

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 10, 1983

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

WELCOME TO STUDENTS

Mr. Schmidt: — Mr. Speaker, I'm pleased to introduce to you and through you to the Assembly, 22 grade 8 and 9 students from Grayson, Saskatchewan. They're in the Speaker's gallery today. They are accompanied by their principal, Mr. Ben Appell; their teacher, Audrey Bogdan; and bus drivers, Mr. and Mrs. Johnny Baer. I advise them that I will be meeting with them at 2:30 for pictures and refreshments. I ask this Assembly to welcome them here, and I hope they have an informative visit. Thank you.

Hon. Members: — Hear, hear!

QUESTIONS

Salary Increases for Senior Public Servants

Hon. Mr. Blakeney: — Mr. Speaker, I direct a question to the Premier. This morning cabinet documents have become available — order in council no. 705, which order increased the pay of your government's senior public servants such as deputy ministers, and your press secretaries, and executive assistants, increased it retroactively to April 1st by amounts of 6 per cent to a maximum of \$3,000 per year. My question to you, sir, is this: how do you justify giving senior public servants increases of \$3,000 a year retroactively, when you are freezing those on minimum wage for a full two years?

Hon. Mr. Devine: — Mr. Chairman, the measures that this . . . Mr. Speaker, the measures that this government is taking with respect to productivity and the improvement in the public service are being well recognized. We know that there is a concern with respect to unemployment. We have a nine-point program on employment that was announced by the minister with respect to our financial moves, and those activities are resulting in us leading the nation with respect to the creation of economic activity and jobs in this province.

We're also aware, Mr. Speaker, that the activities in this province do relate all across the board. If there's an impact on wages at any one particular level, you will see it in industry at all different kinds of levels. And the encouragement we're receiving because we have the highest minimum wage in Canada, to make sure that it isn't unduly out of line in our objective of raising employment, is one that is being widely accepted.

So the activity with respect to job creation on one hand, the statistics that show we're leading the nation in the other in terms of job creation, speak for themselves.

Hon. Mr. Blakeney: — Mr. Speaker, a supplementary. No doubt Mr. Bedson's activities have created a good number of farm jobs. But, may I ask you, sir, whether or not you believe that it is appropriate at this time to raise the salary of your cabinet

secretary from \$85,000 a year to \$88,000 a year; to raise the salary of your press secretary from \$59,600 to \$62,600? And I could go on. Do you think that's appropriate in this time of what you say is restraint?

Hon. Mr. Devine: — Mr. Speaker, the people that the hon. member are referring to are out-of-scope people. The guide-lines that we provided for the people of Saskatchewan, indeed the Government of Saskatchewan, of 6.9 per cent have applied to everybody across the board and particularly in-scope people. Out-of-scope are generally accepted to be a different situation. And particularly when we're looking at no other means to provide incentives for productivity or recognition of productivity. It's the simplest way that you deal with out-of-scope individuals — and that's the case.

Hon. Mr. Blakeney: — Mr. Speaker, a question to the Premier. I refer to estimates and our consideration of estimates last Thursday, May 5th. And I refer to the order in council previously referred to, number 705 of '83, dated May 5th. And I refer to the fact that in estimates I asked you: can you advise whether or not any increases were made effective April 1st, or whether it is proposed to make increases on out-of-scope salaries effective April 1st? To which you replied: 'Mr. Chairman, there haven't been any increases as of April 1st. The whole situation is under review.' And you replied, when that morning the order in council had been passed increasing the salaries by \$3,000. Do you now agree that the information you gave the House was false?

Hon. Mr. Devine: — Mr. Speaker, I advised the Assembly that we had not made any increases effective April 1st. The whole question was under review. If at that very time they were being signed, or that very date if they were being signed to be effective at another time period, clearly, clearly, Mr. Speaker, everybody would know the time that they were being signed, and the date and the effectiveness. So that they are orders in council and they are public. so clearly it's public information at the time that they're being signed, or the time they're put forward. If there was a lap of a couple of hours, or three hours, or whatever it may be, I mean, I can't help that.

Hon. Mr. Blakeney: — Mr. Speaker, supplementary. Is it not true, sir, that in the morning your cabinet raised the salaries of out-of-scope public servants; in the afternoon you denied that to be the fact; and you continued to deny it until after your estimates were considered, and then the material was made public?

Hon. Mr. Devine: — Well, I don't believe, Mr. Speaker, that it's law until the Lieutenant-Governor signs it. Is that true? I believe that's the case. And I said that any salaries with respect to — I forget whether I said in-scope or out-of-scope people. I forget which one it was associated with — were under consideration, and as far as I knew, that there were no changes in that law, or no changes with respect to the salaries effective the time that I was talking about. Now if these OCs were signed two days later, or something else as they came into effect, I don't believe that they are law until the Lieutenant-Governor signs it, Mr. Speaker. So if that's the case, if they're not signed that day, they're not law. And that's the point.

Hon. Mr. Blakeney: — Mr. Speaker, a question to the Premier. Mr. Premier, I'm not asking what is law. I am asking whether or not, when you told me that there hadn't been any increases April 1st and that no decision had been made, no decision had been made. When you know your cabinet had considered them that morning and had made the decision, how could you stand in this House and say no decision had been made, when the cabinet had made a decision the morning of the day you were telling me no decision had been made?

Hon. Mr. Devine: — Mr. Speaker, what I said is that the entire matter was under discussion and under review, with respect to salaries — out-of-scope and in-scope. These happen to be out-of-scope. And there are no legal changes until the Lieutenant-Governor signs these. And they weren't signed at the time.

An Hon. Member: — The Lieutenant-Governor doesn't sit in cabinet, you see.

Hon. Mr. Devine: — The Lieutenant-Governor may sign them the next day or the day after or the day after that.

Hon. Mr. Blakeney: — Mr. Speaker, a supplementary. I was not asking whether the Lieutenant-Governor had made a decision but whether you, sir, had made a decision. And I'll repeat again what you said in answer to my question: does the review involve making increases which will be effective April 1st? 'Mr. Devine: — No decision has been made about that, Mr. Chairman' — when in the morning your ministers had passed this order in council and done everything they had to do in order to make that the law. Now how can you then say that no decision had been made, when your ministers meeting in cabinet had done everything they could do to make that the law of Saskatchewan?

Hon. Mr. Devine: — Mr. Speaker, the issue of whether out-of-scope people should have an increase or not has been under review for some time. The normal course of events for people who are in scope has been discussed, and the guide-lines have been laid down by the Minister of Finance. The out-of-scope people are a different situation altogether. We have been discussing that for some time. The remarks referred to by the hon. member are out of scope. There have been discussions about those individuals. At the time of the discussion, I said I don't know what decisions have been made with respect to April. Certainly anything that was signed in terms of making them legal or law with respect to out-of-scope people didn't take place at least until after that time that I was making the comments with respect to the decisions.

Hon. Mr. Blakeney: — Mr. Speaker, I want to ask the Premier a new question. Do you admit, sir, that the morning before you came into this House on the afternoon of May the 5th your cabinet had signed a recommendation for an order in council by the minister in charge, had signed by the acting president of the Executive Council, an order — an order — which increased all of those salaries by — the higher ones — by \$3,000 a year, and that when I asked you that you said, 'No decision had been made'? No decision had been made, Mr. Chairman, and you said that not once but several times. Do you not now agree that the information you gave to the House was false?

Hon. Mr. Devine: — Mr. Speaker, all I said at the time is that I know that that information was under discussion. That's what I said, and that's what I will continue to say: that it was under discussion. I know that it wasn't law, because I'm informed that when things are to be laid out in law to be signed by the Lieutenant-Governor. And at the time that I was speaking, I was aware that the items were under discussion and that's all.

Hon. Mr. Blakeney: — Mr. Speaker, supplementary. Can the Premier advise us when the Lieutenant-Governor signed this document, since his signature is very clearly on the document and the document is dated May 5, 1983?

Hon. Mr. Devine: — I'll find out when the document was signed, Mr. Speaker. I'll take notice.

Hon. Mr. Blakeney: — Mr. Speaker, supplementary to the Premier, and I refer him to *Hansard* at page 1822. I had been speculating on whether Mr. Bedson's salary was in fact \$85,000 or was likely to be a higher amount effective April 1st, to which the hon., the Premier said: 'The hon. member can speculate any way he likes, I suppose. That's his prerogative, but we just haven't made a decision.' 'We haven't made a decision.' Which you told me in the afternoon, when your cabinet had decided in the morning to raise that salary to \$88,000. Now how can you justify that comment in this House?

Hon. Mr. Devine: — Well, Mr. Chairman . . . Clearly, Mr. Speaker, if Executive Council makes a decision on OCs, they're public as soon as the Lieutenant-Governor signs them. Clearly that's the case. I mean, if he signs them immediately then they become public very, very quickly. So there is no point in trying to make it any other way. So if cabinet made the decision that there would be increases, and they would be effective in January or April or so forth, it would be public within hours or within days. I said at the time that it was under review and, to the best of my knowledge, it was under review. And I can't add any more than that.

Hon. Mr. Blakeney: — Mr. Speaker, the Premier has said that to the best of his knowledge it was under review, when he knows that it was considered at a cabinet where . . . (inaudible interjection) . . . New question, Mr. Speaker . . . considered at a cabinet where the cabinet secretary was sitting where the hon., the Minister of Justice is now, and where the cabinet deputy secretary was sitting where the hon., the member for Regina North is now, right beside the Premier, knowing, knowing that their salaries had been raised \$3,000. And the Premier stands up and says: 'No, no decision has been made. No decision has been taken.'

Now do you not feel, sir, that you are misleading the house when you conduct yourself in that way?

Hon. Mr. Devine: — If I'm not mistaken, Mr. Speaker, I spent a good part of Wednesday with the hon. Joe Clark during the time of cabinet. And on occasion, Mr. Speaker, I do go in and go out of cabinet . . . (inaudible interjection) . . . Well, I have my advisers around me and they may or may not have been in cabinet, I'm not sure. What I know, Mr. Speaker, is when the hon. member asked me on that day, 'Are they under review?' I said, 'Yes, they're being reviewed.' And I knew that. I can't add more than that because that's what I was aware of, and as far as I can recall, that's the case.

Hon. Mr. Blakeney: — Mr. Speaker, a new question to the Premier. Does the Premier admit that the cabinet was on Wednesday when this consideration took place, and does he admit that the order in council is signed on May 5th, a Thursday, and does he not admit that it's entirely likely under those circumstances that the Lieutenant-Governor signed it on Thursday, and that when he stood in this House the information he was giving this House was wrong? Does he not admit that that is the likely circumstance?

Hon. Mr. Devine: — Mr. Speaker, I think it might be fair to point out that we discuss an awful lot of things, and many things come up time and time again when we're in cabinet. And we have considerable debate and considerable discussion on issues in cabinet. Some pass and some don't pass. When we're going through estimates and something is discussed in the morning, whether I was there or I wasn't there, I do the best of my ability to provide accurate information about what is being discussed all the time. And if changes were made, and I recall that changes were made, I would tell the

hon. member because it's going to be coming up the next day or the next day, if there were. So there's no intent in saying that there weren't changes, if it's about to be signed.

