

EVENING SITTING

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure
Justice
Ordinary Expenditure — Vote 3

Item 1 (continued)

Ms. Simard: — Mr. Minister, for the sake of saving this House some time, I just simply want to say on the Pine Grove question that a concern has been expressed to us that there's no infirmary there, particularly with respect to women who are suffering from chemical withdrawal. And you have made reference to a half-time nurse there, but in fact in some cases I have been advised that these women, for example, need their pulse taken on a 15-minute basis, 24 hours around the clock. And I just want the minister to satisfy himself that these women are being properly treated and properly looked after.

And I also want to make another statement with respect to the private family visiting area. The concern has been expressed to us that the women need a private area within the institute itself, and I would like the minister to give that some consideration.

I also want to talk now a bit about family violence, and the Department of Justice's part, and the government's interdepartmental committee on family violence, a committee that was set up in 1984.

In its 1984 budget speech the government announced it would commit \$800,000 to new programs against family violence. Previous to the budget speech, in the fall of '83, the then Justice minister took several measures against spouse abuse. They were as follows.

Public prosecutors were instructed not to withdraw wife battering charges except in exceptional cases. Prosecutors were requested to press for more severe sentencing. And police agencies were asked to lay charges against batterers if the victim was reluctant.

These actions and other initiatives which are outlined in Saskatchewan's final report of the federal-provincial territorial working group on wife battering, were introduced because the government recognized the need to take a leadership role in addressing the problem.

And that's a quote from the then minister responsible for the women's secretariat, Mr. Minister, " . . . and that to do nothing, the government is not prepared to live with that socially or morally," was the statement made by the member of your government.

But in spite of your government's strong commitment to address family violence, provincial shelters across the province are in a state of severe crisis. There have been a number of . . . From April, '85 to March, '87, provincial transition houses provided shelter for some 4,692 women and children. And these houses also turned away, Mr. Minister, 2,627 women and children because of lack of space. That means that nearly 50 per cent of all women

and children seeking shelter are being turned away.

It's important to note, Mr. Minister, also when we're talking about women who are fleeing violence, that women are beaten on the average 28 times before they leave the home and look for help in some other area. And there's no question . . . One cannot deny that women who are fleeing from situations . . . You know, they are fleeing from situations which can only be described as life-threatening.

And some women, Mr. Minister, are put in low-cost hotels. The problem, of course, with low-cost hotels is the fact that their husbands still will have accessibility to them and the violence could continue, notwithstanding that they may be kept in a low-cost hotel. It's better than being at home, mind you, but it's still not the ideal situation. But in spite of all these statistics, your government has made substantial cuts to transition homes, as much as 7 per cent in Saskatoon, 11.5 per cent in North Battleford, and 14.5 per cent in Regina.

I also wish to point out, Mr. Minister, that women and children leaving abusive relationships are forced to rely on legal services to provide them with protection and safety in situations which are dangerous and life threatening. And this takes us to the question of legal aid, which I know is under the auspices of the Minister of Human Resources, but nevertheless it has been cut back by your government.

These women who are already in dire financial straits because of the fact that they have to relocate, buy new furniture, perhaps find another house, pay for transportation and all the other expenses that pertain to fleeing from a violent situation, they will also now have to pay for legal aid if they wish to acquire legal services to bring a restraining order against their husband, or to insist on prosecution.

Now in 1984, Mr. Minister, as I indicated before, your government established an interdepartmental committee to deal with family violence. And the Department of Justice was involved with that committee, and yet despite the government's commitment to take the leadership role in this area, nearly 50 per cent of all women and children who are fleeing from life-threatening situations are being turned away from shelters because of a lack of space. Now I would like the minister to tell the House how placing so many women and children at risk shows the government's leadership role in addressing the question of family violence.

Some Hon. Members: Hear, hear!

Hon. Mr. Andrew: — The hon. member raises a number of questions with regard to battered women. And I hope that you can appreciate that while in 1984 this particular study was undertaken, the main focus of that study is directed by my colleague the Minister of Social Services., and the Minister of Health. The Justice component was more into the area of prosecutions, and how the prosecutions would work, that type of thing that are Justice specific.

I'm not trying to beg off your question. I don't think it would be fair of me to attempt to explain the particular decisions taken on transition house funding — or some of them were increases, as I understand — that was not done by the Department of Justice and therefore neither me nor the officials are really involved in that type of thing. So I think the hon. member would be better to save those questions for the Minister of Social Services when the estimate comes up.

Ms. Simard: — Mr. Minister, I understand that the Department of Justice had discussions with the RCMP and the Saskatchewan Police College on training police on the question of spousal and child abuse. Now what proposals were made by the Department of Justice respecting training for policemen, with respect to the problem of wife beating?

Hon. Mr. Andrew: — I'm advised that the nature of that training was where people from the Department of Justice would . . . met with the various police forces as they were going through the training process that would be provided for them by the police force, in particular. And the Department of Justice people would be there attending, advise from their view as to maybe the cycles involved in wife beating — what you might look for, that type of thing; the type of individual; how you would respond to it; those types of things.

They then participated, initially, in how they would explain to them how they would deal with it, how they would bring it then forward to court — those types of questions. I could perhaps get a report and send it to you from the various people in Justice that were working on that particular area, but certainly they were involved and had worked with the police for some time on it.

Ms. Simard: — Mr. Minister, I will take your offer to provide us with the information. I should point out that we asked for this information earlier in correspondence with your department, and we were told to ask you in estimates instead. But if your department is now prepared to give us the information by correspondence, that would be adequate.

May I just itemize the questions that I would like responded to. What proposals regarding training were made by the Department of Justice to the police? Is this training mandatory or voluntary? What is the number and percentage of police in the force that have received the training? Is the training mandatory for new recruits? And what is the nature of the training — the man-hours? Are there lectures, films, presentations by women's groups? And what sort of input is there in the training programs by women's organizations that are interested in the particular problem of wife beating? And has there been an evaluation of the training program? And if your department can provide me with that information, Mr. Minister, say within the next two or three weeks, that would be very helpful to us.

I understand there has also been some training on wife battering for professionals and paraprofessionals. And I'm wondering, Mr. Minister, what professional groups have undergone the training in this program, and how many professionals and paraprofessionals have completed

training in this program. And I'm wondering if you can give me some information on that.

Hon. Mr. Andrew: — I'm advised that that particular program was conducted by the Department of Education, that it was originally done through the community colleges. I'm also advised that there were a number of prosecutors, defence counsel, some of the correction workers, etc., involved in taking the course. We are not aware or familiar with the number of people that have taken it and how many completed the course. We could perhaps attempt to find those statistics for you from the Department of Education.

Ms. Simard: — Thank you, Mr. Minister. I will then itemize some other questions in the area that I have and if you could also put that in your correspondence to me, I would certainly appreciate that.

