidly increasing and that nothing was being done. In fact I suggest that the substantive changes that we propose and discussed with the Government of Canada would have gone a long way to alleviating the pressures.

We will be bringing in amendments as well to the Court of Queen's Bench act, which I hope the Hon. members will support, which should reduce the work-load and in fact make the court operation smoother. So I suggest there are ways to reduce the work-load.

With regard to the question that you ask about any discussions or consultations that I've had with the Minister of Justice of Canada with regard to our position, I have transmitted the position of the Government of Saskatchewan, and my position, that we do believe that there should be consultation to the Minister of Justice. And I had a rather frank and full discussion with him at the last constitutional conference.

Mr. Koskie: — I ask the minister whether cases involving the charter of rights, federal-provincial contests, can in fact be heard by the court of appeal.

Hon. Mr. Lane: — Are you talking about a reference or are you talking about cases between individuals or Criminal Court appeals? Which?

Mr. Koskie: — Whatever.

Hon. Mr. Lane: — Well, tell us which because it makes a difference.

Mr. Koskie: — I'll take the . . . (inaudible) . . . one.

Hon. Mr. Lane: — Certainly, the court of appeals can hear it.

Mr. Koskie: — What Mr. Chief Justice Estey has indicated, that two very new important areas as a result of the constitutional changes have surfaced, and that is in respect to the charter of rights and federal-provincial contests as a result of the constitution. And what I am saying to you, while that will pretty well fully occupy the Supreme Court, as he indicates, I am saying that that volume could conceivably go through the courts of appeal and increase the number of cases. So, what you're saying in reply doesn't make any sense so far as the number and the burden on the court of appeal, because as you are aware, there is a case in Regina based on the charter of rights and, as a consequence, the load in the court of appeal will in fact increase both in the amount and in complexity.

What I am urging here is that I think you should get rid of your political considerations and get on with appointing additional members to the court of appeal. As Mr. Justice Estey has indicated, they are likely to be the court of last resort, because of the inability of the federal Supreme Court. As a consequence, I think that with that circumstance

being a reality, full complements of necessary justices and support staff should be enlarged. I am rather disappointed that over one year, the Minister of Justice, who says he has had a frank discussion and has not been able to get any kind of an agreement from his liberal cousins in Ottawa . . . and I ask the minister to report more fully as to any progress that has been made in respect to the consultation process.

Hon. Mr. Lane: — Well, as I indicated, the matter was pretty much left at the frank discussion. We're aware of each other's position, and when I hear from the Minister of Justice for Canada, I may well make a report to this Assembly. I can't respond any further to your question about the possibility of an increase in the cases before the court of appeal because of the charter. You indicated that Mr. Justice Estey said that. I said that when I first answered your question — that that's a distinct possibility. So, I indicated that there may well be an increase because of the charter. There may well be a reduction in cases if we can get changes to section 96, changes to the small claims court jurisdiction, etc., etc. and I gave all those options that we, as a government, are working on, and we, as a government, have been urging upon the Government of Canada. That was fully debated in this Assembly during the last estimates.

Prior to the constitutional conferences we set out our position — we set it out for the public of Saskatchewan. So, I suggest to you that to take Mr. Justice Estey's argument as automatically meaning an increase, it just simply does not follow logically, and it doesn't follow practically.

Mr. Koskie: — I tell you, if it came to a choice on making an estimation on the effect of the case-load for the respective courts, I would want to believe Mr. Justice Estey. I think what should be clear to the Attorney-General is that in respect to his own legislation — the public utilities review commission — where a case has been submitted by the chairman of the commission, I believe, to the court of appeal for an interpretation of the powers to the commission . . . Now, I would have thought that there would have been some indication to the Minister of Justice of the difficulty which Mr. Justice Bayda indicated. That is, the case-load is certainly causing an amount of delay, because the reference of this case to the court of appeal, as I understand it, will not be heard until November. And I would have thought that, you know, if you're going to have an efficient justice system, a system dealing with the individual cases at the earliest opportunity would be best.

But I take it that the Attorney-General, for obvious political gains, is holding out on the expansion of the court of appeal. And I think that I would like to ask him whether or not in his representation to the Minister of Justice — the Minister of Justice in Ottawa — whether you have sought support for your concept of consultation; whether you have sought representation from the chief justice of the court of appeal, the chief justice of the Queen's Bench, in support of your submission; whether you have in fact, sought support from the Law Society of Saskatchewan, in support of your position, which I think you find it necessary to delay any further appointments because you say you want consultation. And if that is the case, then I ask you, have you asked other groups to join with you in getting the federal justice minister to change his position and indeed set up a consultative process that would be satisfactory to you? Have you solicited support from the other groups?

Hon. Mr. Lane: — It goes without saying, I believe, that most provinces would like a formal process of consultation for judicial appointments. I would like the hon. member to keep in mind that the courts that I'm referring to are within the province of Saskatchewan. I believe that although the power of appointment is within the

Government of Canada — of Saskatchewan judges — that the province of Saskatchewan, the people of Saskatchewan through its elected government, should have some input into that appointment. That is a position that this government has taken.

I find it strange that when you were the government, when you took that position, it was non-political. When I take that position, this government takes that position, all of a sudden it's become political. I have some difficulty with your position. It strikes me as somewhat inconsistent. I would hope that the hon. members opposite would support this government in its belief that as these judges are within the province of Saskatchewan, that the people of this province should in fact have some input and consultation into their appointment. A very simple procedure. You can call me political for having done that. As I say, when the former premier gets up and wants provincial consultation of the Supreme Court, somehow that isn't political, but when we do it, it's political.

In terms of . . . Yes, we have discussed . . . I have discussed with the chief justice. I've discussed the matter with members of the law society. Certainly there is concern about the work-load of the court of appeal. I share that concern. But I also believe that there should be a consultation in the appointment of judges which have such a dramatic impact on the daily lives of the people of this province. I believe that the province should have some input. Certainly the federal government is not prepared to go with any formal consultation process. They have an existing legal position obviously, and they would be naturally reluctant to weaken that position. But whether some accommodation can be arrived at, I simply cannot say.

I'm going to respond to an earlier question raised, when you asked about the work-load of the community clinics. I believe the hon. member already has a copy of the 1981-82 annual report of the Saskatchewan Community Legal Services Commission wherein that information is tabled. The update for 1982-83 we will have to obtain from the community legal services commission when we have that information. I will undertake to supply it to you forthwith.

Mr. Koskie: — Thank you, Mr. Minister. I want to turn to another area and that is in respect to the unified family court. As you know, unified family court was established in Saskatoon and there certainly was intentions by the previous government to extend that to Regina. Now, I take it that what there has been was a report which reviewed the work of the unified family court in Saskatoon and really, in fact, gave high praise to the work of the unified family court. I am wondering if there are any reasons other than restraint under the new administration which defers the establishing of the family court here in Regina.

Hon. Mr. Lane: — The situation, as I've made public a short time ago, is that we have received and are reviewing the Havemann report into the unified family court and also the report of the unified family court committee. Those reports are presently being reviewed to determine the effectiveness of the unified family court and there were some mixed results which one could debate for some considerable period of time. Until such time, though, as an analysis of those reports is ready, I simply am unable to establish a policy or determine a policy as to what position we take.

I also throw into the hopper the consideration and the possibility of major changes by the Government of Canada in the divorce legislation. The Minister of Justice has indicated that there may be significant changes. If, for example, the federal government

allows affidavit divorce, which would mean that parties that consent to a divorce simply file affidavits of their position and affidavits of consenting to the divorce, the work-load of the unified family court may as a result drop dramatically, which would have an impact on the form of that court and how it would best operate. So, until we have that, the changes to the divorce law which the federal government is hoping to introduce this spring and summer (June, I'm informed), we really would have difficulty in deciding what form a unified court should take and how it should operate if that's the way to go.

Mr. Koskie: — I understand that there was a three-year study by the Prairie Justice Research Consortium and that report has been finalized — it's the Prairie Justice Research Consortium. And that report is complete, from my information, and it says that the Saskatoon court has improved the judicial and family counselling services offered to families in crisis.

The family court has been able to develop streamlining features including telephone adjournments, easy access to interim relief and custody maintenance order. The report shows that the court handle all matters more quickly than the regular courts in Regina. It took an average of 75 days to obtain a final divorce decree in Saskatoon compared to 103 in Regina. The average costs awarded against parties in Saskatoon with the unified court were \$281 compared with \$433 in Regina. And according to the report, the counselling services provided by the family court were beneficial, particularly for children. And New Brunswick is implementing a province-wide system of unified family courts and in Manitoba a court will be established in Winnipeg.

I just want to say in respect to the overall highlights of the evaluation of the unified court in Saskatoon, it indicates a number of advantages that have been established by having the unified family court: in respect to costs, in respect to the time, streamlining procedures, the counselling services provided by family court in respect to: particularly, the benefit to children. And I am really rather concerned that after the major success that seems to be evident in Saskatoon, what are the major concerns for delaying such a feature, such a unified family court, in Regina. What further evidence does the minister require in order to make a decision?

Hon. Mr. Lane: — One of the areas that we would like some information is the question of cost. The report that you referred to, also known as the Havemann report, does not do a cost analysis of the unified family court, and I know that deciding on the cost, and trying to find the cost of programs is something new. It's something new being brought in by the Conservative government that didn't exist before, but it's something that we're somewhat cognizant of, is the question of cost.

But let me refer to another item that you neglected to mention when you talk about the length of time for an uncontested divorce action to get to court in 1980: in Saskatoon, was 75 days; in Regina, 103 days. But look at the question of contested divorce actions: Saskatoon, six weeks; Regina, three weeks — half the time.