So it just doesn't make any sense to pursue an argument that OCs would not be public information. Every OC becomes public information. So I say to the hon. member, I provided the information as I recalled it. If I was there and I didn't recall the discussion accurately, then that's something that can happen. If I wasn't there it's a little bit difficult to recall the information, if I was not in cabinet. Either way. And I don't recall, I mean, we discussed these and some of them that I signed personally, and some of them maybe the deputy premier signed or something else. I recall the discussions and you know, the information that comes down on a daily basis during cabinet is, as the hon. member probably appreciates, considerable. So, but there's no point in ever trying to suggest that OCs are not public information. They will be within hours or they will be within days. And the hon. member knows that. And certainly he can rise the next day and say, well, like precisely what he's doing. So there's no reason to suggest that OCs won't be public. Everybody knows they will be within hours.

Hon. Mr. Blakeney: — Mr. Chairman, new question to the Premier. We all know that OCs are public and our estimates went Thursday, Friday and Monday and the OC came public on Tuesday and avoided therefore any pursuit of those questions in estimates. My question to you is this. I asked you this question: 'I want to ask a few questions about Mr. Gren Smith-Windsor. My information indicates a salary of \$69,500 per annum. Is this still accurate?' Answer: 'Yes, Mr. Chairman.' Now this on Thursday, when Mr. Gren Smith-Windsor processed the order in council increasing his salary and he sat behind you, did he advise you that in fact that it was not accurate and that in fact his salary was \$72,500 when you were sitting in here dealing with estimates?

Hon. Mr. Devine: — Well, Mr. Chairman, I don't know what advisers were with me on that specific question. Maybe the hon. member can recall who was sitting beside me at what time. Also, I . . . (inaudible interjection) . . . the individuals . . .

Mr. Speaker, on several, and a good number of the questions that were asked of me, I stood up and I answered relatively quickly. When the question come across on things that I knew readily or I believed that I knew, I answered them as quickly as possible because I wanted to be as co-operative as possible in providing the information. So I can't recall and I don't think I could be expected to recall who was advising me if I turned around and said, 'Yes,' 'No,' 'Maybe,' or 'Was this the case?' As far as I knew, we had discussed it and as far as I knew, there hadn't been any changes.

Hon. Mr. Blakeney: — Mr. Chairman, supplementary. With respect to Mr. Smith-Windsor's salary and with respect to many others, Mr. Bedson and many others, which we confirmed during the course of those estimates, all of which information was wrong in the result, do you not think that you should have advised this committee on Friday or on Monday that you inadvertently misled this committee if in fact you did so, in occasion after occasion after occasion on all of those out-of-scope salaries?

Hon. Mr. Devine: — Well, Mr. Speaker, the information the hon. member is asking for wasn't brought to my attention because everybody knows, I guess, that it will be public information. I mean, again, there is no way that you can conceal orders in council. They will be public within hours or within days of them passing. So nobody — I was not advised that there has been the changes, you should inform the hon. member because he was asking the questions. I mean, it is public information. It's public information

anyway, and everybody knows it.

Hon. Mr. Blakeney: — Mr. Speaker, in the opinion of the Premier, was it not the responsibility of the cabinet secretary or the assistant cabinet secretary to call to his attention the fact that he had inadvertently (if that is the case) misled this House time after time after time with respect to out-of-scope salaries?

Hon. Mr. Devine: — all I can say, Mr. Speaker, is that every member of my staff and every member of the opposition, every member of the government, knows that it is public information. So if they didn't advise me that this public information will become public prior to it becoming public, I mean, I guess they could say, 'Well, we should let you know the information before it's going to become public.' And, fair enough, perhaps they should have. Perhaps there was an oversight on their part, but, in any event, it will be public information to the members of the media, the members of the opposition, within hours of the time that it's done.

Hon. Mr. Blakeney: — Mr. Speaker, a new question. It will be recalled, Mr. Speaker, during estimates that I began asking the Premier about current salaries of people on a list which he provided me, and I started with Mr. Bedson's salary of \$85,000, and began to ask about some others, and he said that all of the others were the same. It was later indicated that that was not true with respect to Mr. Lampard, and we straightened that out, and he assured me again that, aside from Mr. Lampard, they all were the same.

Would he now agree that by order in council 732 dated May 5, 1983, recommended by Grant Devine and approved by Grant Devine, the salary of Mr. Dutton, Mr. William Craig Dutton, was in fact increased from the figure you gave me of 30,000 per annum, to a figure in excess of \$37,000 per annum, and that you did not tell me that when I asked?

Hon. Mr. Devine: — Mr. Speaker, the OC with respect to Mr. Dutton may have fallen into the same category with respect to Mr. Lampard. In those cases, I believe Mr. Lampard, the one that I missed or overlooked, was a new position, and he went on to become a chief electoral officer as opposed to something else. In the case of Mr. Dutton, it was a promotion. And if I missed those, Mr. Speaker, I said to the hon. member at that time that the majority of these were just as I described them. And certainly, again in this case, with respect to an OC it will be public information. It was public information. So the hon. member probably had the information at the time. So certainly anybody could bring it to his attention or to my attention, but it was public information that there was this change.

Hon. Mr. Blakeney: — I ask a new question, Mr. Speaker. And I preface it by saying that as the Premier well knows orders in council are not obtainable instantaneously, and these were obtainable only the first time today, the first time today. And I point out that we finished the Executive Council estimates yesterday. The question that I ask to the Premier is this: how do you justify an increase of 26 per cent retroactive to December 1st for Mr. Dutton, when you are confining other public servants to increases of 6 or 7 per cent, and confining minimum wage people to no increase at all?

Hon. Mr. Devine: — Mr. Speaker, I have said in many times that if you can correlate productivity increases with wage increases it isn't inflationary. And for many individuals who are performing well, working long hours, and working week-ends, whose productivity is very high, and particularly, as we pointed out, for people who are out of scope — if we feel that the productivity is there, and particularly if there's no other way to provide that incentive, or indeed, that reward for productivity, then that's how

you do it: with the salary increases.

When you look at the whole question of minimum wage, and the number of people employed, it's a completely different situation. Anybody that wants to, and certainly there are all kinds of people that have gone from minimum wage to \$5 to \$6 to \$8 because they have improved themselves, improved their skills, and have gotten better jobs. Nobody is confined forever to minimum wage. Maybe under the previous jurisdiction they thought they were, but not under this one. We have incentives for productivity, and people do want the maximum wage, and we're providing that kind of environment so people can excel in this province, as opposed to staying on minimum wage.

INTRODUCTION OF BILLS

Bill No. 46 — An Act respecting the Consequential Amendments resulting from the enactment of The Department of Finance Act, 1983

Hon. Mr. Andrew: — Mr. Speaker, I move first reading of a Bill respecting the consequential amendments resulting from the enactment of The Department of Finance Act, 1983.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 47 — An Act respecting the Administration of the Finances of Saskatchewan and to repeal Certain Obsolete Statutes related to Financial Matters

Hon. Mr. Andrew: — Mr. Speaker, I move first reading of a Bill respecting the administration of the finances of Saskatchewan and to repeal certain obsolete statutes related to financial matters.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 48 — An Act respecting the Provincial Auditor

Hon. Mr. Andrew: — Mr. Speaker, I move first reading of a Bill respecting the Provincial Auditor.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

ORDERS OF THE DAY

MOTIONS FOR RETURNS (Debatable)

Return No. 23

Mr. Engel moved, seconded by Mr. Thompson, that an order of the Assembly do issue for return no. 23 showing:

Regarding the period May 8, 1982 to March 24, 1983: (1) the number of out-of-province trips made by the Minister of Social Services on Saskatchewan government business; (2) in each case her destination, the purpose of the trip, the name of each person who accompanied her at government expense; and (3) in each case the total cost of the trip (including

air fares, hotels, meals, etc.).

Hon. Mr. Berntson: — Mr. Speaker, this is an amendment consistent with the amendments to eliminate any overlap from the previous return from the last session and this return. So I move, seconded by the Minister of Highways, that the motion for return no. 23 be amended by striking out the words ‘May 8, 1982’ and substituting:

December 17, 1982

Amendment agreed to.

Motion as amended agreed to.

Return No. 24

Mr. Engel moved, seconded by Mr. Thompson, that an order of the Assembly do issue for return no. 24 showing:

Regarding the period May 8, 1982 to March 24, 1983: (1) the number of out-of-province trips made by the Minister of Agriculture on Saskatchewan government business; (2) in each case his destination, the purpose of the trip, the name of each person who accompanied him at government expense; and (3) in each case the total cost of the trip (including air fares, hotels, meals, etc.).

Hon. Mr. Berntson: — This is a similar amendment, too, that may overlap. I move, seconded by the Minister of Highways, that motion no. 24 be amended by striking out the words ‘May 8, 1982’ and substituting:

December 17, 1982.

Amendment agreed to.

Motion as amended agreed to.

Return No. 25

Mr. Engel moved, seconded by Mr. Thompson, that an order of the Assembly do issue for return no. 25 showing:

Regarding the period May 8, 1982 to March 24, 1983: (1) the number of out-of-province trips made by the Minister of Health on Saskatchewan government business; (2) in each case his destination, the purpose of the trip, the name of each person who accompanied him at government expense; and (3) in each case the total cost of the trip (including air fares, hotels, meals, etc.).

Hon. Mr. Berntson: — Mr. Speaker, I move that the motion for return no. 25 be amended by striking out the words ‘May 8, 1982’ and substituting ‘December 17, 1982’ therefor. Seconded by the Minister of Highways.

Amendment agreed to.

Motion as amended agreed to.

Return No. 51

Mr. Engel moved, seconded by Mr. Thompson, that an order of the Assembly do issue for return no. 51 showing:

- (1) The total dollar amount paid by the Department of Agriculture during the period May 8, 1982 to April 12, 1983 to commercial airlines for air fares; (2) the name of each individual for whom air fare has been paid and the amount for each individual.

Hon. Mr. Berntson: — Mr. Speaker, I move, seconded by the Minister of Highways, that this motion be amended similarly by striking out the words ‘May 8, 1982’ and substituting:

November 27, 1982

Amendment agreed to.

Motion as amended agreed to.

Return No. 91

Mr. Engel moved, seconded by Mr. Thompson, that an order of the Assembly do issue for return no. 91 showing:

- (a) The name of each person whose services were retained after May 1, 1982 under a written contract under which such person was paid or entitled to be paid an amount of \$1,000 per month or more by or with the Department of Agriculture; (2) the date on which each written contract was entered into; (3) the amount, terms and conditions of remuneration for each contract; (4) the experience and qualifications of each person retained under contract; (5) the duties of each person retained under contract; (6) a copy of each written contract.

Hon. Mr. Berntson: — Mr. Speaker, in the interest of consistency with the previous votes taken in this House as to similar questions, I’m going to urge all members to negative this particular motion. I note, Mr. Speaker, that the motion for return in fact deals with my department, and I would be prepared to deal with those questions in estimates, Mr. Speaker. But as last Tuesday was the case, I argued that this kind of information, in some departments, should remain confidential. And rather than set a precedent in any department, so that that argument could be used by the opposition to seek the information from Health or Social Services or whatever. I urged all members then to vote against it and that’s what happened and I will be doing the same today. However, I tell the hon. member that if he wants to pursue these questions in estimates, he’s free to do so.

Mr. Engel: — Thank you, Mr. Speaker. The question is quite straightforward here. All we’re asking, Mr. Minister, is the name of each person whose services were retained after May 1, ’82 under a written contract under which such person was paid and entitled to be paid an amount of \$1,000 per month or more. We’re not asking something out of line. I think if the Department of Agriculture is involved in research

projects — you sent me a list across during the estimates . . .