They are as follows. What is the percentage of professionals and paraprofessionals, of those who might have to deal with wife battering, that have undergone training? How many training programs have been offered throughout the province, where have they been offered, and what was the duration of the training? Who provides funding to the community colleges so the training program may be offered? And what is the name of the consulting firm which developed the training program, and what are the firm's qualifications? Were evaluations made of the training program, and if so, could you please make these available to us?

Now I understand there was a pilot project at the Regina prosecutions unit to assign greater priority to wife abuse cases, and I'm wondering what the results of the pilot project were.

Hon. Mr. Andrew: — I'm advised that one of the results of this is they were able to attain earlier court dates, and they put a priority on it the same as someone that would be in custody. And therefore by having an earlier court date perhaps their success rate would be better. Perhaps I can phrase this in a diplomatic way. Some of the success was perhaps not . . . or the lack of success was not always attributable to the prosecutors.

(1915)

Ms. Simard: — Mr. Minister, what percentage of all spouse abuse incidents result in charges being laid?

An Hon. Member: — Of ones that are reported, you mean? Of the ones reported?

Ms. Simard: — Yes, it would be on which ones are reported.

Hon. Mr. Andrew: — I'm advised that the instructions from the Department of Justice to the police is that in any case where there is reasonable and probable grounds to believe that an offence has been committed, charges are laid.

Ms. Simard: — And what percentage of the charges laid then are later withdrawn?

Hon. Mr. Andrew: — I'm advised that it's a very small percentage. The instructions to prosecutors are to proceed. And we don't have the exact percentage broken out for you, but as I understand from the director of public prosecutions, it's a very low percentage that are in fact withdrawn. Even in the situation where the wife or the person battered suggests that the case not proceed, the instructions are to proceed anyway.

Ms. Simard: — Mr. Minister, has the Department of Justice carried out any research as to the problem of victims of violence in rural areas, women living in rural areas, and what services should be made available for them? Has there been any research done on this, and if so, can we have access to this research?

Hon. Mr. Andrew: — No specific studies that we have, other than the study that you earlier referred to. As I understand, that will be ready fairly soon. It will be made public, and there's some reference in that to the rural areas as opposed to what we have today.

But to answer your question, we have no studies available at this point in time, nor have we any studies with regard to wife battering in rural Saskatchewan, specifically.

Ms. Simard: — I'm assuming, Mr. Minister, that there are education programs in rural Saskatchewan advising rural women of the services that may be available for them. Is that not true? And if not, why not?

Hon. Mr. Andrew: — Well I can speak only for a couple of the small communities that I represent — Kindersley and Eston — and there are facilities there and there are people there, either on a voluntary basis or working for some department of government, I assume Social Services or Health, that would work in that.

What type of facilities? I don't think there's a facility per se, in the sense I think that it's tied down with some of the voluntary organizations that work downtown — mental health — work in conjunction with a variety of those. I forget what they call it, but I know there is that type of facility in Kindersley or the service in Kindersley. Whether it's as good as it would be in the cities, I would doubt it; and probably the more remote the community, the fewer the services that you're going to find, or . . . you know. So I wouldn't be able to answer that question other than my own personal knowledge from an area I represent.

Ms. Simard: — Mr. Minister, as a member of your interdepartmental committee on wife battering, I want to urge you to make this problem a priority. Some 50 per cent of the women who are now fleeing life-threatening situations are being turned away from transition homes — 50 per cent. And that's a very high figure. It's unacceptable.

I want you . . . as a member of that committee, I urge you to urge this government to implement whatever is necessary in terms of services to make sure that these women are adequately protected and adequately looked after in the follow-up situations. I urge you to urge your government to implement education programs for police

officers and to implement education and rehabilitation programs for abusers.

This problem . . . Society just cannot allow this problem to snowball in the fashion that it has been, and we have to take hold of it and grapple with it immediately. Cut-backs to transition homes, cut-backs in legal aid suggest to me that this government no longer considers wife beating, the elimination and the prevention of wife beating as a priority.

I would like to move on to the area of maintenance enforcement, if I may, Mr. Chairman. And I want to first of all compliment the government on the implementation of the maintenance enforcement provisions. The program is a good program and it's been long overdue. And my main problem with the matter, however, is that it isn't being carried forward in the manner that I believe it was originally anticipated that it should be. The program, I understand, was originally implemented to alleviate money being spent from the provincial treasury to support single-parent families. And I understand that there was some 1 billion annually being spent, and I will ask you, of course, to correct me if these figures are wrong — 1 billion annually on support of single parent families. I have billion here, but if the figure is incorrect, advise me.

I understand also that there is some 50 to 80 per cent default rate on maintenance orders, and therefore there is no question that this program was absolutely necessary. I'm very pleased to see that the government came forward with it.

I understand that in the past fiscal year the enforcement office collected some 3 million in support payments. I would ask for you to confirm those figures if that's the case.

I understand also that some 1,742,000 was collected for the provincial treasury, which was money originally paid out in social service assistance benefits. And that's a good sum for the provincial treasury. I understand there are a number of people on social assistance, however, who have not signed an assignment of rights allowing for a transfer of their rights to the enforcement office.

And I'm wondering why this has happened in light of huge savings that have been made by the government. The information I have is over 1,742,000. That's a lot of money. Why aren't the additional people signing these assignments of rights to the enforcement office so they can pursue those payments?

Another problem that I understand that has arisen is the phasing out of the Saskatoon family law office. The family law office was responsible for enforcing maintenance orders in Saskatoon and northern Saskatchewan, and it also provides legal counsel to the Department of Human Resources on family law matters. And I understand it provided legal counsel on child protection and child custody issues to the Department of Human Resources.

But now I understand the government has been moving to privatize the family law office, and the work is being sent to a private law firm. And I'm very curious as to why the government would be doing this in light of your defence

of your department earlier in this session. I am very curious that you would be phasing out departmental services when, for example, on July 16 of 1987, at page 1205 of *Hansard*, you are quoted as saying:

. . . that the Department of Justice in this province has a long and credible tradition — a tradition, I think, we should all be proud of.

And you spoke in glowing terms about the Department of Justice. So I'm wondering why you would be moving to privatize the family law office when you have such excellent workers in the department, or in your departmental agencies.

Another problem that exists that has come to our attention with the maintenance enforcement office is the long waiting list. I'm not suggesting here that it has anything to do with the workers, because I understand that they're working very, very hard — if anything they've been overloaded with work. But I understand there's a very, very long waiting list.

If this program indeed saves money for the government, I'm wondering why the government isn't taking the bull by the horns and adding more staff and getting the job done the way I am sure it originally intended to get the job done, and that was to enforce as many maintenance orders as possible in the province of Saskatchewan instead of fooling around with this on again, off again attitude; speak about a program in glowing terms and, you know; come forward with a good program and then not come across with adequate funding to make sure that it really works. Mr. Minister, if you may just address some of the questions I've raised.