So let's not take the statistics as anything other than . . . (inaudible interjection) . . . Well, the hon. member says a lot of counselling goes on. The chief justice has advised that many of the procedures to expedite proceedings have now been adopted by the Court of Queen's Bench, to be applied province-wide.

One of the other areas that we would like to address in terms of the unified family court

... Although you've narrowed your discussion to Regina, we would like to know the impact of the unified family court and the possibility of the unified family court throughout the province of Saskatchewan, as opposed to just an extension to the city of Regina. So that would be a major item. As I say to you, when you talk about reducing costs, I'm very sympathetic to the question of reduction of costs for people before the courts, particularly the family matters. I suggest that perhaps the proposed changes of the Government of Canada in the new divorce legislation to allow divorce by affidavit may have a far more dramatic impact on the reduction of costs for people going through a divorce than perhaps anything else that could be done.

So I suggest that we would all be well advised and responsible if we waited the federal report and a full opportunity to discuss the reports that we already have before a decision is made.

Mr. Koskie: — I sense what is happening, Mr. Minister, is that your department is suffering the same disease that has infected other portfolios, and that is major Tory restraints when it comes to assisting lower income people and people facing major problems.

I want to turn to another topic, and that is The Matrimonial Property Act. And I want to ask the minister whether he has referred to the law reform commission The Matrimonial Property Act and whether he'll set out any terms of reference in his reference to the law reform commission.

Hon. Mr. Lane: — Well, I'm glad you asked that question because it gives me an opportunity to correct the records. And I hope it's well corrected by members of the press gallery because it was not this Attorney-General ... (inaudible interjection) ... Because this will give them an opportunity to correct the mistaken impression left out by people like Miss Sandra Mitchell. It was the previous attorney-general who requested (and I ask the hon. members opposite, it was not this Attorney-General but the previous NDP attorney-general) who requested the Law Reform Commission of Saskatchewan to review The Matrimonial Property Act — not this Attorney-General — and ask for a full review. I will endeavour to get a copy of the letter of reference from the then attorney-general to the law reform commission asking for that review. Not only will I supply a copy to the hon. member, but I will undertake to supply a copy to all hon. members so that they understand the reference. I have in no way suggested any changes, nor have I made any suggestions whatsoever with regard to change to The Matrimonial Property Act.

Mr. Koskie: — Are you indicating that the law reform commission have before them a study of The Matrimonial Property Act? I am asking you whether, in view of the so-called open government approach, which isn't evident when you come to the legal aid problem, will you in fact provide an opportunity for public hearings by the law reform commission if they continue to handle it?

Hon. Mr. Lane: — Well it's not for me to tell the law reform commission. If the law reform commission wishes to hold public hearings, I would be very supportive of that effort, but that would be up to the law reform commission.

Mr. Koskie: — Do you make any recommendations to the law reform commission?

Hon. Mr. Lane: — I can ask for areas of study of the law reform commission, as obviously stated in the act establishing the law reform commission. As I suggest, I

cannot tell the law reform commission to hold public hearings. If it wishes to hold public hearings, as I say, I would be very supportive.

Mr. Koskie: — I want to turn a release which indicates that, Mr. Minister, that the jail population is at record level. And it says:

The population of Saskatchewan's correctional facilities has risen strikingly in the last year and is at its highest level ever, a situation which people in the field attribute partly to the economic conditions.

And all of us can agree on the economic conditions being increasingly worse.

What I would like, if the minister could provide, is in respect to the correctional facilities, Pine Grove Correctional Centre, first of all I'd like to ask you what is the so-called capacity of the Pine Grove Correctional Centre.

Hon. Mr. Lane: — Normal capacity is 52. Before we proceed, I would like to read into the record in answer to the previous question with regard to the law reform commission and the review of the matrimonial act, a copy. I think the public is well aware how much faith the members opposite place in letters of the then attorney-general, if I can refer to the rather short cruise missile debate — and I would hope you would come back to that because I have some further information; but we can do that at an appropriate time. A letter under date of January 14, 1980, and I will send a copy over to the opposition critic:

Professor R.C.C. Cuming

Chairman, Law Reform Commission of Saskatchewan

Sturdy-Stone Centre, Saskatoon.

Dear Professor Cuming:

Reference the Matrimonial Property Act.

I would ask the commission to review the operation of this statute with a view to providing me with a report on its shortcomings (and I'm going to repeat that — on its shortcomings) and how it might be improved by the time it has been in force for two years.

You will, no doubt, wish to consult with the bar, interested organizations and members of the public, and examine as well the application of the similar, recently enacted legislation in the other three western provinces and Ontario.

I am requesting my officials to meet with you at some time in the early future to see if the department can be of any assistance to the commission. I expect that you will hear from Dr. Gosse shortly as we discussed recently.

Yours truly,

Roy J. Romanow, Attorney-General

You will note that, although there is a suggestion for consultation with the public, there is no suggestion that there in fact be public hearings and you'll notice that the proposed directive from the then attorney-general refers to a review of The Matrimonial Property Act because of its shortcomings. I suggest that if you have any criticism of that review, that you could take it up with the appropriate ex-authorities. Now I understand that the question on Pine Grove was, capacity was 52? 52.

Mr. Koskie: — I want to thank the Minister of Justice for the report, not for the report, but for a copy of the letter of the former attorney-general. Many of the people of Saskatchewan miss him. The brilliance in which he fulfilled the office . . . And I know, as has been said by the press which the present Minister of Justice has alluded to, that he still walks in the shadow of . . . and is having a very difficult time to fill the shoes that were vacated. And I want to also leave no misconceptions as the Attorney-General attempted to allude to by reading the letter.

I want to say that the Attorney-General emphasized shortcomings to providing me with a report on its shortcomings. I would like to say, Mr. Attorney-General, shortcomings can be either direction. Either the shortcomings could be in respect that legislation was introduced that went too far, or shortcomings in respect to legislation that didn't go far enough. And so shortcomings is looking and evaluating at the legislation as was adopted. So don't leave any diffusion in respect to misrepresenting an attorney-general that certainly, I think, adequately expressed what he wanted to say. And who goes on to say, "you will no doubt wish to consult with the bar, interested organizations, and the members of the public."

And all I asked, for a simple question in respect to the present Minister of Justice, if in fact this matter has been referred to the law reform commission . . . Will in fact the outline of the direction, if you want to call it that, as set out by the former attorney-general, is that essentially acceptable to you? Or have you, as a new Attorney-General, indicated that you have some reservations in respect to the broad general outline of the content of that letter which you referred to, and tried unsuccessfully to imply other than what was stated?

Hon. Mr. Lane: — Yes, I have some concerns because, as you say, there can be two interpretations of what your government meant by shortcomings in the act. Did it mean a shortcoming in that . . . I recall that section 20, the equality provision, was inadequate, and that equal rights for women had gone too far. Is that what you're referring to in shortcomings? I don't know. I think the use of the phrase certainly caused some concern amongst people affected by the legislation that I find unfortunate. But certainly the review is under way. I believe that the review now, given the public concern about the review, will be done in a most fair and effective manner, and on that basis, I have been assured by the new chairman of the law reform commission that he's aware of the concerns. He has responded to many of the women's groups in response to their concerns, how their review started, and I believe that those that have corresponded with him are satisfied, so therefore so am I.

Mr. Koskie: — Getting back to where we were before you interrupted. I was on to corrections, Mr. Minister, and Pine Grove Correctional Centre you indicated had spaces for 52 inmates. I want to ask you the same question in respect to the Provincial Correctional Centre at Prince Albert, that is the normal number of spaces there.

Hon. Mr. Lane: — Do you want the normal capacity of all the correctional centres if I

can supply that to you, rather than one at a time? I'm prepared to send that information over to you . . . (inaudible interjection) . . . It doesn't matter, I mean it's the taxpayers money. You can still ask the question one at a time, I'll answer them one at a time. If I can give you the information all at once, it may be a bit much for you to absorb, if that's the concern you have I am prepared to give it to you one at a time, whatever you wish.

Mr. Koskie: — I think talking about problems, the exhibition tonight by the Minister of Justice . . . I am sure that in comparison to the performance of the former attorney-general, that the people of Saskatchewan must be wondering — wondering how it is possible to have made such a mistake to watch this dismal performance this evening.

What I want Mr. Minister, I would like the normal capacity for each of the correctional centres: P.A., Regina, the Battlefords, and Saskatoon, and also if you would provide me with the maximum number of inmates and/or remands held for each month at each centre during the course of last year.

Hon. Mr. Lane: — We do have the yearly, which I will forward to you. It includes the Regina Correctional Centre, the Prince Albert Correctional Centre, Saskatoon Correctional Centre, Battlefords Community Correctional Centre, Pine Grove, St. Louis Rehabilitation Centre, the Besnard Cape Lake Camp, Buffalo Narrows Community Correctional Centre, the Creighton Community Correctional Centre, and community training residences. I'll supply that.

We will have to pull the monthly statistics and supply those to you. I doubt that we would be able to get them tonight, but we will supply them as soon as possible.

Mr. Koskie: — That will be fine if in fact you can provide that in the near future.

I think that the minister certainly will agree that the jail population, or the correctional centre population of inmates has increased dramatically, some 18 per cent in the past year. And what I want to ask: have you any initiatives similar to increasing the number of work camps, or bush camps, or the other forms of — rather than have them held in incarceration in the correctional centres, those which are less risk — whether you have any plans in this budget to increase the number and the capacity of the work camps, the bush camps, or the various other community centres, in order to alleviate the pressure of the correctional centres?