We don't get the information, because you always say you'll take notice. We were kind of anxious that you would provide this information so that we would have something to deal with and talk about during estimates. Because the minister brings staff in; when we ask these kind of questions he takes notice and says 'I'll get you that back.' And if we don't have it for the estimates, then it's difficult to deal with.

So I think the minister should take a second look at this. It's quite simple. The list last time only contained about seven or eight people on it, or 10. And I think the duties of the persons involved, the amount and terms and conditions of remuneration of the contracts, the experience and qualifications of the persons retained — I don't think the Department of Agriculture has ever been closed before where you'd seek to refrain from providing and making public this information.

So I'd suggest, in fairness to the Assembly and in fairness to the public, that this information should be made public, Mr. Speaker, and I'd urge all members to vote against this suggestion he makes.

Mr. Speaker: — Order please. The mover of the motion has just closed debate.

Motion negatived on division.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 36 — An Act to amend The Education Act (No. 2)

Hon. Mr. Currie: — Thank you, Mr. Speaker. I rise today to speak to second reading on Bill No. 36, An Act to amend The Education Act (No. 2). As members will be aware, this Bill was originally referred to the standing committee on non-controversial Bills. The reason that the Bill was not reported as non-controversial by that committee was that there were two technical flaws requiring amendments. These amendments will be circulated to members.

The first one involves a change in the listing of sections to be repealed in clause 4. As it stands, Mr. Speaker, Bill No. 36 would be repealing a section inserted by The Government Reorganization Consequential Amendment Act. The amendment corrects this.

Secondly, Mr. Speaker, we inadvertently omitted from the new Bill the authority required by the minister to make capital grants to school boards for renovation projects. The second floor amendment merely inserts the words, 'or renovation' at two places in clause 27.

Mr. Speaker, the other sections of Bill 36 are routine and housekeeping in nature. Several sections are consequential amendments arising from the local government election act; some other sections merely restrictive portions of The Education Act. The remaining amendments have been worked out by department officials in consultation with such organizations as the Saskatchewan School Trustees Association and the Saskatchewan Teachers' Federation.

Because of the non-controversial nature of Bill 36, I will be requesting that members opposite would agree to proceed to committee of the whole immediately. Mr. Speaker, I move that Bill No. 36, An Act to amend The Education Act (No. 2) be now read a second time.

Motion agreed to, Bill read a second time and referred to a committee of the whole at the next sitting.

COMMITTEE OF FINANCE

CONSOLIDATED FUND BUDGETARY EXPENDITURE

HEALTH

Ordinary Expenditure — Vote 32

Item 1 (continued)

Mr. Lingenfelter: — Mr. Chairman, I would like to ask a question or two about the nursing home which the department operates at Wolseley, and what I would like to ask is whether or not the administrator who is there presently is new in the job, or how long that individual has been in that position, and what the person's name is, as well as the experience that that individual has.

Hon. Mr. Taylor: — Yes, the person who is administering Lakeside Home is Mr. Ian Rogers. He was put out there on April 4th. That's when he took that office. He has a long history of service in the Government of Saskatchewan — I would estimate going back 25 to 20 years — at one time was the deputy minister of government services.

Mr. Lingenfelter: — Mr. Minister, can you tell me the individual's name who he replaced, and the circumstances under which that occurred — whether the person resigned or was retired, or how did that come about? And also if you could give me a bit of a history of the individual who had been the administrator, and how many years experience that person had in that position.

Hon. Mr. Taylor: — The person who was administering Lakeside Home was Mrs. Julie Campbell. She had been there approximately three and a half years, and she was dismissed.

Mr. Lingenfelter: — Mr. Minister, can you tell me why Mrs. Julie Campbell was dismissed — the circumstances that led to that decision — and can you tell me who signed the letter and the note, and how she was notified of her dismissal? If you would give me a bit of the background to her dismissal, and also the reason why you in your wisdom decided that she was not doing an adequate job, and why you felt it necessary to dismiss her.

Hon. Mr. Taylor: — Yes, the letter terminating Mrs. Campbell's employment was signed by the deputy minister, Mr. Ken Fyke. I wouldn't want to get into a discussion on the reasons for the dismissal, because Mrs. Campbell is presently working on a settlement with my department. I wouldn't want to say anything that would jeopardize her chances of receiving a fair and just settlement.

Mr. Lingenfelter: — Mr. Minister, I find it interesting that you go through the process of firing an individual from a nursing home in your own constituency, and are unwilling to stand in this House and tell us why you decided to do that. I think that you owe the people of the province, when you fire someone with three and a half years service . . . And I'm sure that at least while we were in government, she was doing a very adequate job. Why you would choose to fire an individual like that who I'm sure felt as well that she was doing a good job, without any explanation, without justifying your move, is inappropriate. And I would ask you again to give us the background and the basis on which your decision was made to fire that individual.

Hon. Mr. Taylor: — Mrs. Campbell has appealed to the Public Service Commission. As I said earlier, her situation is . . . She's appealed it and she's working on a settlement with the department, and I think it would be remiss of me to, in any way, shape or form, say anything that would jeopardize that type of a settlement.

Mr. Lingenfelter: — Can you indicate to me what the salary of Mr. Campbell was the year prior to her dismissal; what salary level she was at?

Hon. Mr. Taylor: — Take a minute to retrieve that. We'll be glad to give it to you. If you have any more questions, continue on.

Mr. Lingenfelter: — Well, it would lead to the next question which would be the salary of, I believed you mentioned an Ian Rogers who had taken her place. I would like the salary of that individual as well, while you're looking it up.

Hon. Mr. Taylor: — Yes, we'll supply that for you.

Mr. Lingenfelter: — Mr. Chairman and Mr. Minister, I wonder if you can give me a rough outline of the operation at Wolseley, the number of people who are residents of that facility and whether or not there has been a change over the past year or year and a half, and whether you foresee that establishment being replaced in the near future.

Hon. Mr. Taylor: — I have the salary answers for you now and we're getting the status of the number of residents and the number of staff. I think that was your second question.

Mrs. Campbell was paid \$35,000 a year. Mr. Ian Rogers, who —I don't know if you understand this or not — is there in an acting capacity at this point in time, and his salary is \$57,000 per year. Mr. Ian Rogers was the acting associate director of the provincial lab and he's out there in the intervening time.

Mr. Lingenfelter: — I think it leads to some interesting speculation how the administrator at the Wolseley nursing home would get an increase in salary of \$21,000 and how you would justify that — a salary going from \$35,000 to \$57,000, which is fairly phenomenal in the administration area — while at the same time residents are being asked to pay more, and how you can justify that in your own mind, that the individual who is now presently the administrator is earning \$57,000. I would think that that would be one of the highest levels being paid in the province for administrators in nursing homes, and I would like an explanation of how you justify that.

Hon. Mr. Taylor: — Well, I think I can justify that quite easily, is that Mr. Rogers is a very competent administrator. I asked him to go out there as an acting administrator in

the intervening time while we advertised for new administrators and filled the position. His position at the lab is vacant, so he is just there on his lab salary, doing that job in the intervening time. I think it's very important that one has a very competent administrator, and I certainly think, and from all the reports that I hear, that Mr. Rogers is certainly doing a fine job there.

You asked about the number of residents. I would think that you or the member from Quill Lakes should have some knowledge of the status of Lakeside home, having both been the minister of that at one time. There are 70 residents — six level 1; 23 level 2; 23 level 3; and 18 classified as level 4 — and there are 62.6 staff.

Mr. Lingenfelter: — Well, Mr. Minister, you say that Ian Rogers is a very qualified individual to be the administrator. I would gather that he should be at \$57,000 when he's replacing someone who had been doing, by everyone's estimation in the community, a very adequate job.

I would like for you to tell me how you think that spending an extra \$21,000 per year is good administration and a good operation by your government, and how you explain \$21,000 extra in one nursing home for administration, when you can't seem to find the money to go around for other nursing homes in terms of the very basic repairs and painting and that sort of thing that nursing homes want to do, and how you justify over 50 per cent increase in salary of one administrator in the province.

Hon. Mr. Taylor: — You certainly have a little trouble in hearing or understanding. I don't know which it is. Basically I don't know how you see an extra \$21,000. If it continued as it would be, I would be saving \$22,000, because as I just told you, Mr. Ian Rogers' position at the provincial lab is vacant. He's out doing this function for a limited period of time, so I don't see any extra expenditure of \$21,000. Now, maybe in your arithmetic you do; I certainly do not.

Mr. Lingenfelter: — Mr. Minister, you mentioned that Mr. Rogers was very qualified for the job as administrator. Are you then saying that the previous administrator was not qualified?

Hon. Mr. Taylor: — I'm not saying anything of the like. You asked me who Mr. Ian Rogers was, his qualifications, his experience. I told you that Ian Rogers has been with the government, for my estimate, would be about 20 years. He's held a number of functions, one of which was the deputy minister of government affairs. I understand, and from his operation in the government since I've taken over as minister, I'm very satisfied with the functions that Mr. Ian Rogers has performed. We asked Mr. Ian Rogers to go out to Lakeside home for a short period of time to administer the home. He has done so. I live in that community. I can tell you that Ian Rogers is doing a fine job.

Mr. Lingenfelter: — Well, the question was whether or not the previous administrator was doing an adequate job and was competent. You mentioned the new administrator is competent, and in saying that you're firing the previous administrator, you are therefore hinting at, or inferring that the previous administrator was incompetent. And that's what I would like to know, is why and if you are considering, or had considered the previous administrator to be incompetent. Because if you're saying the new one is competent, and they're replacing Mrs. Campbell, then you must also, in making your decision to fire her, saying that she is incompetent. And that's what I would like to know, if that was what your decision was based on.

Hon. Mr. Taylor: — Again, you try to read many things into the conversation that are not there. Because you asked me about Mr. Ian Rogers. I gave you my statement about Mr. Ian Rogers. You asked me about Mrs. Campbell; I told you that Mrs. Campbell is seeking a settlement from the government. It would be most inappropriate for me to comment in any way, shape or form. I have no intention of doing so, because I wouldn't want to jeopardize that type of agreement. I think that's fair and square.

Mr. Lingenfelter: — I'm sure that the minister was that feeling when he sent his people out there to dismiss her and have her clear her office within a couple of hours. I'm sure that same great deal of consideration that he was now was displayed at that time. What I would like to know is whether Mrs. Campbell was dismissed with cause or not.

Hon. Mr. Taylor: — Mrs. Campbell, as I told you earlier, has appealed to the Public Service Commission. That is a matter which they will have to determine, and as I've told you before, I do not care to comment on any aspect regarding Mrs. Campbell or her performance, because I don't want to jeopardize in any way, shape, or form the arrangement or the agreement that can be made with Mrs. Campbell.

Mr. Lingenfelter: — Mr. Minister, you seem to be very leery about answering my questions on this matter. And I'm not so sure that it's the individual's rights that you are attempting to protect, but rather a bad decision that you have made. And what I would like to know is whether or not the dismissal took place on the recommendation and was authorized by the transition committee.

Hon. Mr. Taylor: — You mentioned that I'm leery. I'm not leery at all. I've told you for the fourth time: I do not want to comment on anything about Mrs. Campbell's performance because I think that might jeopardize, and I think that's the only correct thing that I should do. You asked: who made the decision? The decision was made within the Department of Health.