Hon. Mr. Andrew: — I am advised that we're collecting in excess of \$2 million — million with an m — and that that level is increasing each year, 2 million.

Ms. Simard: — That's what you're collecting?

Hon. Mr. Andrew: — At this stage of the game, but it's constantly increasing. Now early on in your questioning I thought you say something about a billion dollars being spent?

An Hon. Member: — That's the support of single-parent families.

Hon. Mr. Andrew: — A billion dollars?

An Hon. Member: — That's what I have here.

Hon. Mr. Andrew: — I don't know, because the budget for Department of Health is not much larger than \$1 billion and I would doubt that a \$1 billion figure would . . . that sounds rather high to me.

When you made reference to the Department of Justice and the proud tradition, I think if you go back into *Hansard* when that statement was made, it was made at a time when the member from Riversdale I believe, and I'm going from memory — maybe it was Saskatoon Fairview; I think it was from Riversdale — was making some accusation that somehow the Department of Justice

would cover up details and the RCMP would cover up details. I think that was sort of the reference that was being made, and it certainly wasn't dealing with the particular question that you're talking about here.

But as you indicated, this program goes forward. I suppose you could try to take it forward faster, but I guess . . . And we're adding people, additional staff to this particular function, the problem being is that you still have some fiscal restraints. You are not able to perhaps hire if you did want to hire in that given area, so we haven't been able to in that sense.

The program is going forward. I assume that some simply do not want to sign up for the program for a variety of reasons — perhaps from a lack of education on it; perhaps a lack of trust of the authorities, if you like; a series of reasons, maybe. My guess would be, most often it would be simply out of lack of knowledge or lack of understanding of how the system works.

Mr. Mitchell: — Well, Mr. Chairman, and Mr. Minister, I want to turn to what we used to call the native court worker program. And this was a program that was designed to meet the special needs of native people accused of criminal offences, and provided what was widely considered to be a very important and useful services in the court system.

The native court workers were present all day, every day, while people were being brought before the court, in order to help those people understand their rights and their responsibilities and their obligations to the court. They served as a friend of the court by providing assistance and counselling and advice, and improving the communication between the native accused people and the prosecutors, and the court on the other hand. And they were successful in large measure in bridging social and cultural and educational gaps between native accused people and the court system.

(1930)

Now that was the purpose of the program, and that was the role that the native court worker had filled in this province for quite some time. My information is that approximately 27,000 people were served by this program in 1986-87.

Now the cutting of that program, Mr. Minister, occurred as a result of a decision of this government to cut its funding. It was at that time making a grant which was matched by the federal government. At the time that that cut was announced, the federal government had indicated that it was prepared to increase its 50 per cent share. It was prepared to increase the amount of money that it was putting into this program, presumably because it liked the program and considered that the program was serving a useful and valuable service. At the very moment that the federal government was deciding that and prepared to increase the amount of funds it put in, your government was deciding to eliminate its funding altogether.

Now this, I think, is a good example, Mr. Minister, of a

short-term view of a difficult situation. I don't think there's any serious question that the absence of native court workers in the courts is going to complicate the process that takes place there. It will take longer to accomplish what has been done in the past. Hearings will be lengthier. There will be more difficulty in the court communicating with native people, and vice versa. And all of this will have long-term social costs.

Now the question I have for you, Minister, is: why did you consider this program to be a target for elimination, particularly in light of the attitude of the federal government towards this program? And what do you think is going to take up the slack? Which agency is it that you believe will move in and perform the role formerly performed by the native court worker program?

Hon. Mr. Andrew: — Well as I indicated I think, earlier in the . . . when these announcements were taken, that this was simply and clearly a decision taken based on fiscal questions, that so many dollars, and which services were sort of, we couldn't possibly do without — the police, the courts, that type of thing — in the justice field. It was decided that this would have to give way in that the bar, the private bar, and the court, or the bench would have to pick up the slack of this.

There was also a . . . In 1984 the Saskatchewan Law Review undertook a study on this and what they found was the following. That even with the native court worker program, the statistics were not being stopped at all in the sense of more and more native people were being incarcerated. And the conclusion of that — whether it's right or whether it's wrong — was to the effect that it's really not . . . If you had a court worker working with the court, well you might change the incarceration rates very modestly.

The reality of the problem was the socio-economic conditions in which area we find the native people in our province living in. And that's what tends to lead them into the criminal system.

The conclusion being is that if you were going to address the question and address that problem, and I think as looking at the question, that you had to get it more at the cause, the socio-economic causes, the other causes that we can talk about in great length. Ultimately, if you were going to solve the problem, I suppose in the long term, you have to see some economic activity taking place that they can participate in.

Now I'm sure that's not the answer to the question. That was not the main reason that we looked at it within the Department of Justice, other than to say perhaps it's not as essential as the court, or not as essential as the police, or not as essential as a variety of other things.

Now again there was two major cuts that we had in Justice, major cuts in the sense from our department. One was the native court worker program, and the other was the cuts referred to earlier in the John Howard Society. Neither one of those were easy cuts to make. But as I say, it came down to the fiscal reality of the Department of Justice — 17 per cent increase. And it was a matter of saying, are you really making an effort to look

at your particular programs? Were they the right things?

I suppose we could argue back and forth on that particular situation, but those decisions were taken, and it was the view that perhaps if that money was going to be used, it could be used maybe more appropriately to deal with the beginning cause of the problem, that is maybe more economic activity, as opposed to only how they interfaced with the court.

Mr. Mitchell: — Well I don't disagree with that at all. You know, I think that the best thing is for all people to be working and productively employed, and remove the economic causes of crime to the extent possible, and also try to remove the social causes of crime.

But in the meantime, the role that the native court worker was performing that was so appealing to so many people, including I think, the federal government, was that it resolved communication problems in the court setting between the accused person of native ancestry and the court system — the prosecutor, the judge — and to be certain that this person understood the charge, to be certain that this person understood what were the options, what were the consequences of pleading guilty, whether or not there was a defence; all of these things which commended themselves to people on the basis that they were a substantial improvement to the justice system. And I have no doubt that you will concede me that point. They were making a substantial contribution to justice, to the administration of justice. And that's what makes it hard to understand.

I'm not arguing for a moment that the function of the court workers was to reduce the number of people of a native ancestry who were brought before the courts. But they certainly made a substantial contribution to the administration of justice, to ensuring that all people in Saskatchewan who come before the criminal courts are treated equally.

The other thing about your cut, Minister, that is so disturbing, is it is yet another example of coming down on the poor people. It's another example of putting the boots to the people who are least able to take care of themselves, putting the boots to people at the bottom end of the rung — of the social and economic rung. And we on this side of the House protest against that kind of a cut because it is so unfair. If you're going to cut somebody, cut people who can afford a cut; don't cut people who need this service so manifestly as is the case with this particular program.