Hon. Mr. Lane: — There is, opening in May of this year, a new urban camp in the city of Saskatoon. There will be new programs announced — one, sorry, which has been announced, the restitution program — which should have some impact on select offenders, of reducing the number of inmates. And then, secondly, a community service order, and there'll be a full announcement of that in the near future as to how that particular system will operate.

Mr. Koskie: — You mentioned the new urban camp in Saskatoon is in the works. I wonder, how many inmates will this facilitate?

Hon. Mr. Lane: — Fifty.

Mr. Koskie: — And in respect to the restitution program, what impact do you feel that that will have of alleviating the pressures on the correctional centres?

Hon. Mr. Lane: — We expect a reduction of 26 of the jail population when it is fully in place.

Mr. Koskie: — In view of the fact that the correctional centre population had increased dramatically, I want to ask the minister, prior to getting into place any substitute, why, in fact, did he eliminate the Greenbush challenge camp at Hudson Bay? And why, in fact . . . Well, let's start with the Greenbush challenge camp.

Hon. Mr. Lane: — Well, several factors: first of all, there was an unremarkable recidivism performance at that program, that in fact, for example, the Buffalo Pound camp was costing approximately \$30 per day whereas the Greenbush camp was costing, in '82-83, \$89 per day, practically triple. So there was also a reduced number of suitable inmates and a significantly higher cost, compared to less-specialized camps. So there was several reasons for the cancellation.

I would like to advise the hon. member that one area of concern to me with the cancellation of the Greenbush wilderness camp was, in fact, the support that the camp had in the community. And that, I think all members would agree, has tended to be the exception as opposed to the rule, and we are looking at alternative ways of utilizing the facilities to take advantage of the community support that exists in that area.

Mr. Koskie: — Also, Mr. Minister, the John Howard mediation diversion program, which had, I think, undoubtedly, a considerable amount of success, and we note that this program also was in fact scrapped under your jurisdiction. I want to read just a portion of a letter that I have from the John Howard Society, which I think sets out some of the work in which it was doing. It says:

The John Howard Society of Saskatchewan has been providing unique, innovative mediation diversion services since December 1, 1976 in both Regina and Moose Jaw. Mediation diversion provides victims and accused persons an opportunity to discuss and resolve conflict which lead to a criminal complaint. Further, the participants are provided a model for handling further disagreements more effectively.

Through the first five years of service, this successful program was referred in excess of 2,700 criminal cases. In Regina alone, an average of 45 cases have been referred each month. Mediation diversion has been shown to be an effective and efficient method of resolving these criminal complaints. This has been demonstrated in that in spite of the voluntary nature of the program participation, the vast majority of referral persons, both victims and the accused, not only participated in the mediation meetings, but did in fact resolve the complaint to their mutual satisfaction; that over 70 per cent of

the referral complaints are resolved through mediation; and that the average cost per case is \$125 (program approximation) attests to the efficiency and the effectiveness of the program.

Independent research has revealed that the mediation diversion is successful at reducing criminal repetition of crimes. Whereas only 14 per cent of those accused persons referred to the mediation diversion program were subsequently charged, 69 per cent of those persons charged in similar circumstances but proceeding through the formal court procedure were subsequently charged during the same time period.

I think that here was a program which certainly is illustrated had been working, had been working well, certainly for young and first-time offenders, rather than going through the harrowing experience before the courts, the expense of hiring a lawyer. Here was a program which brought together the individual which the complaint was levied against with the complaint with the individual that had been the victim of the accused action — and a high, high percentage of satisfactory disposal of that situation.

I really wonder why so early in your term. It's not only that there is no funding at all in this budget. They have been totally eliminated from any funding, totally. But what is worse, even in your first budget, before this second budget, they had great difficulty in receiving the ordinary amount of grants that had been provided by the previous government. I would have thought that if you had concerns in respect to the efficiency of it, that at least you would have discussed it with the John Howard Society. I know that the John Howard Society had solicited funds from the community and now in fact, now in fact are campaigning for funds in support of the public, in order to carry on some of the very important work that it was doing.

And in all seriousness, Mr. Minister, and laying aside the political rhetoric, I want to say that I am indeed very concerned that what I think was a very innovative procedure has been so rapidly scrapped by your government. It seems to me that when asked to justify this cut, and certainly the amount that was being paid by the government was not an astronomical amount — I think it was somewhere around \$96,000 — I ask you again, you know, on what basis did you come to the conclusion to in fact scrap a program which had major benefits, both to the accused and to society, in reducing the costs of rather than going through the formal court procedure? I ask you, can you explain what analysis you did, and for what reasons did you in fact decide to scrap this program?

Hon. Mr. Lane: — The hon. member is one of the few people I know that could make sunshine look like a blizzard in his description of the sky is falling, the sky is falling. And there are many, many inaccuracies in the statement. First of all, that it was cheaper. I ask you to refer to statements by the John Howard Society that in effect admit that the costs of going to court were \$77, whereas mediation diversion was \$125. The other difficulty is that there is not, and I think all objective people having dealt with the Elkin report, question the . . . Or there is little evidence of an effective recidivist rate, and there's very little review, or effective review, as to the cost analysis of the particular program.

I hope the public would keep this in perspective and listen to what the hon. member said, because it was originally designed as a pilot project in the two cities of Regina and Moose Jaw. It was to end, I believe, two or three years ago. The previous government saw fit because it, too, was unsure as to the effect of the program. The previous government refused to make it a permanent project, secondly, refused to extend it

beyond the pilot project cities of Regina and Moose Jaw. It was an experimental project.

The government on the evidence before it, and we have the Elkin report and the criticisms of the Elkin report . . . And with regard to the Elkin report, I might advise that the Government of Canada has refused to make the final payment because it is not satisfied with the report and the quality thereof. So the government was faced with an experimental program that there was no solid evidence as to the cost effectiveness. The cost indications were in fact close to double what it was costing to go to court. We were faced with the decision. Do we continue an experimental project? Do we make it province-wide? Or do we cancel it?

We made the difficult decision, and I believe the proper decision, on the evidence that we have, including the Elkin report, that perhaps it's time to look at other ways to deal with the problem of young first offenders and bringing them in touch with the people that they have affected in the crime.

So I suggest to you quite simply that on the evidence, it was questionable; on the evidence of the John Howard Society, it was questionable. And it was experimental when you were the government; you maintained its experimental status; you refused to extend it beyond Regina and Moose Jaw. So a difficult decision was made, and it was made by this government.

Mr. Shillington: — Thank you very much, Mr. Chairman. Mr. Attorney-General, I want to disagree with the comments that you just made, in the strongest possible terms. It may well be that the former administration should be faulted for not having extended the program, but I don't see the logic in suggesting that that's a good reason for having terminated the program.

Mr. Minister, everyone who was connected with the program, whether it be the bar, the judiciary, or the social service agencies, supported this program. I'm sure you can find someone somewhere who thought there was a better way of doing it. But this program had the overwhelming support of all connected with the justice system.

You add up the costs, Mr. Attorney-General. I suggest you're only adding up part of the costs. I suggest that if you add up all of the costs, the incalculable costs of giving an accused a record, and saddling him with that, the costs which can be calculated for that percentage of offenders who might have gone to jail and who were thus saved from jail, I suggest that the costs will weight in favour of retaining the program.

But surely, Mr. Attorney-General, whether it was \$150 on both sides of 75 on one side and 150 on the other, surely that's irrelevant. Surely the real question is whether or not the program was effective. Because if it was effective, the costs of the program pale into utter insignificance in comparison with the cost of society handling and dealing with a subsequent offender. And if this program was effective in deterring the people from criminal activities, then the costs are just absolutely immeasurably small.

My experience with this program, Mr. Attorney-General, was that it was effective, as effective as any we have. I wouldn't claim, for this program or any other, 100 per cent effectiveness. I don't know what you're suggesting the effectiveness of this program is. But I remind you that the court system itself is by all admissions a pretty ineffective program. And it doesn't matter. Mr. Attorney-General, whether we fine them, incarcerate them or put them on probation, the court system itself is not an effective

system. If this program was effective, then the costs are irrelevant. I suggest it was effective. It brought the victim face to face with the consequences of what he had done. It introduced him to the practical reason why society passes these laws.

My experience, and I've done some defence work, my experience has been that so many people I defend think it's not all that far removed from a video game, the whole business of law and order. It's a set of rules which you challenge, sometimes successfully, sometimes not successfully. But so many offenders just do not see why there are rules. As I say, they see it as sort of a real life video game.

This program brought the offender face to face with the reasons laying behind the law and in my experience, it was effective in an impressive number of cases. No program is going to be 100 per cent effective. There are people whose wits are impossibly scrambled, people whose emotions are so badly warped that no program is going to be effective. But, there are among first-time offenders a lot of people who simply don't understand the criminal law and its reason for being. This program, Mr. Attorney-General, I think was effective in dealing with that category of offender, and that's the only category of offender that any program is going to meet.

Mr. Attorney-General, you abolished the one truly imaginative program which was in existence. This is the only innovation — apart, perhaps, from the system of absolute discharge — this is the only innovation in the criminal law since the last century, when hanging was abolished for some 100-and-some-odd offences. It was the one recent innovation we have, it made sense from the point of view of the criminologist. I suggest that you have set the whole process of corrections back many light years with this ill-thought out, ill-conceived abolition. And, I truly hope, Mr. Attorney-General, that before you go about abolishing any other programs, you take some opportunity to acquaint yourself with the reason for the existence of the program.