Mr. Lingenfelter: — Well, Mr. Minister, you will know the role of a minister within a department, that it is your responsibility and not that of the staff to take credit where credit is due, and take responsibility where you have the responsibility ultimately for the dismissal of that individual, because she was an employee of your department. And therefore I say that you're leery about asking the questions and I'll stand by that because you are ultimately responsible for decisions made by your department. And I think you'll agree with that. And what I would like to know is whether or not the recommendations, or this individual was dismissed on the recommendation, or was approved by the transition committee. That was the question, and I'd like an answer to it, because I don't think that that would in any way jeopardize the individual, and I would like to know what your position is and what the answer is to that question.

Hon. Mr. Taylor: — It's a decision arrived at as the other decisions are arrived at in the Department of Health, in consultation between myself and my officials.

Mr. Lingenfelter: — Well, can you tell me whether or not it's true that members of your staff went to the nursing home and gave Mrs. Campbell a couple of hours to clean out her office and leave. Is that accurate or not?

Hon. Mr. Taylor: — Yes, there were members from my staff that went out to see Mrs. Campbell, but she was given as much time as she wanted to take her personal things

and so on. There was no ultimatum of here you've got an hour, get out, or anything of that nature.

Mr. Lingenfelter: — There was no indication of the amount of time that she had to take her personal things out of the office. Is that what you're saying — that at no time did any of the staff mention how many hours she had to clean out her office?

Hon. Mr. Taylor: — She was asked how much time she would need. She indicated an hour or two. It was complied with. The indication was that she didn't take that amount of time.

Mr. Lingenfelter: — Well, I think that for an employee who has worked for the government and done a credible job, to be dismissed without any explanation being given after three-and-a-half years —e You won't answer whether or not she was dismissed with cause or not. You won't answer questions about the process that was involved, but you do tell me that she was given about an hour to clear out her office. I think it's a very inappropriate way for you to treat an individual. And also the fact that the person you replaced her with is earning \$21,000 more to do the same job with the same number of people in the institution is shameful. And Mr. Minister, I say that if this is what is taking place in other areas, if this is the tip of the iceberg, then all is not well in the Department of Health, as we may have assumed when we went into this.

I don't want to spend a lot of time on this, but I want to tell you that the people in your own community, many of them are upset with the fact of the way this issue was handled. Not only that Mrs. Campbell was dismissed without being told why or how or for what reason, but the fact that she was told by some of your staff that she had an hour or two hours to clean out her office before she left. And I say that that is a despicable thing for you and your staff to have carried out, and I really think that Mrs. Campbell deserves an apology and reinstatement at that facility, unless you're going to verify and back up with very good reasons why she was dismissed.

Hon. Mr. Taylor: — Are there more questions? I think you said you wanted to move on to something. I've listened to your comments.

Mr. Koskie: — Mr. Minister, you indicated that Mr. Ian Rogers was employed as the administrator. And what I want to ask you — you indicated for a short period of time. He has been there for some several weeks now and what I'm wondering is: how long do you intend to keep Mr. Rogers there at a salary of \$55,000?

Hon. Mr. Taylor: — Until we find a suitable replacement for Mr. Rogers.

Mr. Koskie: — What steps has been taken to date for finding a replacement?

Hon. Mr. Taylor: — There's been some personal contacts and we are looking at advertising in the near future?

Mr. Koskie: — Do you mean to say, Mr. Minister, that since the dismissal or the firing of Mrs. Campbell that to date you have not posted the position with the public service? Is that the situation that you're saying?

Hon. Mr. Taylor: — It's been just about a month. We haven't posted it as of yet. As I say, there has been some personal contact to individuals who may be interested in applying, and we will be advertising in the near future.

Mr. Koskie: — I want to ask you, is this a posted position? Will it be posted through the Public Service Commission to fill this position?

Hon. Mr. Taylor: — It will be advertised in the newspapers and posted.

Mr. Koskie: — In respect to the former administrator. I'd like to know whether or not the department had previous to this very abrupt termination of her employment, whether or not you had in fact — through your officials, or you yourself — had you had any communications, written or orally, complaining in respect to the performance of her duties as administrator?

Hon. Mr. Taylor: — As I told the other member, from Shaunavon, and I'll repeat it again, that I do not wish to comment because I do not wish to jeopardize the settlement that Mrs. Campbell will be arriving at.

Mr. Koskie: — Well, I want to indicate to you that indicating what steps that you had taken previously, if you were dissatisfied with her performance, would indeed not jeopardize the position of the government in justifying their abrupt dismissal, and so no way are you jeopardizing anything in respect to the court case. What I'm asking you: was there any previous notification of dissatisfaction with her performance?

Hon. Mr. Taylor: — I don't know how many times I have to tell you that I do not care to comment because I don't want to jeopardize . . . There's an appeal to the public commission; there's the . . . Mrs. Campbell is entering into an agreement for a settlement, and I think any comments that I would make publicly may affect that so I wouldn't want that to happen. Therefore, I have no comment.

Mr. Koskie: — I want to ask you whether, on the date of her abrupt dismissal, whether or not the official who was commandeered to do this dirty task of yours, whether or not at that time any verbal offer of settlement was made at that time.

Hon. Mr. Taylor: — No, there was no verbal offer of settlement. The written letter indicated a person that she should contact to negotiate settlement.

Mr. Lingenfelter: — Mr. Minister, I wonder if you would indicate who that person was who she would contact for further negotiation.

Hon. Mr. Taylor: — Mr. Larry Kyle, acting on behalf of the solicitor of the Department of Health.

Mr. Lingenfelter: — Mr. Minister, going back a step further, I wonder if you can tell me — and here I'm sure that this would not jeopardize her position of her negotiating a settlement — whether or not there is in the department, or was, a performance analysis of this individual — not what was in it, but whether or not there was a performance analysis on that individual. And I want to tell you now that I don't want any detail of it. All I want to know is whether one was done or not, if you could give me that information. And I don't think that you can tell me that that would jeopardize her settlement in any manner, as to whether or not that kind of an analysis was done on her performance.

Hon. Mr. Taylor: — There is one in the personnel file, as I understand, at the end of her probation period which was two and a half years ago.

Mr. Lingenfelter: — But since then there has been no analysis done of that individual's performance in the department?

Hon. Mr. Taylor: — That's the last written appraisal that was done.

Mr. Lingenfelter: — Mr. Minister, are you leading us to believe that this individual was dismissed after about a year's employment with your government, having worked two and a half years previous to that for our administration? A performance after her probation period was done and approved, and no study done, no analysis done, and then you fired her. Is that what you're saying?

Hon. Mr. Taylor: — I'll just go back to the answer I gave you previously, that I will not comment on anything regarding Mrs. Campbell's case because of the reasons I outlined previously to you.

Mr. Koskie: — Mr. Minister, you indicated that Mr. Ian Rogers is now the acting administrator of the Wolseley home, doing, in your words, a very excellent job. And what I want to know, can you indicate what is his professional background, and training?

Hon. Mr. Taylor: — Well, Mr. Ian Rogers by training is an engineer with extensive public service experience, and I see some laugh at engineers, but there's some in my department that are doing a very good job and I take with notice the snickers from across the way, insults. He was the Rentalsman. He was the deputy minister of government services, and he was the executive director of the medical care insurance commission. And I'm sure there are other positions he has held, administrative positions in government. So that's his background as a public servant in the province of Saskatchewan. I don't think that's the complete picture but certainly the role of a deputy minister would require administrative capabilities. The executive director of the medical care insurance commission would have one very knowledgeable of health issues, and again, executive capabilities. I personally don't know that much about the Office of the Rentalsman, but I would imagine that would require a great deal of administrative capacity and ability.

Mr. Koskie: — Mr. Minister, from what you have alluded to in respect to the qualifications, we have here now, as administrator of a nursing home, an engineer. I'm not sure whether it's a mechanical engineer or a chemical engineer or the nature of it. But what I want to ask you: is it the practice in respect to appointments of future administrators of nursing homes to have individuals without any professional training in the field of nursing and/or hospital nursing home administration courses? I think there is certainly a definite policy here, because it seems to me in many of these small nursing homes that the administrator normally has nursing training and some advanced training and is, in fact, in charge of, in a way of the general nursing contingent. There is a large amount of the dispensing of drugs and personal care in respect to the elderly people that you are caring for.

I want to say that I am somewhat shocked that you seem to be using an engineer to fill a position here of an administrator of a nursing home. What I want to ask you: are you going to continue this policy of having engineers head up the nursing homes as administrators?

Hon. Mr. Taylor: — Well, I will say to you that in administering in my department, I

will be looking for competent people. And I think that Mr. Ian Rogers is just such. On the side it mightn't hurt for a fellow to have a little engineering background in some of these nursing homes. There may be some role for that.

Certainly, in the case of Lakeside Home, I don't think, you, having even been the minister of that, I don't think you really ever did grasp or realize the situation. The situation in Lakeside Home is that Mr. Ian Rogers is now the acting administrator. And Mr. Ian Rogers has a long record of very good administration in a number of portfolios with the Government of Saskatchewan. However, there is also a director of nursing care — there's a director of nursing care in the Lakeside Home. There are also a number of registered nurses in the Lakeside Home. Mr. Ian Rogers is there as the administrator, and Mr. Ian Rogers has a great deal of depth and background in administration.

Item 1 agreed to.

Items 2 and 3 agreed to.

Item 4

Mr. Lingenfelter: — Mr. Minister, I wonder if you can tell me whether or not any of this funding in the staff involved here would be tied into the Valley View Centre in Moose Jaw.

Hon. Mr. Taylor: — Excuse me, but could you give us a clarification. Repeat your question, so we have the exact question you're asking.

Mr. Lingenfelter: — The question was, on item 4, community health services, whether or not any of this 376 person-years would be associated or tied to Valley View Centre in Moose Jaw.

Hon. Mr. Taylor: — Not directly. But if there is a request from Valley View for some services, we may be giving consideration to that.

Mr. Lingenfelter: — Okay. But at the present time, these staff are not located at, or part of what would be termed Valley View administration operation, and doing active work at the centre, and haven't been over the past year.

Hon. Mr. Taylor: — That's correct.

Item 4 agreed to.

Item 5

Mr. Lingenfelter: — Mr. Minister, on this item I see that there are two less staff, and yet a large increase in other expenses. Can you tell me how you're doing more work. I suppose, with less staff, and what is involved in that? Because I don't think it's an area where you're seeing a decrease in number of statistics. And I would like to know how you're expecting less staff to do what has to be more work.

Hon. Mr. Taylor: — The decrease in staff are just casual and part-time. You ask why there was a large increase in the money. That is for the hepatitis B vaccine which we have brought in. And I want to say that I think we're one of the first provinces in Canada that have made a commitment towards supplying the hepatitis B vaccine for people

working in labs and areas of this nature, where they may be contracting this disease. This is another first for Saskatchewan Health this year.

Item 5 agreed to.

Items 6 to 11 inclusive agreed to.

Item 12

Mr. Lingenfelter: — Mr. Chairman and Mr. Minister, here again I want to just, before we pass over this, make the point that the cut-back in this area, I think, is not to be accepted by the people of Saskatchewan, nor should it be by you as minister. I find that at a time when unemployment is much higher than it was at this time last year and these kinds of problems, psych problems, seem to be associated to unemployment, that you would see fit to cut services in this area. And I know we have gone over this many, many times and you know the displeasure of the opposition and many groups in the province with your cut-backs in staff in this area, and I'm sure that you will attempt to explain how you're doing a much better job with less staff. But that simply isn't believable nor would it be by you, would the roles be reversed. And I'm sure that you would agree with that.