Now I'd ask you to comment on that, Minister.

Hon. Mr. Andrew: — Well I'll take two comments. One is that in our view the mediation and diversion program makes more sense, has more effect of keeping people, and in this case, native people, out of jail than does the native court worker program. Now the federal government who have been known, who have been known throughout time to sometimes not always take the right decisions — we are presently negotiating with them. If they are prepared to put money into the native court worker program, are they also then prepared to put money into the mediation and diversion program, which

we believe has a better effect of solving the problem. In fact, I think if you look back in time from the previous questions from the member from Regina Lakeview, I think that if you give an honest comparison to those two programs, mediation and diversion makes more sense and solves the problem better than does some interfacing with the courts.

I'm not saying that that in fact can't be of assistance in some cases. Clearly, it can. But I think if you were sitting prioritizing where you would spend your money, I think an argument can be made for mediation and diversion, which we hope to expend sizeably more amounts of money in the future.

Mr. Mitchell: — The final question, Mr. Chairman, and Mr. Minister, with respect to the native court worker program. My information is that there is a problem there of a transitional nature. It's a transitional funding problem. My information is that they don't have enough money to make adequate severance arrangements with their staff, some of whom have been employed by the program for a long period of time.

Can the minister assure us that adequate transitional funding will be made available?

Hon. Mr. Andrew: — I'm advised that as far as the transition funding, that we had given the proper share to the native court worker program. The problem then developed between Social Services and AMNSIS (Association of Metis and Non-Status Indians of Saskatchewan). There was some money owed back and forth between the native court worker and AMNSIS. In some way that is presently being dealt with by the Minister of Social Services, and I understand they're in negotiations at this point in time to cover that.

I understand the concern that was raised. There was also a concern with the transition funding for John Howard Society that we had to deal with, I think, and give them 11,000 more dollars into John Howard Society, and that was done, I think, last cabinet or cabinet before.

Mr. Mitchell: — Now with respect to the Law Reform Commission, Mr. Minister, if I could turn to that subject. I'd like you, if you'd outline . . . I'd appreciate if you'd outline to the legislature the government's plans for the future, so far as the Law Reform Commission is concerned.

Hon. Mr. Andrew: — Let me put it to you in this way, is that the government has cut back on the amount of money that we are putting into the Law Reform Commission. We have talked to the law society. The law society will in fact be funding that through the law foundation, the view being is that perhaps law reform should be more . . . that part of it should be picked up more by the lawyers, the people that surely can afford to pay something, and so that there will be increasing funding from the law foundation, there will be a closer tie then to the Law Reform Commission and the university, the College of Law. So I think it will be an arrangement that we see working out fairly well now between the Crown, which will take a smaller share, the law foundation, and the law school.

And I think that three parties, the law school, the present . . . the lawyers of the province, and the government — and I think that the other two, and particularly the lawyers, should pick up a larger share. That's what the strategy is.

It would still then function as it always has before, choosing its own topics and going from there. One would hope, though, that in choosing its topics that it would perhaps deal with some areas that I believe are significant to the justice system, one being presently the law as it relates to farm debt in this province, and how we grapple with that particular problem. And I don't think anybody has a quick and easy solution to that question.

The question of arbitration and mediation — is our courts really serving the people, and do the people have the confidence in the court system?

And three, an area that is being, I think, investigated to a larger degree by some of the American law schools, which is the economic ramifications of the courts making decisions. Too often I know you can't have a court making a decision based on the economic realities of our time, but I would suggest that perhaps the courts at least give more cognizance to the fact that their decision can have a ramification to the economic reality in which we live, and that they should be perhaps a little more cognizant of that.

(1945)

Those are the three areas I would like to see the Law Reform Commission look at. I suppose it's still up to them to decide, but I would hope that each party that puts money forward can also put ideas forward.

Mr. Mitchell: — Mr. Minister, I'll ask a series of questions now, and then ask you to answer all of them at the same time.

First of all, is pay to the chairperson of the Law Reform Commission included in your budget, and if so how much is that?

Secondly, Minister, one very controversial report that was issued by the Law Reform Commission some years ago now concerned The Matrimonial Property Act. I say controversial because a coalition of interested people and groups was formed very quickly after the report was first circulated — or I think even rumoured at — and it was active in Saskatchewan for some time. The former minister who's now the Minister of Finance didn't seem much interested in it, but your predecessor, Mr. Dutchak, did seem interested in doing something as a result of that report.

The unknown factor in this area right now is you, Mr. Minister. I don't believe that you are on record on the subject of the report of the Law Reform Commission to The Matrimonial Property Act.

What we're looking for, Mr. Minister, is some confirmation from you that you have no intention of opening up that Act or amendment pursuant to the report of the Law Reform Commission.

Hon. Mr. Andrew: — I am advised on your first question that the chairman's salary was included in the estimates; that the chairman, the present chairman, Mr. Schmeiser, is finished at the end of this month and we are in the process of negotiating, or the group is in the process of negotiating who would replace him; nobody has yet been chosen as to who that would be.

With regard to The Matrimonial Property Act, I'm not . . . From memory I can't recall exactly what it said. I take it it was some changes of the existing, what we have now. We have no intention of dealing with that. I would not see that as a priority that I would wish to deal with.

Mr. Mitchell: — Thank you for that, Mr. Minister. I appreciate that answer.

I want to turn briefly to the Police Commission, and I noticed that there is a budget cut to the commission of approximately \$16,000. Now the function of the Police Commission as I understand it is to promote the efficiency of police services and to improve relationships between police forces and the communities, and in a general way to upgrade police services generally through training and standardization.

Now in its report, the pages of which I have before me, the Police Commission raises the subject of restraint and budget restrictions and expresses some concern of page 19 of that report.

And I quote:

The commission and the college are mindful of the need for, and of course support good financial management. However funding to the college has had the following effect: (and I think the meaning there is cuts in funding to the college) it does not provide for two recruit classes per year; the production of training films is severely restricted; research and update of course content lags; and certain important seminars and training courses must be put on hold.

Now, Mr. Minister, I wonder in your relationship with the commission whether you have any say over what training courses and seminars will or will not be held.

Hon. Mr. Andrew: — I'm advised that the negotiations are between the commission and the local municipalities, or the police chiefs of those local municipalities, to determine what courses they take, and then they simply come to us. So we're not directly involved in the details of any course to be done.

Mr. Mitchell: — The programs that they provide, the trainings and seminars that they provide, would seem to me to be a rather minimum kind of fare, and I wonder in light of that and the small amount of money involved, what the minister's thinking was in imposing a budget cut on the Police Commission.

Hon. Mr. Andrew: — Well we looked at it as a fairly minimal cut, and that we are advised that it has not had a

large impact on the effectiveness of the training program.