Hon. Mr. Lane: — Well, first of all, your reference to the court as a program, I take exception to, because it is part of our constitutional fabric, as opposed to being a social program, and I think the hon. member will accept that. I also take exception to the idea that we don't look at costs, that costs are irrelevant. I think we do have to look at costs, and I think that the public expects us to look at costs.

When you suggest that this was fully supported, I suggest to you that one of the reasons for the questionable success of mediation diversion is the fact that the courts did not fully support mediation diversion, and that there was an ongoing difficulty in having cases referred to mediation diversion. There was a significant resistance that the courts had of referring matters to mediation diversion. Keep in mind the offender that was being dealt with — the young first offender. Much of that is, in fact, being dealt with by the very success that you refer to, that being absolute discharge. So we cannot say that the system has totally failed these people, because it hasn't. There was unfortunately in my view, a reluctance by the courts to refer matters to mediation diversion, which does not, in my mind, augur well for the argument that it was fully supported. Unfortunately it wasn't fully supported — wasn't supported by those that count. So, I suggest that when we're dealing with the particular target group of the young first offenders, the absolute discharge is, as you say, a significant change in the Criminal Code.

We also have conditional orders; we have community service orders, which also have an effect. And I'm not to suggest that the program didn't have some merit. And I think it did have some merit. There are very select first-time offenders that perhaps the

best penalty that can be supplied is to have them sit down across the table from the person that they've harmed. I suggest that that may be the case.

We are in the unfortunate position, and I think any government is. I think if you had felt that committed, then your logical argument should have been to extend the program throughout the province of Saskatchewan . . . (inaudible interjection) . . . Well, you take that position; in fact, it wasn't done. And you have to accept that. It is a difficult decision. And I stated that in my response to your earlier question, that it was a difficult decision. There is some, I suggest, very limited merit. The way I've left it with the John Howard Society . . . When the hon. member talks about public support, they attempted to raise funds publicly, and were successful in raising, I believe, about \$1,200, so that they had difficulty getting the public support.

I indicated to them that if they were able to come up with public funding, that we would be prepared to take another look at it. I await the results of that. But it's certainly the type of program that the public must be prepared to support in order for it to be effective. It's also the type of program that the judiciary itself must be prepared to support. And I say, unfortunately it did not, and that was one of the problems.

Mr. Shillington: — Well, I'm going to leave it, Mr. Minister. We will simply have to agree to disagree about this . . . (inaudible interjection) . . . No, we're not quite there yet.

I just simply say, Mr. Minister, that I think that the group whom this program could work effectively with was much larger than you suggest. It also had one additional effect. And that is that some victims of offences also left the justice system with a better taste in their mouth, a feeling that someone had tried to do something for them. I know all about the crimes compensation board and I think that it is a worthwhile innovation, and not all jurisdictions have it. And it's to the credit of the Liberal administration, with which you were once connected, that we have that program. But this served a useful purpose as well in dealing with the victim. And to often the victim is the forgotten man in the criminal justice system.

Mr. Minister, I really got on my feet to go on to the law reform commission. I wonder if you would supply me, and you could do so in writing if you like, with the staff, the board members, and the remuneration, broken down as to salary and expenses, of both the staff and the board members. And if I've had you undertaking to supply that either now or in writing, I'd go on to a couple of other questions I have about the board.

Hon. Mr. Lane: — You certainly have my undertaking. Whether we can supply it to you immediately, I can't answer. I'll have my officials attempt to get it for you immediately. If not, we'll get it to you as soon as possible.

Mr. Shillington: — It doesn't matter, Mr. Minister. None of the questions which follow are in any sense based upon the salaries. So that doesn't matter.

Mr. Minister, I recall the law reform commission producing a report on a guardian act, or something of that sort. I'm struggling with the terminology.

An Hon. Member: — Guardianship.

Mr. Shillington: — Guardianship. I'm told by one of my colleagues . . . reporting on

legislation having to do with guardianship. And I wonder if there is any intention to pursue that report.

Hon. Mr. Lane: — Well, we have to be careful here because there's the question of the public trustee and the reorganization of the official guardian department — that will be forthcoming. In terms of . . . That should affect the, if I can use the phrase, the guardianship of the property. The question of the guardianship of the individual, I'm not sure that we do have a report from the commission as well. We have tentative proposals, but not the . . . (inaudible interjection) . . . No, no, that's what I'm attempting to say to the hon. member, make the distinction between the question of the guardianship of the property and the public trustee's act — that will be in legislation. The question of the guardianship of the individuals, and I believe they were interim proposals . . . I have had meetings with representatives of the mentally handicapped with that particular area. I would hope that we would have legislation dealing with that aspect of it next fall.

Mr. Shillington: — There is a tantalizing question rises on that, and that is what do you mean by next fall? But I'm not going to ask it because I wouldn't expect the minister to answer that question.

Mr. Minister, I want to express that hope as well that that legislation will be ready to go next fall. It's an area that is in need of reform as you recognized in commenting upon the report, and I hope . . .

An Hon. Member: — We're targeting for July 15th to adjourn this place.

Mr. Shillington: — Yes, well I just hope we make it; with a vastly improved co-operative spirit from members opposite we might. I'll get back to the issue, Mr. Chairman.

Mr. Minister, I wonder if any thought has been given to The Cost of Credit Disclosure Act. It has, quite frankly, got to be just an unworkable piece of legislation. I don't think it comes within your jurisdiction. I think the act is actually assigned to the minister of consumer and corporate affairs. However, I don't think that department can deal with it.

The problem with that act — again another piece of legislation passed in the days of Ross Thatcher, and which served a useful purpose so long as interest rates remained relatively simple — when that act was passed interest rates were expressed in simply terms; they were fixed to the life of almost all loans, and the act was workable. It has now become almost unworkable and is thought to be a very complex problem. It is complex for credit unions who are directly caught by it and it's complex for banks, who at large take the position 'It doesn't apply to us,' but who will admit that there is a very grey area there.

I'm suggesting to the Attorney-General, in a long-winded fashion, is that act, the cost of credit disclosure, should now be referred to the law reform commission. It is a complex problem. The need is as great as when Darrel Heald passed that legislation. The need for the consumers to understand the cost of money that they are borrowing is as every bit as great, but the problem in communicating to them what it is costing has got to be very complex. And my suggestion to you, Mr. Minister, is that act should be referred to the law reform commission for review and a report so that we may update that legislation.

One of these days it is going to cost some credit union or some bank or trust company, but more likely a credit union, a very considerable amount of money. And some scallywag is going to get away with murder simply because we, as legislators, have not done our duty of updating legislation. I honestly don't think the consumer and corporate affairs department can deal with it. I think it's just too complex. My suggestion, Mr. Minister, is that might be referred to the law reform commission for review and report.

Hon. Mr. Lane: — If I could respond. The matter is obviously one for the department of consumer and corporate affairs. I would be prepared to undertake the hon. member to contact my colleague. Mr. Sandberg, and get an assessment from consumer and corporate affairs as to whether they are in fact getting complaints about The Cost of Credit Disclosure Act.

I would like to refer to the hon. member with regard to the guardianship legislation. One of the technical difficulties that we have to wrestle with, which is a matter of concern, is the testamentary question — if the hon. member is at all interested — is the testamentary question. I'm referring to the guardianship legislation. One of the difficult aspects is the testamentary question as to whether either guardians or parents can make provision in the will for their mentally handicapped child. That is one of the difficult areas that is presently being studied. So it's a caution I give to you; it's one that we are very much concerned about addressing as soon as possible. I agree with you. And we've indicated to those organizations concerned about the problem that it is a matter that we're attempting to address as soon as possible.

The question of the cost of credit disclosure — I've given you the undertaking that I'll check with the minister responsible and see if there are concerns being raised, or if he's aware of concerns that would warrant it in fact becoming a priority and submitting it to the law reform commission. Subject to that caveat I would have no objection to the commission reviewing that type of legislation.

Mr. Shillington: — You might check with that individual who has just returned to the House. You might check with that individual in his capacity as minister of co-operatives, rather than his capacity as minister of consumer and corporate affairs. It is the credit union, I think, and the Credit Union Central which have the most severe, and I think very justifiable, concerns about that act.

Mr. Minister, there was recently appointed a new associate deputy minister, a Mr. John Siu (and I may be mispronouncing the name, I'm not sure). I wonder if you could give this . . . Would give us his experience and qualifications, give us a description of what his duties are, and salary and so on? And you may do so in writing if you prefer, Mr. Minister.

Hon. Mr. Lane: — I can respond to the first question you had asked earlier, about the law reform commission; I have that information available. The previous chairman was Mr. Ron Cuming, his salary was \$70,000 per year. The board members were Miss Marjorie Gerwing, who was paid at the rate, I believe, of \$50 a day with a \$1,000 honorarium. The same with Mr. George Taylor, who was a former board member. The new chairman, Dr. Doug Schmeiser, is receiving one-half of the salary made to the former chairman; it is now a part-time. He is integrating that with his teaching position at the University of Saskatchewan College of Law. Board members, Miss Gerwing was reappointed and a new appointment, Mr. Gordon Kuski, I believe, would be familiar to the hon. member. The per diem and the honorariums have all remained the same. Did

you need more information than that?

I'm having my officials pull Mr. John Siu's resume, if I may. He is currently deputy commissioner, policy planning and administration, the Correctional Service of Canada. That's a federal agency with an annual budget of approximately \$500 million; 10,000 staff; 60 institutions; 70 parole offices; 17,000 offenders. He is directly responsible at that time for policy development, planning, finance, personnel, organizational control, program evaluation, systems development, labour-management relations, federal-provincial relations and general administration of the whole correctional service.