In many of your statements in coming into the department were such that this was an area that you had a real interest in and I think there was a great deal expected from you in psych services by you as Minister of Health. And I think people are beginning to wonder about your role as minister in getting money and staff in this area. And I would like to, in this area again, ask you, as relates to Valley View Centre, whether any of this staff would be associated directly with the Valley View Centre.

Hon. Mr. Taylor: — The answer regarding Valley View Centre is no. I wanted to point out to you though, and last night you were unable, for various reasons, to not be here for the discussion we had. And that's understandable. There's times when we all have to be absent. But just some facts that you weren't privy to, that I put out last night, is that actually the ratio of staff per patient in psych services — that's the hands-on ratio of nursing staff — has increased in the last two years, has gone up each year, and has gone up considerably from when your administration was in.

The other thing that I wanted to point out to you, that the statement I did make about psych services, I stand by that statement. But as I pointed out to some of your colleagues last night, and you know from having been a minister when you were in government, that there are choices one has to make in this year. And I think you would understand this, of course, that we put a great deal of money into what we would call the acute treatment, the cancer, and I'm not going to go all through these again because I've mentioned them to you before: the cancer, the open-heart surgery, the pediatric intensive care, the children's rehab, and the list goes on and on.

But that was the choice that I made in this year. I stand by the commitment of improving psych services, and services to people in the mental health field. And as I told your colleague from Quill Lakes last night, as we were closing down our debate, I welcome you to just hang on to your chair and watch the changes, and the innovations, and the new delivery methods that will be developed within the Department of Health over the next three-year period.

Mr. Lingenfelter: — Well, I would just like to reiterate that, as much explaining as you will do on how you're improving in this area, I think the record, in terms of the staffing, do not indicate that. And many people who are associated with psych services in the province would be to differ with you on your opinion that you are doing a much better job, and there is more hands-on service, as you would refer to it, in the province now than there was two years ago.

But I think the people will have to make up their minds, and whether you or I are attacking each other on that, I think the statistics will have to stand on their own, the fact that there is a cut-back in psych services of, I believe, 12 people right here, if you look at the Saskatchewan Hospital at North Battleford, you'll find a reduction of 17; if you look at the psych centre in Weyburn, a reduction of five people; psych centre in Yorkton, a reduction of one. And I think that what you're saying, that you're improving it, is not verified by the facts that are written in your own estimates.

And if somehow the numbers are not accurate, then I would have thought that, in advance to printing this book, you would have straightened that out. But I'm sure that the numbers that are written here are accurate, and that there is a cut-back in almost all of these areas.

And what I would like to know . . . There's one group in particular, a group known as By Ourselves, that we have talked about a great deal. Is this the subvote that that group would be funded out of?

Hon. Mr. Taylor: — No, this is not the subvote that By Ourselves would be funded out of. Again, last night, with the member from Regina Centre, I explained that we have been in consultation with By Ourselves. I've met with them three times in my office. They will be meeting with my deputy on Friday. We have arranged for funding for them for a six-month period. They're not out of money. We're working with them, and I met with them and talked to the individuals again as late as Saturday, and we're going to be doing all we can to try and help them to get funding for the remainder of the year.

And as I said last night, and I said the same thing today: I'm optimistic that perhaps some type of funding can come through. And as I told you a week ago that I am going to look at models of delivering services to psychiatric patients, and to people who have had a mental illness, and I think out of that we will be able to come up with some ideas, some new programs, some new delivery models that will improve the service to psychiatric patients, from the Department of Health.

And as I said, the decision this year was to look at things that had been let run down over the past 10 years: cancer, cancer treatment, open-heart treatment, pediatric care, chiropody. I think you're well aware, and I think the people of Saskatchewan are, of the many new and innovative programs that have been brought in, and enrichment to programs. And I can tell you that psychiatric service will receive their fair share too.

Mr. Lingenfelter: — Well, I will wait and see, because all indications so far in this administration is that psych services is not a high priority. I think again (I had mentioned it earlier) that the reason that it isn't is because it doesn't show up very high on the popularity polls — the opinion polls that Allan Gregg and your friends in Toronto do for you. And I find that a sad commentary on the way to run a health department — that because cancer shows up high on the popularity polls it gets lots of money; psych

services is low and doesn't get as much. I think that's where the decision is being made and I find it unfortunate.

If you're saying that it isn't, here again you'll have to convince the people of Saskatchewan that that isn't the basis on which you've been making decisions in the Department of Health. I don't think that that is a good way, nor is it a just way, and I would encourage you not to continue to put the money only into the areas that appear to be popular. Because very simply psych services is an area which needs more money at a time of high unemployment, and I think that it's fair to say that unemployment is relatively high in Saskatchewan, compared to last year. Therefore I would assume that it would be logical that staff and money, in the area of psych services, would have been increased proportionately at least, and that would have maintained service — would not have increased service but would have maintained it.

And I say by cutting back on staff what you're doing is not only cutting it back proportionately, as these numbers would indicate, but if you put into the formula the large number of people who are coming into that system as a result of the high unemployment, you're cutting back drastically in that area. And I would encourage you, when you go on your tour, wherever it might be, that you look closely at a way of involving more people in terms of staff in this area.

What I would like to ask now is, you have referred to going on a fact-finding mission to the United States. Can you tell me at this time where you will be going to and what kind of facilities and treatment areas you will be looking at in the United States?

Hon. Mr. Taylor: — Yes, I'd be pleased to tell you. But before I would tell you, I'm just not quite clear on what you're saying. Do I interpret from your statements that you are against the money that we've put into cancer? What would seem to come across to me was that you somehow think that putting \$17 million into cancer was a wrong decision. Somehow you seem to think that putting money into pediatric intensive care is a wrong decision . . . (inaudible interjection) . . . Well that's what I infer from your statements . . . (inaudible interjection) . . . No, no. You said, you know, 'Why would you put the money into here, into cancer — something more popular?' I think there was a real need there — a need that had been let slide for 10 years under your administration. That's the truth; that's the truth. That's why we had to put \$17 million in there in one year, because you took the ostrich approach of putting your head in the sand and let the people suffer.

When I took over this department, the first thing I was faced with was the cancer strike. And we have put money into cancer treatment, and into heart treatment, and that was the priorities of this department this year. And I stand by those, and I believe the people of Saskatchewan are darn glad that they finally got a government that took hold of some of the issues and reacted to them.

Some Hon. Members: Hear, hear!

Hon. Mr. Taylor: — Now you want to know where I'm going. I'm proud to announce that I'm going to view Fountain House in New York City — the lighthouse program in North America as to the treatment of psychiatric patients and their rehabilitation back into the mainstream of society. That's the goal I want. That's what I'm going to see. That's what we will bring back, and that's what we will implement in the coming years as improved services based on modes such as that.

Mr. Lingenfelter: — Mr. Minister, in trying to allude, or trying to misrepresent what

I'm saying when I'm talking about increasing funding for psych services, that I want a cut in funding to cancer treatment, is a poor attempt. What I would much rather you had done is used some of the cut of \$130 million to the oil companies, not to cut cancer treatment but even increase it more than what you did, but also maintain and improve psych services in the province. That's what I would rather you had done. So don't try to mislead the Assembly and the people of the province to believe that the people in the opposition would have not put money into cancer treatment, as well. But the very vast amounts of money that you're giving to oil companies, that some of that would have found its way into psych services.

What I would like to ask you, as well, is: on your trip to New York, do you believe that the New York operation in psych services is one of the better in North America and is better than those found in Canada? Is that what you're saying?

Hon. Mr. Taylor: — In my dealings as late as last . . . about a year ago now, May or June, June last year, when I went to the annual meeting of the Phoenix Residential Society in Regina . . . and I think the man's name was Mr. Propst who was there from Fountain House, gave a very stirring address. Having talked to many people involved in the Phoenix Residential Society, and in other aspects of psych services, I'm informed that this is perhaps the lighthouse area of service and have been recommended by many people to go and view it. That's what I'm going to do. I'm visiting some other hospitals while I'm there that have been recommended. And I believe that if you're going to find out where to get the programs that perhaps you can bring back, introduce on the Saskatchewan scene, put it to our situation here, that it is incumbent to go and see where the lighthouse programs are. That is the one that has been recommended to me.

You make some mention to using the money with oil companies or something. I want to reiterate to you that the increase in the budget for the Department of Health this year, not counting the continuing care, not counting the ambulance, is some 70 millions of dollars, roughly 9.6 per cent, and as I said last night, greater than any other province in the Dominion of Canada. And you talk about money going into the oil companies. I just want to bring one little fact to bear. And that was in 1976, and you may recall this — no, you weren't in the house then, but you were probably interested in some aspect of politics, if my memory serves correctly. But in 1976, I think that is about the time that the government that once sat over here was embarked upon buying potash mines. I may stand corrected, but I think it was 1976. And you know what happened then? There was a decrease of 400 positions in Saskatchewan hospitals. Now there is the government that put potash ahead of the people in the hospitals — took out 400 positions to go out and buy a hole in the ground that was already here.

Item 12 agreed to.

Items 13 to 41 inclusive agreed to.

Vote 32 agreed to.

SASKATCHEWAN HERITAGE FUND BUDGETARY EXPENDITURE

HEALTH

Provincial Development Expenditure — Vote 32

Items 1 to 3 inclusive agreed to.

Vote 32 agreed to.

Hon. Mr. Taylor: — Thank you Mr. Chairman. I would like at this time to supply an answer to the member for Assiniboia-Gravelbourg. Yesterday in our deliberations he asked the question about dentistry services to Gravelbourg, and I have the answer here for you, if you would like to have it. It says that we have here three dentists going to Gravelbourg: Dr. Beesley, Dr. Graas, and Dr. Albert. And they're from Moose Jaw. Dr. Albert goes to Gravelbourg on Mondays and Tuesdays; Dr. Beesley on Wednesdays; And Dr. Graas on Fridays. Their phone number in Gravelbourg is 648-3122, and they occupy space in the same building as Dr. Das, a medical doctor. So the service is coming in there. I wanted to bring that to your attention.

I just want to at this time thank my officials for providing the information for me when needed in our estimates. I want to thank you for a job very well done. And I want to thank the opposition for the questions. Sometimes we get into a bit of heated debate, but after all that's what the forum here is about, and some of the suggestions that were given as, I think, constructive type of criticism, I assure you will be taken under consideration, and I want to thank you for that type of questioning here in the estimates.

Mr. Lingenfelter: — Mr. Chairman, I would like as well to thank the minister and his staff to answering the questions. I think there were some, Mr. Minister, that you were going to send to us, I think over the last four days or however many days, part of days, that we spent on Health, and if you'd give us those within the next two weeks, I think then we will agree to let it go and look forward to next year. And I say again, thank you to the staff for giving us the information.

CONSOLIDATED FUND BUDGETARY EXPENDITURE

JUSTICE

Ordinary Expenditure — Vote 3

Item 1

Hon. Mr. Lane: — Mr. Chairman, we're waiting for some other officials. But with me at present are Mr. Dick Grosse, the deputy minister of justice, on my right, who's familiar to most members; Jim Benning, assistant deputy minister, immediately behind me; and Gary Brandt will be back in a minute. Gary is the director of administrative services. Joining me a little later will be Mr. Terry Thompson, head of the corrections division. As members are aware, that has now been integrated into the Department of Justice, Mr. Ken McKay, the director of prosecutions, recently appointed; Mr. Paul McPhie, executive director of property registration and management branch; and Thora Guttormsson, executive director of court services branch.