Mr. Mitchell: — Now another subject, Mr. Minister, and it concerns the rumours that I have heard respecting plans being considered for the privatization of some of the services provided by the department. And I would like you to comment on rumours that the office of the Public Trustee is being considered for privatization in one way or another.

Hon. Mr. Andrew: — The Public Trustee . . . The accounting and the money management dimension of that particular function was in fact put out for tender to the private sector. No decision has been taken on that. My guess — and I could only guess because it has not been dealt with at cabinet — my guess is that matters will stay the same as they are.

Mr. Mitchell: — And similarly, Mr. Chairman, and Mr. Minister, I've heard rumours about consideration being given to privatization steps in the property registration branch. I wonder if you'd comment on that.

Hon. Mr. Andrew: — No, I think what we . . . When the government indicated and when they in the throne speech said if we could provide a service cheaper through the private sector than we could through government, then we would explore those, one of the ones that was put on the list was the property registration branch. Nothing has been done on that, and my view is that it's not a proper candidate for contracting it out to somebody else.

Mr. Mitchell: — A question in the same vein concerning the land titles system. Is any consideration being given to privatizing all or any part of the land titles office system in Saskatchewan?

Hon. Mr. Andrew: — Well I think I would answer that in much the same way I did the earlier question with regards to . . . I think it . . . I see nothing wrong with exploring the idea. My view again with the land titles system is that our system of land titles relies upon the government guaranteeing the title. And I think that you could not privatize that.

I can say that we are going to explore in the land titles system some automation, or some computerization within the land titles system that one would hope that in the very near term we'll be looking for proposals as to how we might not privatize but computerize the land titles system. And some of the new technology presently out could have some significant implications for the land titles system.

But again, I would see the land titles system remaining as it is. I don't think there would be merit in having the private sector do that. In fact, we are now making money out of the land titles system, and have for some time.

Mr. Mitchell: — Now, Minister, I'm going to approach another subject now. It concerns freedom of information legislation. And prior to the 1982 election, your party extolled the benefits of freedom of information legislation and campaigned on it during that election. Over five years have passed since then and the support for freedom

of information legislation was reannounced in the throne speech in 1986, but there was no mention of it in this year's throne speech. I'd like to ask you, Minister, what the status is of freedom of information legislation.

Hon. Mr. Andrew: — I think following 1982 we commissioned former chief justice Culliton to do a study with regards to the freedom of information legislation. He brought down his report; that report is available for all to read. At this point in time there is not the funds to put into that and until funds become available there will be nothing done.

Mr. Mitchell: — If funds were available, Mr. Minister, can I ask you whether it remains the view of the government that freedom of information legislation is desirable and ought to be enacted?

Hon. Mr. Andrew: — I've often . . . While in opposition I often spoke of this. When I find myself in government, you see the information flowing out to you folks on that side of the House in any event.

Mr. Mitchell: — I'm smiling, but I'm not impressed by the answer, Minister. Not impressed at all. Let me put the question this way: has the idea of freedom of information been buried? In other words, is your view common to ministers of the Crown, and have we seen the last of that idea for as long as you guys stay in power? Or is it likely that we'll be seeing legislation coming forward at a time when you feel you can afford it?

Hon. Mr. Andrew: — Perhaps I could put it this way. The idea of freedom of information was more attractive to me when I was in opposition. It was perhaps not as well received by my colleagues in opposition and in government, and I would say that probably the view of the government today is the same as the view of the government we replaced, that it's . . . would be put off for another day. No, I think that probably there is not a great drive right now for freedom of information, and quite frankly, I think if you . . . The largest criticism of the freedom of information legislation is that 95 per cent of the use made of freedom of information legislation is made by our friends in the media and not by anybody else, certainly not by the public. And in times of restraint when there is not money, and there's a variety of items begging out for money, probably the folks in the media would probably not rank that high on the priority list.

Mr. Mitchell: — Well, Mr. Chairperson, Mr. Minister, it's very high on our priority list over here for the simple reason that we can't get the information from the government that we want and that we think we need in order to do our jobs properly. You have only to look at the order paper in this House to see the kinds of information that we've been requesting and the period of time in which it's been outstanding. And while it may not have been so necessary while you were in opposition, that was probably because the government of the day attempted to answer those questions, attempted to provide the information to the then opposition. And if you people had been doing it the way that it was done prior to 1982, I probably wouldn't be pressing so hard for it now. But the fact is that freedom of information legislation is now more

than ever necessary for the opposition, and it's not just the media that has an interest.

(2000)

Now I won't give you an opportunity to comment on that. Let me turn to corrections. Can you tell me what was the prison population in the Saskatchewan correctional centres as of March 31, 1987?

Hon. Mr. Andrew: — If you want to have a series of questions, then I can dig that information for you.

Mr. Mitchell: — I'll just enlarge on that question. I'd like to know the total prison population as of March 31, 1987, and break that down between the various correctional centres, and then tell me how many persons these correctional centres were designed to hold.

Hon. Mr. Andrew: — What I'll do is send a page over that has the bulk of that information, I think.

Mr. Mitchell: — Mr. Minister, you've sent me over this page, and I'm going to refer to it. But in referring to it, when you use the term operational capacity, does that mean the number of inmates that are normally there? Is that considered to be the normal population of the prison, or the correctional facility as you're running it?

Hon. Mr. Andrew: — The design capacity represents what it was originally designed for. Operational capacity is sort of the redesign and what it can . . . changes that have been made now, new dorms and that type of thing that have been added. So it's a revised design, if you like.

Mr. Mitchell: — Well, I'm . . .

An Hon. Member: — Shocked and amazed!

Mr. Mitchell: — The Deputy Premier says shocked and amazed. And I'll take those words — I'm shocked and amazed to look at the Saskatoon Correctional Centre and see that the facility was designed for 170 inmates, but its operational capacity, which is the number of people who are normally there, is 247 — 170 versus 247. Does that mean that there are normally 77 more people at the Saskatoon Correctional Centre than the place was designed to hold?

Hon. Mr. Andrew: — No, I think . . . But if you look at what the average daily count is on the right hand of your page for Saskatoon which is 275, that's for all three Saskatoon institutions. The data of June 1, 1987 — it was at 237. And the original design was for 236, with the adjustments at 322 as the maximum capacity that they could handle. Including the dorms, that's what they could handle.

Mr. Mitchell: — Well what changes were made? What happened in that correctional centre to convert space, or whatever you did, in order to raise the numbers from the design capacity of 170 to the operational capacity of 247? What space was converted?

Hon. Mr. Andrew: — I'm advised that the following things were done. Number one, the shop was converted

into a dorm up to health standards — that added 35 people; every second cell for remand was double bunked — there were double bunks in every other cell of remand; and put four people in each dorm room.

Mr. Mitchell: — I have to ask you whether you as the minister responsible are satisfied with that kind of an arrangement. I mean, what's your position? Was the original design totally out to lunch with all this extra space that was just there and it was logical to convert it?