He has received his graduate and post-graduate training in the fields of computer science, mathematics, business administration, economics and decision science in Canada. He was the first, and I believe, only, recipient of the Resource Management Award by the Government of Canada. It was presented by the then president of the treasury board, which consists of a taxable \$5,000 honorarium, and if I can quote from the reference given at the time:

It's tangible evidence of the government's commitment to federal government's statement as to management. They are honouring the concept of excellence in management as well as paying tribute to the individual who has earned it, for his outstanding contribution in the fields of administration, financial and personnel resource management.

Mr. Siu was the first, and I believe the only, recipient with the Government of Canada of the Resource Management Award for excellence in administration.

His responsibilities under the authority of, in consultation with the deputy minister of justice; manages the operations of the department; insures that the resources of the department are used effectively and efficiently, in accordance with the established government practices and legislation; develops and co-ordinates and establishes the department's practices and legislation; develops and co-ordinates and establishes the department's budget plans; provides executive direction to all levels of management in the delivery of programs and services; manages the co-ordination of policy, prosecution, the court services system and corrections insofar as it is appropriate to do so, having regard to the independence of the judiciary, the role of the director of public prosecutions and the legal responsibilities of the peace officer.

I believe that that is the information that the hon. member has asked for. I could give as well some of the organizations of which Mr. Siu is a member. He has served as speaker or keynote speaker in numerous national and international conferences, including the Canadian Comprehensive Auditing Foundation, the Financial Management Institute, the Institute of Public Administration, the first internal conference on social impact assessment, management consulting institute, and the American correctional association, and The Society of Management Accountants. He is also a lecturer at the School of Public Administration at Carleton University.

Mr. Shillington: — Sounds very well qualified, Mr. Minister. Did you give his salary? I was disturbed here once or twice. If you didn't you may do so in writing. I don't necessarily need this broadcast over the television.

Hon. Mr. Lane: — His salary is 74,000, which I believe is a slight increase of what he was receiving with the Government of Canada. I might add that, in addition, he has a Bachelor of Science, Computer Science in Mathematics; he is Master of Science in

Business Administration; and a Doctorate in decision theory.

Mr. Shillington: — He seems to have some minimum qualifications, doesn't he?

With respect to RCMP policing, is there any change in the staff levels at any of the depots? If the answer to this is complex, you may give it to me in writing. If it's relatively simple, you can give it to me orally. If it's complex you may give it to me in writing. I'd like to know any changes in any staff levels at any of the depots.

Hon. Mr. Lane: — I will undertake to supply that information. The staffing, of course, is in consultation with the assistant commissioner, and there will be some new detachments opening up. But I will supply that information to you.

Mr. Shillington: — Do you have any information now that there would be any reduction in any staff levels at any depots?

Hon. Mr. Lane: — Well, there will be some relocation, not from the smaller detachments, perhaps the cities. There will be an increase overall of three on the provincial complement. And I might advise that we are the only province in Canada this year to increase the number of RCM Police personnel.

Mr. Shillington: — Okay. Well, I'll wait to receive that in writing. I recognize it may be a complex question.

Mr. Minister, I would appreciate a report on the status of the Indian and native constable program. How many do we have? At what centres do we have them? I say, Mr. Minister, that I think this is a program of very considerable potential to solve what is a critical policing problem, and that's dealing with natives. And I would appreciate, Mr. Minister, a report from you on how many positions have been established for Indian and native constables, whether that's an increase or decrease over last year, and how many of those positions had actually been filled.

Hon. Mr. Lane: — I'll have my officials pull that information. If you want to proceed with the next question, I'll supply it to you.

I can now give the hon. member the information, if he's ready.

Mr. Shillington: — Yes, I am.

Hon. Mr. Lane: — The approved establishment for the Indian special constable program is 39 members. As of February 21, 1983, there are 29 Indian constables in the field, 5 in training, and 4 scheduled for training commencing in April 1983. In addition, there are approximately 50 applications under review. Nine Indian constables under the program have converted to regular members and are currently posted to detachments having Indian populations within their area.

Mr. Engel: — One short question. During your last estimates, Mr. Minister, you were giving us some assurances that there would be no changes in the fundings in the court-houses, say at Wynyard, Gravelbourg, Shaunavon, Assiniboia. Is there any change proposed in this coming year as to staffing and the kind of program that's going to be delivered by the court-houses, or was that internal document that we received copies of just a proposal, or are you planning on implementing that?

Hon. Mr. Lane: — It is certainly being reviewed, but no final decision has been made on it. We frankly are trying to balance off what may be good administration, which I am not prepared to let override yet, and some cost savings, but there's been no final decision on it.

Mr. Engel: — If I may, Mr. Chairman, I would like to raise issues on some of the court-houses that I am familiar with, particularly in Assiniboia and in Gravelbourg. I think if you look at the costing of it, they came out ahead with some other court-houses. Even some city ones were costing you more than you were taking in as far as revenue is concerned. And, from my visits with people that have legal practices in this area, particularly a place like Gravelbourg that has three law offices, they tell me that if they have to take their court cases to the city, to Moose Jaw, say, or Swift Current, that that would be a direct detriment to the practice and would likely put two of them out of business in Gravelbourg, and be just as serious in Assiniboia. So I wish that in your consultation with your department, that you would look at it, and also do some travelling to the areas concerned and talk to the people that are involved in delivering services in the communities, because I think they're providing a very worthwhile service there. Although none of the practices are really booming practices, with say three lawyers in a town the size of Gravelbourg, they're all making a comfortable living. But I think if you look at their record there, you'll see that there wasn't a direct financial burden through your department, like there would have been in some of the courts. I wouldn't mind a comment on that.

Hon. Mr. Lane: — I have some difficulty agreeing with the member. For example, the Shaunavon court-house — the revenue was \$26,000; the Swift Current court-house — it would be \$257,000. But that's only by way of example, because we cannot run our court system based on the question of revenue and how much, whether it's a money-maker or a money-loser. And the court system is not designed that way, nor can it be. And certainly the question of service and the accessibility to our judicial system by the public is the overriding concern. I do throw into that some significant rule changes which have been brought into effect over the last couple of years, which allow matters to be done with over telephone, including registering documents, that sort of thing, which tend to make it easier for the rural solicitor to carry on his practice, but unfortunately has a negative impact at the local level.

So I'm certainly aware of the concerns. They've been expressed by others, and they will be given, you can be rest assured, full consideration, because, as I say, we are not looking at a court system designed on revenue, it's on what's best for the judicial system.

Mr. Engel: — Mr. Minister, the point I was trying to make is that even if you look at the revenue end of it, the kind of arrangement you have with a part-time sheriff and a court reporter serving both Assiniboia and the Gravelbourg area, with a potential of having a fully bilingual court operation out of Gravelbourg, I think you would be ill advised to look at financial reasons for discontinuing an established service like that, that's been there as long as the province has been in place. So I would make a strong appeal that before you decide to change that you either go for a public hearing or do some kind of a public review where there would be an opportunity for some local input before they would lose that valuable service. I know there has been an ongoing battle between the department . . . (inaudible) . . . the Attorney-General that's carried on for some time, and I hope that you will be as wise in your decision not to make any changes, like the former attorney-general was. That's all the questions I have on the matter.

Hon. Mr. Lane: — Probably wiser because you're aware of the commitment to rural Saskatchewan that the new government has made, and already we've had several examples of that. I could reiterate. I wish I had my colleague, the Minister of Agriculture, here to discuss those. So I leave it on that basis.

So that there's no confusion, I would like to clarify to the critic that in fact the OC appointments that we referred to earlier are in fact subject to that 6 per cent increase. So I apologize for not giving accurate information at that time.

You asked the rest of the staff. There is a Miss Patti Ehman at a salary of \$2,152 per month, and secondly, Ingrid Perkins, in the Provincial Secretary's office, \$1,470 per month. I believe that gives the information. If you add that 6 per cent to that information that I gave you before, it would give you the accurate statements.

Item 1 agreed to.

Item 2

Mr. Koskie: — . . . (inaudible) . . . the minister, if he would account for the reduction in staff — 26.3 down to 24.3 — in civil law, personal services. Could you indicate what are the nature of those cuts?

Hon. Mr. Lane: — Those were two vacancies that were not filled, one secretarial position and one part-time vacancy that was vacant.

Item 2 agreed to.

Item 3 agreed to.

Item 4

Mr. Koskie: — I would like the minister to advise me: the fairly significant cut in staff, what accounts for the decrease there?

Hon. Mr. Lane: — The positions were vacant — deleted non-permanent positions.

Mr. Koskie: — That's confirmed. Could you indicate as vacant positions . . . Can you identify the particular positions that were vacant?

Hon. Mr. Lane: — Three of the positions were based on the previous budget expectation of extending the unified family court to the city of Regina, which has not been proceeded with because of the reasons given in earlier discussions. And the others are . . . Well, I don't know how you call it a cut when the program is not there, but it's rather a weird definition of cuts. And the others were scattered throughout the province, and I'll have that information delivered to you.

Mr. Koskie: — Just one further question in respect to that. The previous budget in 1982-83, the estimated amount under judicial centres was 4,878,610 thousand. What I'm asking . . . As you indicated that within the '82-83 estimates you had three persons identified for unified family court in Regina. That has been decreased — the positions. I suspect that the funding was also present in the previous budget, and that you didn't proceed with it. So I think I am justified in saying that what you had proposed

in the previous budget, you have cut in this budget.