Mr. Koskie: — Thank you, Mr. Chairman. I want first of all, Mr. Minister, to ask you since you are, indeed, the chief legal adviser (I think I put it correctly) of the government, I want to ask you when the government or a Crown or an agency of government engages the services of a lawyer, I want to ask you: is the contract for services arranged through the Department of Justice, as it is now, as opposed to the Attorney-General, as in the past?

Hon. Mr. Lane: — I correct the hon. member: the legal work for the Crowns are primarily dealt by the Crowns themselves — the Crown corporations. With regard to the rest of the legal work, the department takes the responsibility for that legal work.

Mr. Koskie: — Yes, I take it that what was in the past: that much of the legal work for the individual departments was co-ordinated and indeed provided by the department of the Attorney-General. I recall, for instance, in Social Services, which I'm familiar with, if we had a particular legal problem it seems to me that we could get the opinion from the Attorney-General; there was an assignment of a specific lawyer to cover off a given Department of Consumer and Commercial Affairs — we had a similar type of an arrangement. So what I'm asking: has that procedure been changed from what you answered, or is there still a co-ordination through the Department of Justice?

Hon. Mr. Lane: — There's still a co-ordination through the Department of Justice. The legal officers in some of the departments are there because of volume of work. There's been no change in policy. There has been a change in the fee-for-service work of the Department of Social Services, if that is the question. That is now being handled through the Department of Justice.

Mr. Koskie: — So just in respect to that policy: you say there is no changes. What I am asking: at present, are any of the particular departments — have they the right to go forward and to use an outside lawyer for a particular legal problem within the department, or do they in all instances go to the Department of Justice, and such arrangements are made there?

Hon. Mr. Lane: — Well, again, there's been no change in policy, and as far as we know, they do go back through the Department of Justice.

Mr. Koskie: — In respect to the departments, can you indicate whether or not . . . It seems to me that there was a policy away from in-house lawyers in a given department. In other words, it centred on the Attorney-General's, and there was assignment of lawyers to cover off various departments. But I'm really asking: has there been any reallocation of specific lawyers from the Department of Justice as it is now, to sort of an in-house type of operation, specifically, say, for Health as apart from the central control?

Hon. Mr. Lane: — No. There's been no change in policy.

Mr. Koskie: — If indeed a individual lawyer were, in fact, to be employed by a given department — use Health for an example — would that be determined by the Department of Justice or would the autonomy rest with the Department of Health?

Hon. Mr. Lane: — No. It would be cleared through the Department of Justice.

Mr. Koskie: — I think I requested this information before; I don't recall getting it. And that is the list of all the law firms or individual lawyers that have been appointed, or appointed and are doing prosecution work for the Department of Justice for the period of May the 8th, '82 to May the 8th, '83.

Hon. Mr. Lane: — Well, I believe the information was in fact supplied. If the hon. member does not have it, I'm prepared to supply it to him. We perhaps can get it for him in the next couple of minutes.

Mr. Koskie: — If you can provide that; I don't have it, the list of all the firms or individual lawyers who are doing prosecution work. I just haven't received it to the best of my knowledge. And I wanted it for the period of May the 8th, '82 until May the 8th, '83. And I would also like the amount that has been paid to each firm or individual lawyer.

Hon. Mr. Lane: — Yes, we have that information. We'll pull it and supply it to you in the next few minutes.

Mr. Koskie: — Well, I want to go briefly.

Hon. Mr. Lane: — If I can interrupt the hon. member, I'll send this over to you right now with the following clarification: that the payments to the agents of the Attorney-General on a fee-for-service basis are from April the 1st, 1982 to March 31st, 1983. So the specific time period that you asked for — we cannot pull that out as yet, and it probably would not be accurate given the bills (solicitor) that perhaps have not yet been tendered by the respective firms. But I'll give you this information which I think should be satisfactory for your purposes.

Mr. Koskie: — Just as a point of clarification, I note in the list of responsibilities and the personal staff that you have . . . I just want to see if this information is correct. You have a secretary by the name of Sheila Hammond, Margaret Folk, Sandra Little, Rose Marie Kuzyk, Carolyn Forner, Linda Tiefenbach, and Patti Ehman. Are all of those still in your employ?

Hon. Mr. Lane: — Yes, they are.

Mr. Koskie: — And in respect to other personal staff, you indicate that you have a Patrick Carey as a special assistant. And the information that you provided to me was that his salary was at \$70,000. And I take it that he will be subject to the increases that we talked about earlier today in question period.

Hon. Mr. Lane: — No, I don't believe he is subject to those increases. I believe that that was primarily at a deputy minister level. I'm subject to correction on it, but my understanding is that the staffs of ministers were not included. If I'm not accurate in that, I will advise you accordingly.

Mr. Koskie: — And a Len W. Exner as a EA — executive assistant — can you give me the salary of Mr. Exner?

Hon. Mr. Lane: — 3,315 per month. There's also Mr. Blair Coomber, 2,803 per month; and Mr. Mike Fougere. I don't have those figures handy. I believe they're under another department.

Mr. Koskie: — Yes, the last individual that you mention, Mr. Minister, is recorded as your press secretary. Are you not in fact paying his salary, is that what you're saying? Or is it being paid under a different division of your jurisdiction?

Hon. Mr. Lane: — No, I believe that that, as are some of the others, are paid either under Provincial Secretary or Department of Telephones.

Mr. Koskie: — One particular area . . . What I would like also — and I think you may

have provided that to me, but not specifically — and what I would like in addition to all the law firms and doing persecution, I would like a list of all law firms or lawyers who have rendered legal services to the Department of Justice: the names, the services provided, and the amount paid. You may have a time period, but I was thinking of May the 8th, '82 to May the 8th, '83.

Hon. Mr. Lane: — Yes, we will supply that to you very shortly. We'll just pull the information. I assume we will not be duplicating the questions in the other departments, but Mr. Fougere's salary is \$2,500 per month, and it's under the vote of the Provincial Secretary. And I think that should pretty well include my staff.

Mr. Koskie: — I might just ask you, I take it that includes all of your staff in . . .

Hon. Mr. Lane: — No, I believe that is one more secretary, but again we'll attempt to get that information for you.

Mr. Koskie: — I want to turn to what has been I think an area that perhaps during your short tenure as Attorney-General and as Minister of Justice is of considerable concern, and that is in respect to the question of legal aid and the report of the former Mr. Justice MacPherson. And I want to say, Mr. Minister, that the thing that I find is that there is a large amount of concern with the report that has been voiced by various groups. And I want to, in a kind of a careful way, to document for you the concern that has been expressed throughout the province, basically with some of the recommendations of the report, and the necessity of having public hearings, and your availability to meet with the various groups who are indicating concern to deal with this particular problem. What I want to ask the minister: can he indicate to me some of the various groups that have in fact indicated to him their basic concern with the MacPherson report, and the nature of their requests? And could you outline briefly whether you have taken any steps in addressing the basic concerns that have been expressed?

Hon. Mr. Lane: — Well, I'm speaking from memory but my recollection is that some of the local boards, legal aid boards, have expressed their concern about primarily that aspect of the MacPherson report which means that the local boards would become advisory as opposed to autonomous. I believe I received a report from the School of Human Justice at the University of Regina. Again, my recollection is that the tenor of that representation was on the question of the local boards, whether they be autonomous or advisory. I also recall a letter from one other native organization, and I'm just not sure which one it is, as to primarily the question of whether the local board should be advisory or autonomous. That, to the best of my recollection, has pretty much been the tenor of the criticisms of the MacPherson report.

I had indicated in questioning yesterday by the hon. members that I would be having a meeting with representatives of the board of boards. If the hon. member is familiar, you have the local boards and then you have a board of boards and then you have a Saskatchewan legal aid commission over top of all of this, all with different jurisdictions; and I have indicated to the board of boards that I would be available for a meeting. And I believe it's being scheduled or it may have been scheduled.

Mr. Koskie: — Well, I want to go through some of the basic concerns here, from the various groups which have in fact been contacting you, and I have from the Saskatchewan Association of Community Legal Services Boards, 409, 220 - 3rd Avenue South, Saskatoon, Saskatchewan, and this is dated May the 4th, '83. And I want

to say that you've had communications with them. I want to quote a portion of their letter. It says:

Dear Mr. Lane: We thank you for your letter of April the 8th, '83. We note however, that you failed to answer our request for a meeting with yourself. Kindly take this letter as a further urgent request for a meeting, prior to any legislation being introduced in the legislature affecting the provisions of the legal services in the province.

The Saskatchewan Association of Community Legal Services Boards wish to convey to you personally our concern of the loss of local autonomy and the future of legal services boards in the province.

It goes on to say that:

We take this opportunity however, of addressing several inaccuracies in your letter (in their view, I suppose) covering the access of the boards to Mr. MacPherson during the period of his inquiry. You indicated as follows (and they quote):

'I understand however, that there was a reluctance on the part of some boards to meet with Mr. Justice MacPherson, in spite of his efforts to schedule meetings. The blame for a lack of meetings cannot be attached to the former judge.'

They go on to say:

At an annual meeting of the Saskatchewan Association of community Legal Services Boards, all boards present, being 11 of the 12 existing boards, have indicated that in no way did they ever convey a reluctance to meet with Mr. MacPherson. It was quite the opposite. The boards were definitely desirous of meeting with Mr. MacPherson, but in several instances received the definite impression that Mr. MacPherson was unwilling to meet with them. Indeed, as a member of the Saskatchewan Legal Assistance Clinic Society, I know that it was only after some insistence that we had the opportunity of meeting with Mr. MacPherson. Although we did meet with Mr. MacPherson for a period of time, he gave a definite impression to us that he had already had his mind made up and the legal services boards across the province would just have to live with the decision.

And they go on in this letter here to address other concerns.

And what I want to point out here, Mr. Minister, is that you in writing to them indicate that Mr. Justice MacPherson did in fact go out of his way, so to speak, to meet with the boards, but certainly there seems and appears to be a definite impression by the Saskatchewan Association of Community Legal Services Boards that that is not the case, and they feel left out that they did not in fact have a proper hearing to make their representations. What I'm really asking you . . . I wonder why you came to the opinion of supporting Mr. Justice MacPherson without even taking the of availing yourself of meeting with these groups who had in fact previous communication with you, demonstrating their concern that they did not have indeed a proper hearing with Mr. Justice MacPherson.

Hon. Mr. Lane: — I wish the hon. member had read from the previous correspondence which led up to that particular letter. Certainly the tenor of that was a rather strong attack on the former Justice MacPherson, and indicating that he did not, and refused to meet with him, etc.

I happen to have had a letter from the Hon. M. A. MacPherson, setting out the efforts that he had made to meet with them, and I strongly suspect that what happened was this — and it's speculation on my part only — that when Mr. MacPherson attempted to arrange meetings, he frankly was not taken seriously by some of the boards. I'm not tabling this letter only because it makes reference to rudeness and derisive laughter at some of his attempts to meet, and some of the rudeness in the way he was treated, and I think that that serves no purpose.

I can, however, quote from the following couple of paragraphs, which will give you the scenario which Mr. MacPherson presented to me, and I quote:

There exists an organization of local boards. The current chairman is the president of the Melfort board. (This was at the time of writing.) In November he wrote me to say that the board of boards wanted to meet with all local boards and with the board of boards. I decided that it would be wise to meet with the board of boards first, that to spend time seeing all boards would take two weeks. I thought that seeing the board of boards, that the board of boards could tell me all that the others would have to say.