I mean, does it make sense to convert a shop into a bedroom? Does it make sense to double bunk where the design had been for single bunking? Was the original design wrong when it provided for single bunking? How do you react . . . How do you react to a situation like that as the minister responsible? And depending on what your reaction is, do you plan to do anything about it?

Hon. Mr. Andrew: — I'm advised that when the shop was converted over . . . The shop was converted over because it made sense of this proximity. Another shop was in fact built. So there's still a shop that they can use.

Was it designed properly? I don't know. I mean, it was designed before we came to government. I suppose that times change, maybe because there are four people in a dorm, or maybe there are two people in a bunk. I suppose, you say, is that adequate facilities? Well I suppose you could look in the core of any city or any town and ask if that's adequate facilities where people live there too. And my guess is that if we had priorities to meet, that we'd be tending to be more interested in that than we would be in how comfortable it is in jail for people.

Mr. Mitchell: — Well I think that's an adequate answer, Minister, because it certainly does stake out very clearly where you stand on the question of correctional facilities and the housing of inmates.

I wonder whether you could provide me with the number of people on remand in the Saskatoon Correctional Centre and the number for which the remand area was designed.

Hon. Mr. Andrew: — The average number on remand in Saskatoon in 49 people.

Mr. Mitchell: — The other part of my question, Minister, was what was the design capacity? I want to know how many it was designed for and how many it holds.

Hon. Mr. Andrew: — Twenty-six.

Mr. Mitchell: — Am I not correct in my information that there have been as many as 80 people staying in the remand section of the Saskatoon facility?

Hon. Mr. Andrew: — Last year the highest was 59.

Mr. Mitchell: — Now in April of 1986, the federal and provincial governments signed an exchange service agreement with allows for the transfer of federal prisoners into provincial institutions. This agreement, according to my information, provided for the

construction of 125 additional cells necessary to accommodate lower security federal inmates, as well as the addition of 80 new beds for the province's use. Now how were these beds distributed among the province's correctional centres, and how many new staff were brought on stream as a result?

Hon. Mr. Andrew: — I am advised that it will be broken down as follows. Regina will have 120 new beds; Saskatoon, 40; Prince Albert, 40; 87 new staff.

Mr. Mitchell: — Now that leads us to the numbers in the estimates with respect to what's happening at the various centres.

And I note that some correctional centres have lost person-years. For example, Prince Albert has lost 15 positions, Battlefords has lost slightly over 11 positions, Saskatoon has lost nine positions. And at the same time, the provincial correctional centre in Regina has gained 25 positions, and has gained about \$1 million in budget, while the other centres have had only modest decreases or increases in budget. And I wonder if you'd explain to the Assembly, Mr. Minister, what's happening that results in those numbers in your budget.

Hon. Mr. Andrew: — I'm advised that the reason for that particular number in the book is, one, the young offenders which before were shown in the blue book as a staff position have been taken out with the young offenders and put over into another department. And that explains the bulk of the number of fewer positions.

(2015)

Then the new positions that are coming on because the facilities are not likely to be built until about the beginning of 1988. Therefore, in the budgeting process, you only would budget a quarter of a position for the fiscal year. And that explains those numbers.

Mr. Mitchell: — Okay. Thank you for that, Mr. Minister. Now I've another question with respect to the correctional facilities, and it's back to the privatization line of questioning. The question I have is: are you, is the government, considering making any changes in the way our corrections system currently operates? Are you studying any measure in the direction of the privatization of any part of the correctional services.

Hon. Mr. Andrew: — Well I think that the initial statement, are we looking at selling a jail to some entrepreneur to run a jail, no, we're not now looking to do that, although that's been done in the United States, as I understand, with some building of new facilities. We're not looking at that at all.

Is there some services that are presently being done internal to the correction centres that could perhaps be done more appropriately or in combination with other institutions? Those types of questions, I suppose, we're exploring at this point in time. I don't think we've gone down the road a great deal with regards to that. And that type of services, if anything would be how you would maybe provide laundry, or how you might provide food, or something like that, but nothing of any magnitude.

The one area that we would be looking at in the field of corrections would be the bracelets that are being used now in other jurisdictions as a replacement to incarceration; where you would be able to put a bracelet on a convicted person — and sort of like grounding your kid, you would ground the convict, or the convicted person, and he would be required to stay in his house. If he left the perimeters of his yard, it would alert a computer at a central police station, and therefore alert them to the fact that he was breaking whatever conditions it was that he was being restricted to.

Now that has been used, has been explored in B.C., and is being explored very aggressively in Ontario. And we have been following the Ontario experiment on that area. It's been used in a number of areas, and I think that it has some merit to further explore that type of treatment of people that are in trouble with the law, that are low security risk people, and perhaps they could be handled in a much more economical way, and maybe in a more humane and productive way as well.

Mr. Mitchell: — I'm fascinated by the answer. I'm not reacting negatively to it necessarily. I mean, I know it's a serious thought that you are putting forward, and I want to react to it with due respect. It does have a sort of Orwellian overtone to it, you know. Big brother's computer, which plays such an important role in the book, *Nineteen Eighty-Four*, is a reality, at least in the minister's mind, in Saskatchewan in 1987. So that if you step off your property, the computer rings a bell, and all kinds of things start to happen, and it's really kind of a startling proposition. But as I say, you don't expect me to react to it now, and I'm not. It's a serious question, of course, that has to be looked at, but it is a bit chilling.

The one thing that I hope you don't do, Minister, so far as privatization is concerned, is to do as your federal counterparts did in the Regional Psychiatric Centre in Saskatoon, where the food services, the cafeteria, was privatized. And all that meant is that the institution itself stopped preparing and serving its own food, and that service was contracted out to a private business interest. Now all that happened was that the staff of the centre, who had been engaged in preparing and serving the food, and who were employed there at a decent salary — at a decent competitive-type salary under the appropriate collective bargaining agreement — were all let go, all fired. And the private contractor came in with a staff of people, most of who are working at minimum wage. Now I know that that's a "saving."

The Fraser Institute would classify that as a cost saving, saving money for the taxpayer. But what it really means is that you're substituting jobs that are being paid for at a relatively decent level, giving people enough money so that they can maintain their families and their households with dignity, and replacing those people with minimum-wage workers who also need the work — I recognize that — but are being paid at, I think, in the case of Saskatoon Regional Psych Centre, the wages are something like half of the wages that were previously being paid to people for doing exactly the same work. And I don't think that the government should be a party to that. I don't think the government should be encouraging

that. And that seems to me to be one of the inevitable results of "privatizing" the food service facility at a correctional centre or at the Regional Psych Centre. And I hope that your privatization efforts and your cost-cutting efforts aren't being made on the backs of the people who are in this instance, preparing and serving the food at the facility.