Hon. Mr. Lane: — There's also a cut in other expenses, which can be office administration, etc.

Item 4 agreed to.

Item 5

Mr. Koskie: — I just want to ask the minister: in respect to other expenses, there's a very substantial decrease from 1,024, 870, to 792,760, and I would like an explanation of the major cut in expenses.

Hon. Mr. Lane: — We have devised a new contract for travel in the North which will result in significant savings. Secondly, we dropped a computer system proposed by your administration that turned out not to work.

Mr. Koskie: — You indicated that you had a contract which would lead to major savings. I would like you to detail the nature of the contract and the nature of the savings.

Hon. Mr. Lane: — We'll supply that information to you.

Mr. Koskie: — I don't want the details of the contract. I want sort of the general outline of the nature of the contract and how it occasioned the significant decrease in the cost. I really have to have some information, in a general form, in respect to that.

Hon. Mr. Lane: — Well, two major aspects. We are now putting a prosecutor into La Ronge, which will cut a considerable amount of the travel between P.A. and La Ronge which was a major expense.

Secondly, we will be allowing a change in the procedure whereby in the past the prosecutor and the judge travelled in the same plane, but defence counsel and the . . . I think that is . . . Yes, judge and defence would travel together. The prosecutor would travel separately.

We're allowing them to fly in the same plane and it's going to result, as I say, in significant savings and . . . (inaudible interjection) . . . Well, it strikes me that if that is the argument, that justice must not only be done, it must be seen to be done, it was questionable whether the judge and defence counsel travelling together . . . Was that wise? It seems not to have had the problem in northern Saskatchewan that . . . You have argued earlier tonight that it's unique up there, and that it should be dealt with uniquely.

I'm assured that in fact there won't be a problem. If there is a problem, we'll certainly change the policy. You have that assurance because I agree with the concept that it must not only be done; it must be seen to be done. But in fact there will be significant savings in not duplicating air travel.

Item 5 agreed to.

Item 6

Mr. Koskie: — In the budgetary allowance in respect to salaries of the chief judge and provincial court judges, is there any anticipated increase of salaries anticipated during this fiscal year?

Hon. Mr. Lane: — We're not anticipating; we haven't budget for any.

Mr. Koskie: — Well, the increase then, from 3.142 million thereabouts to 3.324 million — is that to take into account the previous increase of 11.8 per cent that you provided to the justices?

Hon. Mr. Lane: — Yes.

Mr. Koskie: — Are you indicating that in fact there will be no increase in the salaries of the justices during the current fiscal year?

Hon. Mr. Lane: — Well, we're not anticipating any and we haven't budgeted for any, but I remind you that there was the compensation committee established some time ago and whether they come forward with proposals, I simply can't anticipate.

Mr. Koskie: — One further question. Will the compensation committee also be restricted to the guide-lines that have been applied to other public servants by the government?

Hon. Mr. Lane: — Well, I don't know whether the committee itself is restricted to the guide-lines. Certainly I hope they take the guide-lines into account and the government would certainly take the guide-lines into account.

Item 6 agreed to.

Item 7 agreed to.

Item 8

Mr. Shillington: — I know the crime, mayhem rate — plunder and murder — has gone wild since you people were elected, but I'm surprised that this increase of 20. I can only assume there's some explanation which doesn't readily meet the eye. Have you taken over some persecuting of some centre or something? Why the increase in prosecutors here? Increase in staff?

Hon. Mr. Lane: — I don't know if this great upsurge in nefarious crimes didn't occur as a result of you people over there having so much free time on your hands, is a more likely answer for the increase in crime. And I say that facetiously. No, it takes into account two factors: one, the completion of the take-over of the municipal prosecutors, Saskatoon and Regina; but secondly, we have increased the number of prosecutors by seven over and above that. The prosecutors were in fact overworked and, I think, under a great deal of stress as a result of the work-load. And the rest of the positions . . . That would total nine . . . The rest of the positions are clerk-typist positions.

Item 8 agreed to.

Item 9 agreed to.

Item 10

Mr. Koskie: — To registration of land titles, I note in reading the very brief review of the Attorney-General, by the now Minister of Justice, in the past one of the concerns that he used to raise consistently was the staffing of the land titles office and indicating the great concern by the members of the bar that there was not sufficient staffing. And what I'm really asking him: why the cut from 175 to 169? I can think of a possible answer, that there is so much less economic development and activity going on that the work-load is in fact less during these economic difficult times and as a consequence not as many staff is required. But I wonder if you could in fact indicate whether or not, in your view, you have a fully staffed registration in the land titles office.

Hon. Mr. Lane: — Well, I'm satisfied that certainly at present it's fully staffed. We will be monitoring, as it was monitored in the past, to make sure that service to the public is adequately maintained. I think the real question that will have to be looked at in the future is whether the investment in computerization of the land titles system is the appropriate way to go. Realistically it is a system that lends itself to computerization. That may be where public demands will take us. Until such time as we're in that position, we will continue to monitor it as was done in the past.

Mr. Engel: — Thank you, Mr. Chairman. Mr. Minister, what do you consider as an acceptable turn-around time for registering a mortgage against a land title or for a land title transaction to take place? What would you consider would be an adequate turn-around time for, say, a credit union to register a mortgage against a title or for an attorney or whoever to administer and have their titles come back? What do you feel would be a decent turn-around time?

Hon. Mr. Lane: — Well, the preferable time, of course, would be, in my view, one day. I don't know if we've ever reached that. My understanding is that you tend to get complaints if it goes beyond a week. It seems to be a rough guide-line of where concerns start to arise.

Mr. Engel: — I've had several firms draw this to my attention in our area in particular, and I don't want to point fingers at either the Moose Jaw or the Swift Current land titles offices, but they're telling me it's taking more than a month, and it used to be a week and a half; it used to be a week and a half. I can give you examples from a firm that tells me it's taking them up to a month delay time, and when you're registering a mortgage, in particular, that's very serious.

Hon. Mr. Lane: — All right. And if that is accurate, it would be very serious, and I hope you'll bring the specific matters to my attention, because that's not the information that I have. I have Swift Current at seven and Moose Jaw at eight days turn-around. Now that's the . . .

An Hon. Member: — That's weeks.

Hon. Mr. Lane: — No, that's days. If you have information that is contrary to that, I wish you would bring it to my attention because we will get on it right away. That would certainly be an unacceptable situation, and we would move to correct that as rapidly as possible, because that is unacceptable in my mind.

Mr. Engel: — I sure appreciate the minister's remarks because I know I've had an individual draw it to my attention. I don't want to make the matter public, but on registering a mortgage, after three weeks delay, a client was still waiting for the returns

from Moose Jaw Land Titles Office, I can give you the specifics of it because I know the people involved very well. And they are very concerned because of reductions in staff, and called me a number of times on that evening when I got home. And I'd like you to look into that serious allegation.

Hon. Mr. Lane: — I'm very pleased to . . . I'd be very pleased to look into the matter. As I say, the information that I have at present . . . (inaudible) . . . It is an area that we're monitoring, but I caution the hon. member to, if he's talking to a client . . . Because if the material that's submitted to land titles was not properly documented or not drawn up properly, it's then sent back, and if that's the case, it certainly would be well longer than the turn-around time established.

So I would like to clarify that, because if it's submitted improperly, it will be bounced and then the start-up time starts all over again. So I'm prepared to discuss it with you. As I say, it's an unacceptable amount of time. If the information you give me is that that is the situation, we will endeavour to correct it as soon as possible. You have my assurance on that.

Mr. Engel: — One of the particular matters . . . The first time it was drawn to my attention was at a loans office at a lending institution. And this loans officer shared with me, saying that somewhere down the line that land title office needs beefing up because it used to take a week; then it went to 16 days; and he says now we can't get them back in a month, and it's seriously affecting their business. So I wish you'd look into that.

Hon. Mr. Lane: — I've given the commitment that we are prepared if you would give me the examples. And I understand your concern not to make it public and I would give you that assurance; and we will check it out immediately.

Mr. Koskie: — Just one final question . . . (inaudible) . . . that you thought you were satisfactorily staffed in the registration of land titles, but there has been a deletion from a 175 to 167.9. Could you indicate the particular positions that have been deleted?

Hon. Mr. Lane: — I'll supply you that information in a minute.

Item 10 agreed to.

Items 11 to 14 inclusive agreed to.

Item 15

Mr. Koskie: — Mr. Minister, in respect to the Saskatchewan Human Rights Commission, there has been representations made by Mr. Ken Norman, chairman of the human rights commission, if I'm correct, indicating, in fact, that the human rights commission should be subject to the control of the legislature, similar to the Ombudsman, rather than having the relationship directly with the, and under the control of, the government per se. I would like to ask the minister, since the human rights commission is a quasi-judicial body, it's independence of operation has to be, certainly, set apart from the potential interference — direct interference by government. This has been the recommendation of the chairman of the human rights commission. And I wonder if the Attorney-General would, in fact, move in this direction.

Hon. Mr. Lane: — Well I have some sympathy with the concept of making the human rights commission as independent as possible. It's certainly not a judicial body that would be free from legislative review, and I would think all members accept that. I hope that the hon. member is not suggesting that this government is remiss in not doing it.