Anyway, I replied to the chairman of the board of boards, telling him that I would be glad to meet that board on the 13th or 14th of December at the legal aid commission office in Saskatoon. I gave him the choice of date and time. I added, however, that I expected to receive from him a written submission. Shortly before the 13th of December I had a phone call from the vice-chairman of the board of boards to say that the chairman was away over Christmas and they could not get a submission together. (I think that is a salient statement.) Then I gave them another date, the 13th of January, at the same place. Again, the vice-chairman phoned to say that they could not get a submission together, and asked if they could meet me without one. He said that the board of boards would be meeting in the morning of the 13th and would try to put something together. In frustration, I agreed. They turned up with only a few headings.

So, from this, there seems to have been a sincere effort by Mr. MacPherson to arrange a meeting. I don't think it an unreasonable request to ask for a written submission. You'll notice the time lag; you'll notice that the cancellation of the attempted meeting was done shortly before the meeting was held. So the first letter I got was a, what at least I felt to be a rather unfair diatribe criticizing the efforts of Mr. MacPherson to meet. So I simply replied and laid out to them what efforts, in fact, Mr. MacPherson made. And I think they were significant.

Then the tenor of their letter, the one that you read, set out the request, and on that basis I replied. And as I say, either a meeting date has been scheduled or it is being scheduled.

Mr. Koskie: — Well, I want to draw your attention to the last paragraph of this letter that I've quoted from, from the Saskatchewan Association of Community Legal Services Boards, the letter of May the 4th. The closing paragraph indicates:

It is interesting to note that Mr. MacPherson did not hold any public meetings; did not consult with any organizations of the poor; did not consult with native organizations; did not consult with any staff employed by the legal services boards, save except lawyers employed by the system, and perhaps office managers.

I want to point out to you that the whole consultative process, whether one gets into positions taken by either the boards or what Mr. Justice MacPherson, former Justice MacPherson, is saying, I think there is a basic concern. And what I ask you: do you know whether or not Mr. Justice MacPherson did hold any public hearings, and whether or not in fact he had met with any of the organizations of poor people, native organizations, consult with any staff other than save and except lawyers employed by the clinics?

Hon. Mr. Lane: — Well, I do not have a copy of the report with me, but I believe that the report itself makes reference to the groups and individuals that Mr. MacPherson met with.

I think we should very much keep in mind the approach that Mr. MacPherson chose to take, and that was from the direction: was he, as a former eminent counsel and prominent member of the judiciary, satisfied with the quality of legal advice and legal services being given to the people who do not have adequate means to use the private bar?

Certainly, he came away with a dissatisfaction with the quality of legal services.

The real issue that the affected groups that you refer to may have some concern with is whether or not the local boards should be wholly autonomous, or whether they should be advisory because there's no recommendations for changes in criteria or eligibility. As a matter of fact, one change suggested by Mr. MacPherson is that the legal aid offices should be back out with the poor people as opposed to being in government offices. And I'm sure the hon. member is familiar with that recommendation. So as far as the people without adequate means are concerned, there's nothing in that report that will restrict their access to the legal aid services available. In fact there is much in the report which should improve their position because of the direction in the report towards improvement of the quality of the legal advice that people are getting. In terms, as I say, of eligibility, there was no recommendation, so there's no effect there. In terms of accessibility, there was a recommendation to improve accessibility.

The question of whether the board should be autonomous or advisory I think is a fair one, and I frankly advise and suggest to the hon. members and the public of Saskatchewan that the proof will come in the future should the proposals be brought forth. And I think that's really going to be the acid test. I happen to believe that . . . I have difficulty accepting the fact that lay people could walk in and have full control and run a law office which is to supply, in many cases, legal services and also advice on complex matters and tell these people how to give that legal advice. I suggest that in fact there should be advisory boards so that the quality of legal advice is monitored by the commission, that they can insist on top-flight counsel, that they can insist on improvement of quality of legal advice.

I suggest to the hon. member that the system will probably be far better as a result of the

proposed changes. I give the example of Swift Current. I'm in the unfortunate position of having to shut down the Swift Current legal aid office because of the way it was managed, mismanaged, and it's now being run out of Moose Jaw. So I suggest, on the very narrow question of whether they should be autonomous boards or whether they should be advisory boards, the real test will be how well the new system will work.

Mr. Koskie: — I think we could get into a detailed discussion in respect to some of the statements that were outlined in the MacPherson report, and certainly some of the statements in respect to the quality of the service. The inexperience and lack of direction, I think, was indicated by Mr. MacPherson without any documentation. And this is the concern of those who are operating the clinics.

And I need only to remind the Minister of Justice that there was a time when the legal aid system was handed out to the private bar. And I challenge anyone to really say that the people were in fact getting top legal services when it was set out to the private firms. That was the system. The private firms were on a list and those who needed assistance, various firms would do some legal work for those who needed assistance. But there is no doubt in my mind that what happened there is often, and indeed most of the time, very young lawyers were assigned to that particular type of work.

I don't think that it's fair to say that you get any better quality by having the option for the private firms, but the truth of the matter is, Mr. Minister of Justice, that the legal aid system was set up because of the difficulty of many poor people indeed getting legal representation. And the legal aid system was set up. It was tried to be set up in a way that there would not be direct government interference not direct direction from the private bar, and that was the direction in which it was established, and I think it had been working well in this province. But I want just to draw your attention to the *Prince Albert Daily Herald*. It says:

The provincial government and the legal aid boards throughout Saskatchewan are on a collision course.

And it concludes, it says:

When dealing with a matter such as legal aid you are dealing with people much more than dollars, and perhaps there are ways to improve the system but not at the cost of service to people in need of legal aid. The matter obviously calls for more study and perhaps a full public inquiry.

Now this is an editorial from the *Prince Albert Daily Herald*. I want to say that in respect there are other editorials. The Saskatoon *Star*, as I recall, had a similar one. And I want to ask the minister: in view of the numbers of groups that are concerned with the report, and the direction in which it takes, I'm asking you whether or not you take the advice and the request of many of these groups to restudy the matter, to in fact hold public hearings.

Hon. Mr. Lane: — No, I made my position clear. The legal aid plan has been studied and restudied. There was the McClelland report last time, and keep in mind with the McClelland report, the concern raised there was whether or not there could be a workable relationship between these autonomous boards and the legal aid commission, and in fact there was . . . The problem was identified by a study when you were in government and in fact it never did get resolved, and that problem is still in existence. And I believe that that problem will be dealt with by legislative changes. So, I think again

if we keep in mind that the people who need legal aid — and I agree with the hon. member that it's designed to make legal advice accessible to people who couldn't otherwise afford it — will be far better served. They're not having their eligibility changed.

Let's take an example of where there has been a serious weakness in the legal aid system in this province that has not been dealt with. And when Mr. MacPherson talks about some additional work towards the private bar, what is happening in legal aid is that very few lawyers in the private bar are getting any experience in criminal law which would improve their skills and make their skills available to the people of Saskatchewan, and to the people who perhaps would have the alternative even under the existing legal aid plan. What was happening because of the present legal aid system, that the private bar lawyers were pulling out of criminal law, that all of the criminal law work was primarily being done by legal aid lawyers who tend to put in a period of time with legal aid and then move out so that that skill . . . One can very seriously ask the question whether the people of low income using legal aid are getting the best criminal legal advice that is available to them. And I think that all the skills should be upgraded and I happen to agree with that recommendation and suggestion by Mr. MacPherson that that in fact happened. And I think if we narrow it down to that, that there are potential significant benefits for the people who would use legal aid.

Mr. Koskie: — From what you just said, is it your intention, then, to redirect a number of criminal cases which was being handled by the legal aid clinics to the private firms? Is that the essence of what you're going to be doing in following the report?

Hon. Mr. Lane: — No, I don't intend to be doing anything. One of the recommendations of MacPherson is that the provincial commission be basically running its own show. So I don't intend to be doing anything along those lines. I think that the concern that Mr. MacPherson voiced about making sure that there are an adequate number of counsel with legal experience in criminal matters is one that has to be dealt with and would be dealt with by the commission. So I don't intend to do anything and I do not see, quite frankly, any significant shift of work to the private bar. I would doubt very much that there would be anything other than a moderate shift, just simply to make sure that there are people keeping their skills up.

Mr. Koskie: — I want to ask you the, Mr. Minister, are you and your department satisfied with the recommendations and the directions of the MacPherson report, and to what extent will you in fact be proceeding with the implementation of it?

Hon. Mr. Lane: — Well, I'm sure that the hon. member will wait with bated breath the introduction of any legislative changes. I expect that proposals will be brought forth this session of the legislature, and we will have ample opportunity to debate it at that time.

Mr. Koskie: — Well, I want to continue to put on the record the number of concerns that have been expressed in respect to the MacPherson report. I have also from the legal services corporation at La Ronge, and a part of that I want on the record:

Perhaps more than any other board, we realize the importance of having a public body representative of its area to run each clinic. Our clinic was established in late 1973 at La Ronge, but it was directed from the commission office in Saskatoon until early 1979, after the McClelland report recommended that we have a community legal services board for

northern Saskatchewan. In the entire period from '73 to '79, the maximum staffing level for the entire northern half of the province comprising almost 100,000 square miles, was three lawyers, two secretaries, and at various times, either one community legal service worker or an articling student.

As a result of having a community board which could convey the needs of the North in a strong and forceful way to the commission, we were in very short time able to increase our staffing level to four lawyers, one articling student, two community legal service workers, an office manager, two secretaries.

And the significance of what they're saying is that here in the North, they're dealing with a vast area and to a large extent a group of people of another culture, cultural background. And the necessity of a local board having the input into the service that is being provided and the nature of it, can best be done, as they indicated, through the board.

And again, I ask the minister: are you aware of whether Mr. Justice MacPherson, in arriving at his one-man decision, whether or not in fact he had an opportunity to meet with the board at La Ronge; whether or not he had any representations from the northern half of the province from any of the groups? Because I think it's very important.

Hon. Mr. Lane: — Well, to the best of my understanding, Mr. MacPherson met with all boards except Swift Current, which was not in existence because of the problems I've already identified. So I don't know what more I can add to that earlier statement.

I'm going to submit to the hon. member an answer to an earlier question as to Crown litigation payments from April 1st, 1982 to March 31st, 1983. It does not include the fee for service work for social services which is under that subvote.

Mr. Koskie: — Well, I want to come back again to this topic, and I am disappointed in the Minister of Justice in not in some way attempting today to address the very, very major concern of so many people there. I have indicated to you from Saskatoon, the community board from the northern Saskatchewan, I have correspondence from the Regina, a number of groups take a swipe at the legal aid report. I have a report here where 100 people from the legal, union, academic, women's, native, church groups assaulted the controversial legal aid report of Justice M.A. MacPherson Friday, calling it a threat to the poor and to local autonomy.

Now here are groups, Mr. Minister, representing, as I said, from the legal, the union, the academic, the women's, the native, the church groups, and what I'm asking you: are you going to, in spite and representing to the people of this province that you have open government, to simply set up a one-man commission? And when the people out there voice a concern, which covers a broad cross-section of people — union, academic, women, natives, and so on — are you saying to this House that you are not going to provide public hearings or some method of input by those interested groups in addressing the major concerns?

Hon. Mr. Lane: — Perhaps several of those groups will have ample opportunity on advisory boards for the local legal aid offices to ensure that in fact the system is working for the poor of this province. I don't frankly put much credence in the strong words that the sky is falling and that the world is coming to an end if we make some changes in the legal aid plan. I find that the people who tend to use extreme words like that are perhaps more interested in the publicity as opposed to solving the problems.