Hon. Mr. Andrew: — There's probably a significant difference between the two in the sense that the provincial correction centres . . . The bulk of the work in the food preparation is done by the inmates and they don't even make minimum wage. Now perhaps that's not possible at the Regional Psych Centre as it is in a provincial correction centre. But in a provincial correction centre, the bulk of the work in food preparation is done by the inmates and we have but supervisors dealing there, so I think the application perhaps is quite different.

Ms. Atkinson: — I have a question to the Minister of Justice and it has to do with the way people who are mentally ill are handled by the justice system. I would be interested in knowing, Mr. Minister, if you can outline to me the procedure used by police officers or peace officers when dealing with a person who's obviously mentally ill.

Mr. Martin: — Mr. Chairman, I beg leave to introduce some guests in the Speaker's gallery.

Leave granted

INTRODUCTION OF GUESTS

Mr. Martin: — Mr. Chairman, it gives me great pleasure to introduce the delegation from the Jilin Provincial Academy of Agriculture. What we have with us here today is the Jilin wheat and barley delegation who are visiting us in Saskatchewan for the next week. The gentleman on our right, our far right, is the head of the delegation, Mr. Hu, who is the president of the Jilin Provincial Academy of Agriculture and Science. They're in Regina and Saskatoon during this next week. With him are two members of the Economic Development and Trade department.

Gentlemen, welcome to Saskatchewan. Enjoy your visit, and I hope you take back lots of information about wheat and barley.

Hon. Members: Hear, hear!

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure Justice Ordinary Expenditure — Vote 3

Item 1 (continued)

Hon. Mr. Andrew: — The question posed by the hon. member is somewhat difficult in the sense of how do the police handle . . . I suspect that the police handle it . . . in a given situation they would handle it perhaps differently.

If a serious crime is alleged to have been committed, then

I suspect that they would deal with that in the way that they normally would, and from there down to varying offences. It would be hard for me to answer how (a) the police handle it, and (a) how an individual policeman handles it; and (b) how an individual policeman handles a variety of situations. And I think that the police would handle a variety of situations in a variety of ways, I suspect.

Ms. Atkinson: — Mr. Minister, in Saskatchewan we have a problem with the lack of facilities for persons who obviously have mental illness disease. We have cases where people are charged with loitering or charged with mischief, and it's obvious to the police that they are suffering from a variety of paranoid-schizophrenic or they've got schizophrenia. They are not in a state that one would call normal behaviour; they have abnormal behaviour.

Consequently, people are ending up in city police cells, in RCMP cells, because there's no place to take them. They are people who don't have a home necessarily. They don't have any resources to go to in the community. Consequently, they may be charged with mischief, left in the police cell overnight, and really where they really need to be taken to is a place for persons with this type of illness.

I think it's inappropriate that the police are having to put persons suffering mental illness into jail cells when there should be resources in the community. Now I'm told by the Department of Health officials that this really is a problem for the Justice minister to resolve, and it has to do with the way persons are handled in this type of situation by peace officers, or police officers.

So I'm simply asking you, Mr. Minister, what are the procedures and what sort of guide-lines have you given peace officers in Saskatchewan to deal with persons who are suffering this type of illness?

Hon. Mr. Andrew: — There's no specific guide-lines in the sense that they're to be dealt with on an individual departmental matter. Our advice to the prosecutors . . . and remember that we can sort of advise the prosecutors. It's far more difficult for us to tell the police what to do. That is a step removed certainly from the Attorney General's department — that if they are aware or have a knowledge of this that they should refer those particular individuals to the appropriate authority, whether Department of Health official, Department of Social Services, that type of thing. That's our instructions to our prosecutors.

Now does that always happen? I suppose there's cases where it does not happen, and I guess you just have to try to deal with those cases where they fall through the cracks, on an individual basis.

The other problem is to say that a police officer should deal with somebody suffering a mental illness in a particular way, we would then fall right into the category of saying, should the police be able to decide whether or not a person is suffering a mental illness? And I'm sure defence counsel would climb all over the backs of a police officer if he sort of made that assessment based on

his perhaps limited knowledge of the illness or that type of situation.

So that's why it has to be dealt with (a) the police; if they're not dealing with it properly, then I agree that they have to become more cognizant to that particular question. Our prosecutors are clearly instructed though to deal with, where it's an obvious case — where they're not prejudging someone that would take offence for them to prejudge — to have them assigned to appropriate authorities in the field of health, or quasi-health related areas, to deal with it and not to be dealt with by the court system, and try to be handled as a normal court process.

(2030)

Ms. Atkinson: — Mr. Minister, part of the problem is that people are falling through the cracks, and there are numerous persons known to police as people who suffer mental illness. They're wandering. They're loitering. They are talking in abnormal ways to citizens. Police are called. The police have no place to take them because they can't get into a hospital because of the situation where there are long line-ups for persons waiting to get into the psychiatric wards. There are no places to take them in terms of a half-way house. The services at Social Services are overloaded.

There aren't appropriate resources. Consequently, the police are put in a position where they charge the person with mischief, for example. They are taken to the police cells in order for them . . . they go into court. They go back to the police cells. They wait for a psychiatrist to go to the police cells to assess the client or the patient. They are then taken back into court and then they're referred to an appropriate resource.

That's the problem. People fall through the cracks, and it's happening more and more often. If you talk to anybody who's involved in the field of mental health, one of their concerns is the lack of resources in the community for persons suffering mental illnesses. They are ending up in jails. They're ending up on the street. They're getting into difficulty with the police.

So I'm just curious in knowing whether or not your department has had any liaising with various police departments around the province to try and set up some sort of procedure to deal with persons who have these types of problems so that they don't end up in jail; that they do go to the appropriate resources.

And if the appropriate resources aren't there then, Mr. Minister, I think it's incumbent upon you as the cabinet minister who sits around the cabinet table to lobby for those kinds of resources so that your Department of Justice isn't having to deal with persons in a legal way, when they really should be treated in a health way.

Hon. Mr. Andrew: — I'm advised that we have not had many of these types of situations come to our attention. Perhaps there's more out there, as you say, than perhaps come to our attention. We will investigate into that.

As it relates to Justice, I can pass your concerns on to the Minister of Health, the Minister of Social Services, but

you don't expect me in my estimates to get into the details of mental health facilities. I think that's more appropriate to the Minister of Health with his officials as to what facilities are there. And quite frankly, I'm not familiar enough with the details of Health to advance a response to that. So I think you'd be more appropriate to address that question to the Minister of Health.

Ms. Atkinson: — I will be doing that, Mr. Minister, but it's become a Justice question because peace officers are having to deal with persons in this particular kind of situation.

Nevertheless, I'd like to go on to another issue. My colleague from Regina Lakeview had asked you about contracting out of the services at the Saskatoon office for maintenance enforcement, and you didn't advise us which firm has received the contract for maintenance enforcement.