I believe the existing commission, in fact, was appointed by the previous administration. I certainly wasn't consulted on any of the appointees when I was in opposition. And certainly you had the opportunity when you were the government to bring it before the assembly and arrange the appointments at that time . . . (inaudible interjection) . . . The hon. member says, 'Just about to do it until a bolt of lightning came in on April 23rd.' Unfortunately, I checked through the files in the office when I got there, and I couldn't find any. And, so perhaps the hon. member, if he wanted to bring back some of the files that he took home with him when the government changed, could show me the evidence that the previous government was, in fact, intending to do it. I say that facetiously. I'm sympathetic to the concept of keeping the human rights commission as independent as possible, and we'll give active consideration to that proposal.

Mr. Koskie: — I just want to make one comment. I am pleased that the minister is sympathetic. I would like to know whether or not he has reviewed the other jurisdictions in Canada, and whether there are any precedents in the other jurisdictions in respect to where the human rights commission is, in fact, answerable to the Legislative Assembly rather than to the Minister of Justice as a particular subvote.

And I also, while I . . . While you're searching for the answer, I just want to comment that it gets a little tiresome listening to you every instance that we ask whether you have done anything, and you continuously revert back to the previous government.

I suppose if you carry that to its logical conclusion and if we had done absolutely everything, then you have nothing to do. I just want to say in comparison to the record you have displayed to date in your first year, I want to say that the record of the previous attorney-general stands out among, and rightfully, he stands out not only as an outstanding attorney-general for the many progressive legislations that he introduced from 1971 to 1982, but I am indeed assured that the progress that he had initiated and the many forward steps that he had taken would have been continued uninterrupted had it not been for this interruption of having a new Minister of Justice incapable of moving forward.

All we have so far is excuses that we should have done it and all we get is that you are sympathetic. I want to say that that is certainly the statement of one of your leaders. Mr. John Diefenbaker. He was also sympathetic to a lot of things and during his stay in government achieved very little.

I hope that more than being sympathetic, you will in fact in the years to come not continue to address the issues in saying that the former government should have done it, but I hope that you in fact will give some leadership in this direction.

Two questions. Have you in fact looked at other jurisdictions to see whether or not the human rights commission is in fact answerable to the Legislative Assembly?

Hon. Mr. Lane: — Well, if the hon. members opposite had done as much in the 10 years as they said they were going to in the last year, they would probably still be the government. In fact, talk is cheap and that is all we get from the hon. members about what they were going to do. You had 10 years to get a lot of these things done. I intend

to remind the people of Saskatchewan that you had 10 or 11 years and you didn't get these things done. I think that is quite proper in my mind to remind the people of Saskatchewan what in fact was not done.

I'm advised that on terms of the human rights commission and its reporting to Legislative Assembly — we're not aware of any provincial legislatures. I do refer you to the new privacy commissioner appointed by the Parliament of Canada and I believe that that appointment is made with the approval of all parties, and appointed by parliament . . . (inaudible interjection) . . . I just answered the question. It may not be what you're asking, but I've answered the question.

Item 15 agreed to.

Item 16

Mr. Shillington: — Mr. Minister, I have a very brief comment, and I intended to make it earlier and forgot. It has to do with The Jury Act. Notwithstanding the fact that the act was passed by administration with which I had some association, I share many of the concerns which have been expressed by the bar about that piece of legislation. I just say that for the record, I share many of the concerns expressed, and I think the hesitation which has been exhibited by this administration and the former administration may be well placed. And I just say that for the record.

Hon. Mr. Lane: — Well, I would just say for the record that you're going to see the leadership that will take your socks off, because in the next week or two you'll have an ample opportunity to indicate to both the public and the law society whether in fact you do share their concerns, and you'll have opportunity to debate amendments to The Jury Act which you're requesting, and have ample to see whether or not you do in fact share their concerns. We'll bring the proposals forward.

Mr. Koskie: — The Jury Act was introduced and received third reading. And the Minister of Justice had the opportunity in respect to the criticisms of that. There was one issue that was raised. One single issue. And to date there has been two sessions. And we have been sitting now for almost 40 days, and you haven't brought it in yet. Now in this area I don't think there's a possibility of you saying that we didn't do something. We set the legislation for you. You can't even get it into the House. When are you going to move on it?

Hon. Mr. Lane: — Well, I just want the public to understand that when the members opposite were the government they brought in legislation, and it went through first, second and third readings and was passed by this House. Unfortunately, the legislation was seriously flawed and many people had serious reservations about it and they forgot, or failed to get the Lieutenant-Governor to approve the legislation, thus bringing it into act. So it sat there for, I believe, well over a year . . . (inaudible interjection) . . . Yes it did . . . Oh yes . . . I'm glad the hon. member has a smile on his face, because the truth hurts. The truth hurts. I believe that legislation was 1981.

Another item that they were all prepared to act upon . . . They had a year to act upon it; they brought in legislation that was very seriously flawed. They brought in legislation that had serious concerns brought to the attention of the then government, by the members of the law society, particularly.

As I've indicated that not only, Mr. Chairman, does this government have the obligation

of coming up with its own new legislation — we've had ample examples. I know the hon. members don't want to hear this. But we have to go through the whole process of correcting some of the messes made by the members opposite when they were in government. So not only will we bring in the legislation to correct the mistakes that they made; we will bring it in and give them an ample opportunity to see whether, in fact, they do share the concerns of the law society and members of the bar.

Item 16 agreed to.

Items 17 and 18 agreed to.

Item 19

Mr. Thompson: — Mr. Chairman, I have a question to the Attorney-General and it's regarding corrections, and individuals who are released out of correctional institutions. I was made aware of this earlier on in the summer that individuals being released out of institutions in Prince Albert or wherever they may be, are given transportation back to their homes or where they were originally sentenced. My concern is that individuals who are in institutions from the west side of the province, from Meadow Lake north — Green Lake, Beauval, La Loche — are given a bus ticket from Prince Albert to use Prince Albert as an example) to Meadow Lake and then they have to find their own way home from Meadow Lake to La Loche, another couple of hundred miles north. I have brought this up before and your officials are aware of it. Could you indicate to the House whether you have changed that policy, or what is the policy right now with releasing individuals and transportation back to their home town?

Hon. Mr. Lane: — Well, I'll have my official respond, but I'm not sure exactly what you're asking for. Could you advise me?

Mr. Thompson: — My question to the minister is: what is the policy with individuals who are released from institutions, regarding transportation from the institution back to their home town?

Hon. Mr. Lane: — Well, the policy is that they will get transportation back to their home by public transportation, but it does not mean chartered aircraft.

Mr. Thompson: — Okay. Just let me give you another example. A young fellow from La Loche is taken out and serves his time and is released out of the institution at Prince Albert. He is given a bus ticket because that is the only public transportation that we have up in the north-west side of the province. He is given a bus ticket from Prince Albert to Meadow Lake. That bus gets into Meadow Lake late in the evening, and that is the end of the public transportation. And that is the serious problem that they are facing up there. I'll let you respond to that before I continue.

Hon. Mr. Lane: — I'm advised by my officials that, in fact, they try and pre-arrange it to get the time as close as possible, so that there aren't the transportation problems. But I'd be prepared to look into the problem that you raise.

Mr. Thompson: — Yes. I would ask you to take a serious look at this because it is a very serious problem. When an individual is serving time from Weyburn, and he's in the Prince Albert institution, he's given transportation from that institution, when he's released, back to his home in Weyburn. But for the citizens up in north-western Saskatchewan, where there's no public transportation, this is very serious problem, because they are released, given a bus ticket to Meadow Lake, and then that bus comes in late in the evening. So they get out of the bus and then they have no more transportation. They have to start looking at 9, 10 o'clock in the evening to get a ride

back home. I think this is a very serious problem, and I'd ask your department to address it and see what can be done about this.

Hon. Mr. Lane: — We would, as I say, be prepared to look into it. I would say that I'm not prepared to look at charter aircraft to fly, people back home. I realize the transportation difficulty on the west side of the province, where the bus route only goes so far. It is a problem, and I grant you that. But the cost of flying people that have been released from prison, from correctional centres, by chartered aircraft back home would be a very costly one and perhaps prohibitive. And so, I simply say, we'll take a look at the problem that you raise. It may be a very difficult one. There's also the inadvisable, at least in my view, solution of lengthy cab rides. I wouldn't suggest that, but I'm prepared to look at other alternative proposals.

Mr. Thompson: — Would you not agree that it is a very serious problem? I think, just because they live in the part of Saskatchewan where there's no public transportation, I see no reason why they should be penalized to the point where they are dropped off a bus and left on their own; where an individual who lives in La Ronge, and there's a bus service up there, they get on the bus and they go home. I did not indicate in any way that I expected the department to fly them home, but I want to say that it's your department who takes them from their home down to the institution. You take them there. And I don't know how you take them — if you take them with vehicles or if you fly them out. But I think they have the same rights as any other citizen of this province. If they are released, they are entitled to the same services that anybody in any other part of the province receive. And I tell you that it's serious, and I also ask you: do you not agree that it is a serious problem, and it should be addressed?

Hon. Mr. Lane: — Well, I have agreed that we're prepared to take a look at it. I've ruled out . . . I've ruled out . . . (inaudible interjection) . . . You know, the hon. member opposite says 'No action'. Let me tell the hon. member opposite that if in fact the bus route ends at Meadow Lake and if in fact people north of that were in the correctional centres that . . . and the only two alternatives to get them back home, were chartered aircraft or taxis — if that was your proposal, then I question your solution to the problem.

I said that it would be certainly unwise to recommend those solutions, but we have to look, and I'll agree with the hon. member, that perhaps we have to look at other solutions, particularly in the case where there may be an early release for whatever reason. I would be prepared to take a serious look, but I'm also indicating to you that we will not have a policy of flying the released prisoners home by chartered aircraft or using long taxi rides. There may be another solution; we'll have to try and find one.