Let me assure the hon. member, and let me assure the public of Saskatchewan, that the legal aid system for which I am responsible will in fact improve the quality of legal services to those using the system. I think that is fundamental. If I'm not satisfied, if the government's not satisfied, and those affected are not satisfied with the operation, I'm sure that there will be ample opportunity for change in the future.

Let me assure you that there's far more support for changes than there is people concerned about the change, and I just ask the hon. member to keep that in mind, that in fact many members of the bar believe the changes are long overdue. I still have difficulty. If we have active local advisory boards, having input for those affected, can't ensure a legal aid system, then I'm very disappointed that these people would perhaps not take the time. I think that those that are concerned will in fact take the time. I think it will improve the system. We could go on debating this for hours. As I say, the test will be in the operation of the plan. Again, there's no change on eligibility or those who would be available. There are ways to improve the quality of legal service that they're getting, and I think that the people of Saskatchewan would want to see those changes made.

Mr. Koskie: — Well, I'm not prepared to leave it until I have established for the record the deep concern out there. And for you to stand up merely to say that all of these people with concerns are wrong and that you won't in fact have public hearings. I don't think is good enough. And I want for the record to indicate that there are some very respectable people who are indicating concerns.

Ron Camponi of the Saskatchewan Native Housing Corporation said natives make up a large part of the working poor who use legal aid and need strong representation. He argued there are many natives now sitting on legal aid boards taking care of the rights of natives and only community-based boards can continue to do that. 'We can see at this level the needs of the community. How can someone in Regina know that?' That's a native person speaking.

Melanie Lauth, sociology and criminology professor at the University of Saskatchewan, moved a motion that the department ensure community-based boards be maintained and a legal aid review include input from representatives of persons served by legal aid . . . were unanimously approved.

A law student, Daniel Kuhlen, of 150-member Law Union of Saskatchewan steering committee condemned the MacPherson report saying it is aimed at the defenceless and the poor.

Kathy Boswell of the Saskatchewan Action Committee of Status of Women said, 'Savings recommended in the report which the Attorney-General Gary Lane says amount to \$1 million will have the greatest impact on women — the chief users of legal aid.' And I go on. 'The cuts will deny women who often earn less than men access to legal aid simply because they are poor,' she said.

Other representatives from the Canadian Union of Public Employees, the Saskatoon United Church, and the Saskatoon Self-help labelled the report an injustice.

Now, I want to say, Mr. Minister, that surely would indicate that there is a large fabric of society who are indeed very concerned that there's going to be a major direction taken based on Mr. MacPherson's report, and they feel that they have not had the opportunity

to make their case. And I'm asking you again: is the best that you can say to all of those groups who are concerned, 'Wait and see; it's going to be improved'? Why won't you indeed, as you have indicated that you're an open government, why not have public hearings in order that some of the concerns in respect to MacPherson's recommendations, even if they are right, and let us suppose people are concerned with those recommendations. Let's not debate whether they're right or wrong at this point, but why not the opportunity at least of this wide cross-section of society be given the opportunity for public hearings or at least expressing their very major concerns, whether founded or unfounded. I suspect that they're founded, and I believe they are founded, but I think that the direction that if indeed you proceed with and you have each and every day indicated that you are not prepared to vary — you have not challenged any of the premises, to my knowledge, of the MacPherson recommendations, and I suspect that what is going to be done is put in place the recommendations which he in fact has made.

So what I'm asking you, Mr. Minister: why are you refusing that large cross-section of people who are concerned with their own people, like the native organizations, the status of women, the various university law students — all of these who are very concerned with the direction of the report and have a feeling that those who benefit the poor will in fact be deprived of better service? I ask you again: why are you refusing to listen, to hold public hearings for this side cross-section?

Hon. Mr. Lane: — When I hear statements like it's an injustice or that women are not going to be served. I frankly say that that's a bunch of hogwash. I have difficulty believing, have difficulty believing that a long-standing member of the judiciary of Saskatchewan, who was, I believe, the senior justice of the Court of Queen's Bench in terms of service, sat as a judge and was an unjust judge who declared war on women, because that is basically what the attack is. It's an attack saying that the individual who came up with this report was out to declare war on the poor, the natives, the females, etc. And I frankly find that not very rational. I don't believe that of Mr. MacPherson, that he went out to declare war on these people. I don't believe that a man who served the people of this province as a very well-respected member of the judiciary, all of a sudden when he steps down from the bench has now become an ogre, that he's declared war on all these people, and I frankly think that that's not really an accurate statement.

Let's go back to what's happening, as I've repeated over and over and over again. That, in fact, is the type of legal aid plan now in place being changed as far as the less fortunate is concerned? Absolutely not. Absolutely not. Is the eligibility criteria being changed? Absolutely not. Is there any great war on abuses? Absolutely not. As a matter of fact, Mr. MacPherson says that there probably aren't that many abuses.

So, you know, I think if you take a realistic look at what's happening between an autonomous board . . . And we've had an example, as I've said, where some local boards, and I used the example of Swift Current, where it was so mismanaged that in fact it had to be taken over — that the poor were ill-served and the women were ill-served by that Swift Current local board. And I'm surprised that those that now get critical were not pleading with me to establish a new board and clean up Swift Current, because they were ill-served. I'm disappointed that those concerns were not brought to my attention at that time. But that's the system that operated.

So I suggest to you: if you're arguing that advisory boards cannot maintain public input into an institution, then woe betide the same individual from the provincial council and the advisory council on the status of women, because that's an advisory council. Is he in

effect saying that that's ineffective? I don't believe it. I think that that organization is extremely effective. So please don't stand up and tell the people of Saskatchewan that advisory boards are useless and of no value, and that they can't protect the public interest. I happen to believe that advisory boards, if they're filled with people who are concerned about the issue, are far more effective than autonomous boards who get built up into a bureaucracy, and sometimes — as Swift Current — perhaps forget about the people.

So I suggest to you that perhaps this way is better, in terms of public hearings, please, please don't come before me and say that you're one that espouses public hearings. I remember in opposition pleading with you to have public hearings on freedom of information and the right to information. We pleaded, we asked on several occasions, and the NDP turned us down. I suggest to you, I suggest to you that in fact the system will be improved. I think the legal advice will be better. I think the people that use the system will be far better served with the improvements proposed.

Mr. Koskie: — Well, I want to continue this thrust, because I have more documentation which I want to put forward. And I don't think it's fair for the Attorney-General to stand up and indicate that local control, or local autonomy of the boards . . . because of one instance where they've had problems therefore condemns the whole concept of local autonomy.

And I want to go into a report by Mr. Roger Carter, who helped design the program, and I'm going to take some time, and I'll tell you, the record is going to be complete. And I'm going to read a part of what Mr. Roger Carter, who was the former dean of the law school in Saskatoon, who also was chairperson of the committee which in 1973 recommended the establishment of the Saskatchewan legal aid plan, and he indicated and I read as part:

I know that Mr. MacPherson carried out a conscientious survey. In my view, however, the time limit which the Attorney-General urged him to meet — less than three months — was too short to perform, to permit any person, no matter how talented and knowledgeable, to complete a worthwhile investigation.

And so what I want to ask you then, first of all, is: do you concur, or what is your defence in respect to the view expressed by Mr. Carter that the time frame was really a pretty limited time frame in order to do a full analysis of the situation?

Hon. Mr. Lane: — Well, I was not having someone do a report who wasn't very familiar with the system already. And I could reiterate Mr. MacPherson's years of both legal experience and experience as a member of the judiciary of the Court of Queen's Bench, where he had a deep familiarity with the legal aid system and the way it operated, so we weren't dealing with a novice who had to come in cold. If the period of time had have been inadequate, Mr. Justice MacPherson was felt free to tell me that it was inadequate. He was quite satisfied with the time.

With regard to Professor Carter's criticisms, being a former teacher of mine, I wouldn't expect Professor Carter to, who was as you say one of the initiators of the legal aid plan, really say anything different.

Mr. Koskie: — I want to go on with the Carter article. The second indication that he

indicated a lot of concern . . . And you can laugh, Mr. Attorney-General. It may be funny to you, but it's not funny to a lot of the poor people out in Saskatchewan who are very concerned with the legal aid and the services that it was providing before. And the second objection that he has, and I think one which is totally valid:

Further, in my opinion, such an inquiry ought not to have been assigned to one person alone. The Attorney-General would have been better advised, I suggest, to have appointed a representative committee, as was the case with the earlier group.

Now, I'm going to read who the other earlier group was: it consisted of Her Honour Judge T. Taylor, a person who had considerable experience with anti-poverty organizations in the province; Chief Cote of the Badgerville reserve at Kamsack; J.G. MacIntyre, Q.C., of the past president of the Law Society of Saskatchewan, now a judge of the Court of Queen's Bench; Linton Smith, then director of the Saskatoon legal aid clinic, now a judge of the provincial court; Silas Halyk, Q.C., representing the law society. Now, each of those persons in her or his own way was able to bring a valuable perspective to the work of that committee.

I ask you, Mr. Minister, I believe that to be a very valid proposition that was put forward, just for you to stand up here and say that, 'Mr. Justice MacPherson was qualified; I know Mr. Justice MacPherson; I have full respect for Mr. Justice MacPherson.'

But I want to say that Mr. Carter has indicated . . . and if you look at the composite group that reviewed it before, many of them were as qualified in the area of law as Mr. Justice MacPherson. And what I'm asking you: why did you go with a one-man committee when in fact you could have expanded out the representation of various groups as was the case with the previous reviews?

Hon. Mr. Lane: — Well, I suppose that's one of the obvious differences which the public has come to respect between your party and ourselves in that you believe that the more people that you have on an inquiry, the more representative it is.

I simply suggest to you that here we have a qualified person that some groups feel is not qualified; the hon. member feels not qualified; that Professor Carter feels was qualified. You can do one of two things. You can have a committee that's representative of every demographic group in the province or every affected group. Then you don't have to go out and hold public hearings because they're all represented on the committee. And you could make this unbelievable, but, you know, I really have difficulty with the NDP's position. On the one hand, we've got a one-man inquiry — they're now critical of the one-man inquiry. They bring in, and they go to former Chief Justice Culliton, a one-man committee on the question of freedom of information.

In other words, it's all right for you on occasion to have a one-man committee when you really didn't want to have freedom of information legislation in the first place. And that's really the position. And secondly, and secondly . . . (inaudible interjection) . . . and that's really the position. The party opposite did not want public hearings on freedom of information, so they tried to minimize it.

Here we took someone with a great deal of experience and knowledge of the legal aid plan. He had the McClelland report which was previously in, which had identified, and I

remind the hon. member opposite — and I don't know why I'm not getting the point through — that the McClelland report identified the problems with the local boards and hoped, notwithstanding all these people, that they would be resolved and it would work out amicably. In fact it did not work out, I suggest to the hon. member, which in fact necessitated this report.

Now as I say, you can keep bringing up the matters. I'm familiar with them. My position is quite clear. I believe that the public of Saskatchewan will be quite satisfied with the proposals being brought forward. And let's face it, it's the public of Saskatchewan that's going to be the ultimate judge. I think the poor, I think those that use legal aid, are going to be far better served under the proposals for the Progressive Conservative government than the proposals of the New Democratic Party of which you're the spokesman.

Mr. Chairman, I call it 5 o'clock.

The Assembly recessed until 7:00 p.m.