Item 19 agreed to.

Item 20

Mr. Koskie: — I've just got one question. I couldn't hear you, Mr. Chairman, and we can run through these. I just want to ask the minister in respect to corrections administration. I note that it has been cut; that administration, corrections administration, has been cut from 32 down to 25.2. I want to ask you how in fact you can cut the administration level of corrections when, indeed, the corrections facilities and the whole problem of the numbers being incarcerated is, indeed, on the increase. And from last year it's cut down from 32 to 25.2 and I'd like to have the details of the nature of the cuts.

Hon. Mr. Lane: — I'll be very glad to give them to you, because it indicates a difference in administrative approach between this government and the other one. If you will notice, by combining the corrections with the Department of Justice, there was a reduction in community corrections . . . I'm sorry. The administration . . . Or the numbers you've given, there was an increase of only 18, if you go back to administrative services, subvote 1 . . . (inaudible interjection) . . . That's right, you see what happens when you combine, you can sometimes get some efficiencies, get some effectiveness, and you save some duplications, and you save duplication of office equipment, little things like that, and office supplies, so I would suggest to you that an efficient government can have some savings.

I'm glad the hon. member has his *Commonwealth*. I was very interested to read to find out where the letters to the editor were coming from and I see in the latest *Commonwealth* that in fact the letters to the editor are being printed by the caucus, and being sent out by the caucus, and I'm glad that the hon. member has the magazine in front of him; I'm sure all hon. members will wish to read it.

Anyway, the actual savings result in a saving of seven: three training positions, one social worker, one personnel admin officer, one research officer, and 1.5 person-years non-permanent.

Item 19 agreed to.

Items 20 to 27 inclusive agreed to.

Item 28

Mr. Shillington: — For this subvote and the next subvote, you could give me a list in writing of the grants which you have budgeted for. I would appreciate it, Mr. Minister.

Hon. Mr. Lane: — Certainly. Did you want them tonight? We can supply them tonight, but I can give them to you in the next day or so.

Item 28 agreed to.

Items 29 to 32 inclusive agreed to.

Vote 3 agreed to.

CONSOLIDATED FUND BUDGETARY EXPENDITURE

INTERGOVERNMENTAL AFFAIRS

Ordinary Expenditure — Nil Vote

Hon. Mr. Lane: — I can supply the information on the land titles questions. I'll just send it over to you. It's handwritten, but . . .

I would like to thank my officials, Mr. Chairman, for their assistance and hard work and dedication, and I'm sure all hon. members appreciate the effort that they've made this evening and this afternoon.

Some Hon. Members: Hear, hear!

Mr. Chairman: — I'd like to thank the minister and his officials.

CONSOLIDATED FUND BUDGETARY EXPENDITURE

DEPARTMENT OF TELEPHONES

Ordinary Expenditure — Vote 38

Item 1

Mr. Chairman: — Would the minister introduce his officials?

Hon. Mr. Lane: — I'd like to introduce Mr. Gil McCormick, president of Sask Tel and deputy minister, Department of Telephones.

Mr. Lusney: — Thank you, Mr. Chairman. Mr. Minister, could you indicate very quickly how many companies have joined in 1982 — rural telephone companies? How many rural telephone companies have been assimilated with Sask Tel in 1982?

Hon. Mr. Lane: — There were 52, I believe. Kyle has now voted to join Sask Tel, so there'll be a reduction of one. The number of subscribers was 2,200 — with Kyle joining Sask Tel it will reduce that down to 2,000 subscribers.

Mr. Lusney: — Do you have a fair amount of applications in for '83 now or not?

Hon. Mr. Lane: — We have one other. We'll have to get the name for you, but only the one other.

Mr. Lusney: — Will there be any changes in the connection fee from what it previously was for '83?

Hon. Mr. Lane: — We'll get that information for you and supply it right away.

Mr. Lusney: — One other question, and that has to do with the free telephones for senior citizens that has been brought up in the past. You said it was under consideration in the last estimate that we went through. Has there been anything transpired since then?

Hon. Mr. Lane: — Well, it's certainly well under consideration. We run into a bit of a problem. We've honoured so many of our promises as a government that we didn't want to do everything in the first year, and so these things will . . . to quote another politician, 'The universe is unfolding as it should.'

Mr. Lusney: — Could you have a closer time frame for the senior citizens as to when they might expect this to happen?

Hon. Mr. Lane: — In due course and at an appropriate time.

The connecting fees will increase from \$2.15 to \$2.40, and that's rate group 3, rural. Rate group 2 will go from 1.85 to \$2.05, and rate group 1, which is all exchanges other than Regina, Saskatoon, Estevan, Melfort, Melville — the cities — will go from \$1.40

way up to \$1.55.

Mr. Lusney: — How about the new rural connection fees — will you be increasing those any?

Hon. Mr. Lane: — Those were the figures that I gave.

Mr. Lusney: — I mean new phone connections, new lines.

Hon. Mr. Lane: — Push-button service, residential, will increase from \$2.75 to \$3.05; the business will increase from \$3.75 to \$4.15.

Mr. Lusney: — I don't think I'm making myself clear, Mr. Minister. I'm talking about new connections in rural Saskatchewan, to residents there. Say, a new farm phone that's been put in — this is going to mean a new line. What is the fee going to be for that new line?

Hon. Mr. Lane: — We'll get the new line fees for you and we may not have it tonight, in which case, I'll supply it to you tomorrow.

Mr. Lusney: — Is there going to be any changes, or are there any additional staff in your office that deal specifically with telephones, or is it just the same staff that you had?

Hon. Mr. Lane: — It's the same. There has been a change; Mr. Patrick Carey, who is my special assistant, is going to be assuming the role of deputy minister of telephones. As we bring the communications secretariat into that area, there will be a change there. Other than that, the officials in the communications secretariat we'll be discussing later, but they're pretty much the same, I think.

Mr. Lusney: — With the new role, or mandate that communications coming into telephones, now, could you sort of give me an overview of what new mandate and role is going to be at telephones?

Hon. Mr. Lane: — The Department of Telephones will always maintain its mandate and its role and its legal obligations to maintain the rural telephone system and the rural telephone companies, so long as they themselves choose to remain in operation, and that role has been thus, since Sask Tel began to take over many of the lines by assimilation; that mandate will be maintained and will stay the same.

Mr. Lusney: — Then, Mr. Minister, you're saying that Department of Telephones will not be responsible for licensing. It will be all under communications, then?

Hon. Mr. Lane: — Correct.

Item 1 agreed to.

Item 2

Mr. Shillington: — Mr. Minister, you had spoken earlier about, I believe . . . I did not clip the comments, but it seems to me . . . I will start again . . . (inaudible interjection) . . . Thank you for that invitation and that opportunity. Some time ago, Mr. Minister,

you indicated that you had some intention of introducing legislation to deal with pay TV.

I think that was your comment in an effort to strengthen the provincial jurisdiction over pay-TV. And I am wondering, Mr. Minister, what plans you have with respect to pay-television to ensure provincial jurisdiction over this area.

Hon. Mr. Lane: — Well, we expect to introduce what I believe to be rather significant legislation this session.

Mr. Shillington: — Is that this fall or this spring, Mr. Attorney-General?

Hon. Mr. Lane: — Spring.

Mr. Lusney: — Mr. Minister, in some of the information that you had passed on here earlier, there has been something like 24 sets that have been purchased by the department, and are out in the country in various areas, that are monitoring or testing the television cable signals. Could you indicate where these sets are? Not just the towns — are they in private homes, or where do you have these sets?

Hon. Mr. Lane: — My understanding is they're all in the offices, just testing the cable signal as it comes across. And I gather it's been an ongoing practice of basically, Sask Tel, to monitor the cable-TV reception.

Item 2 agreed to.

Vote 38 agreed to.

CONSOLIDATED FUND LOANS, ADVANCES AND INVESTMENTS

SASKATCHEWAN TELECOMMUNICATIONS

Vote 53 — Statutory

Mr. Chairman: — I'd like to thank the minister and his officials.

CONSOLIDATED FUND BUDGETARY EXPENDITURE

PROVINCIAL SECRETARY

Ordinary Expenditure — Vote 30

Item 1

Mr. Chairman: — Will the minister introduce his officials?

Hon. Mr. Lane: — Yes, I would introduce Mr. Mike de Rosenroll, deputy provincial secretary; Kathy Langlois of the department of revenue and supply, director of financial services branch, and behind me Bob Leonard, who's director of the Provincial Inquiry Centre.

Mr. Shillington: — I wonder, Mr. Minister, if you would send me the salary for your acting . . . Is it an acting deputy minister? Did I catch that properly? It is deputy. Would

you then send me the salary? You can do it in writing if you like . . . salary of your deputy minister.

Hon. Mr. Lane: — I've already supplied it to the hon. member this afternoon when he asked for my personal staff. I can get it for you, but I've supplied it.

Mr. Shillington: — Just one other question then. Apart from handling the Provincial Inquiry Centre, apart from being responsible for the Provincial Seal and, I gather, the expenses of the Lieutenant-Governor, does this department now have any other functions but those?

Hon. Mr. Lane: — It hasn't had any change in administration from the previous policy and it also has the function of the certificate signing that people request, and again that was an administrative function that it carried on before.

Item 1 agreed to.

Items 2 and 3 agreed to.

Vote 30 agreed to.

Mr. Chairman: — I'd like to thank the minister and his officials.

The committee reported progress.

The Assembly adjourned at 10:43 p.m.