Hon. Mr. Andrew: — I can answer the question in a broader sense. There was four firms involved in Saskatoon and Regina doing this work. In Saskatoon, The Enforcement of Maintenance Orders Act was being done by Hnatyshyn & Company; The Family Services Act is being done by Finley Hymers & Associates. In Regina, the work of the enforcement of maintenance orders is being done by Wellman Andrews & Blais. And the Family Services Act is being done by Alexander Krutzeniski Goudie & McLaren.

Mr. Van Mulligen: — Thank you, Mr. Chairman. Mr. Minister, I just have a few questions concerning policing. I note that there's an increase in the budget this year from last year. I believe last year's figure was in the neighbourhood of 37 million; this year it's 40 million for RCM policing services in Saskatchewan. Can the minister tell us about the nature of that increase, what the increase is for?

Hon. Mr. Andrew: — The increase is, we pick up a goodly part of the RCMP cost pursuant to an agreement negotiated between the provincial government and the federal government. Now that agreement that was negotiated 1980-81, expires in 1990-91, and each year the province agreed to pick up a larger and larger part of that cost. And that cost is the all-in cost that the RCMP would give to us, including any salary increases, etc., that would be negotiated by the force, as opposed to any, say, by the provincial government.

So the increase was probably a direct result of (a) some salary increases; and (b) because of the province taking a higher percentage of the total cost shared between the province and the feds.

Mr. Van Mulligen: — It's reasonable to assume then, or deduce from your remarks that there will be no increase in policing service as such, by virtue of this agreement; that the increase is due to higher salary costs, and as per the contract, is simply the province picking up greater costs.

Hon. Mr. Andrew: — In fact the contrary is probably the case, in the sense that the RCMP have in fact scaled back some of the manpower of the RCMP around the province.

Mr. Van Mulligen: — Mr. Minister, in February of this year, the Saskatchewan Urban Municipalities Association presented a brief to the cabinet. And at that time, they indicated some concerns regarding policing services.

They're concerned that the present 10-year agreement which was arrived at in '80-81 will expire in 1990-91. And they encouraged the cabinet at that time to begin discussions not only with the RCM Police, but also with the Saskatchewan Urban Municipalities Association, and I suppose other concerned organizations in the province, with a view to arriving at a new agreement. If I can just quote from their submission to the cabinet, they indicate, and I quote:

While the present rules and agreements came into being at the beginning of the 1980s under a 10-year term contract, we believe it is not too soon for us to start meeting with your officials to talk about our requirements under the next agreement.

And they go on to say, quote:

We think it is necessary to get our act together with your officials now to establish our requirements, and to commence negotiations before we get into an 11th-hour situation.

I wonder, Mr. Minister, if you can tell the Assembly just what kinds of discussions you've entered into with the Saskatchewan Urban Municipalities Association and other groups in the province, as well as the RCM Police, with respect to a new agreement.

Hon. Mr. Andrew: — We haven't met specifically with the municipalities; we will be. At this stage, we are in negotiations with other provinces, the other provinces that use the services of the RCMP, as to attempt to put our strategy together as to how we would approach the feds in the new round of negotiations. That's still three years away, until the time of a new deal taking place and taking force.

It would be our intention to dialogue with the — certainly with the municipalities, in particular with the ones involved, I would suggest, as to what tack that we should take. I would guess that that negotiation would be between ourselves, the RCMP, the communities that in fact use the RCMP — as opposed to, let's say, SUMA (Saskatchewan Urban Municipalities Association) which would be an overall organization — with the other provinces that use the force, and then ultimately with the federal government to try to negotiate the best deal for all concerned.

Mr. Van Mulligen: — Mr. Minister, you indicated that, and I use your words: "We haven't met specifically with any municipalities." Am I to deduce from that that there had been meetings of a general nature to discuss the new contract?

Hon. Mr. Andrew: — I meant to communicate that we are dealing at this stage with other provinces. We would then probably next year take up that negotiation

with the local government in Saskatchewan that uses the RCMP and proceed from there.

Any dealings we've had with the local municipalities have tended to be in situations maybe where the RCMP has scaled down their operation, and some problems obviously associate with that. Small towns perhaps lose another individual that lives in their town.

Mr. Van Mulligen: — Mr. Minister, I certainly understand the wisdom which suggests that you would meet with other provinces with a view to forming a common front, as it were, in your discussions with the federal government when it comes to policing services.

Having said that, might I commend to you also discussions with groups inside Saskatchewan, whether it be particular municipalities or associations for urban municipalities and rural municipalities, so that this province can develop a bottom line as to the kind of policing services that we want. It seems to me that if you want to form a common front with other provinces you need to know, and you need to know very clearly, what is the bottom line for Saskatchewan. Because it's difficult to negotiate with someone unless you have a very clear sense of what limits you have and what boundaries you have and what you will not go beyond. And I would commend that to you, sir.

I just want to turn very briefly to local police forces, and whether or not the minister or any of his officials might have attended a meeting in Moose Jaw on June 25. This is a meeting that was called at the request of the chairman of the Estevan Board of Police Commissioners, and the invitation was extended to all boards of police commissioners in Saskatchewan. The purpose of the meeting, as I understand it, was to discuss a number of concerns that the Estevan board had identified with respect to local policing. And I wondered whether you or any of your officials might have attended that meeting.

Hon. Mr. Andrew: — I'm advised that the Saskatchewan Police Commission people went to that meeting; nobody from Justice did, though.

Mr. Van Mulligen: — Mr. Minister, at that meeting — if you've not had the report from the Saskatchewan Police Commission — a number of concerns were put forward by the board of police commissioners from Estevan, and to an extent these are shared . . . And there may well be additional concerns that were brought forward by other boards of police commissioners. There's a long list of these, and I could make a copy of this available to you.

In saying that, I wonder if the minister has given any consideration to a review of The Police Act to see how well the system is working at this time — that is to say the administration and control of local police forces, the relationship between the police force and commissioners, the relationship between commissioners and councils. I know that — from my own experience — that there are some sensitive and problem areas, areas that perhaps should be addressed in the context of the legislation. And I wonder if you have any plans to take a look at The Police Act.

That legislation was put into place some years ago. One never thinks of that kind of legislation — especially where you're dealing in a very dynamic context — as lasting for ever, and that perhaps the time has come for us to review the experiences of all these boards of police commissioners, to review the experiences with a view to seeing if there are reasonable amendments that can be made so that policing services and the administration of policing can be improved in Saskatchewan. And I wonder if you or your department has given any thoughts to an overall review, a review that might provide for public input and input from specific concerned parties such as police and boards of police commissioners.

Hon. Mr. Andrew: — The Police Act is always under some review within the Department of Justice. We have been in communications with the people — you referred to the Moose Jaw meeting — indicated to them if they had some concerns from that meeting with regards to the Act and how we might be able to respond, to please let us know.

To date we have heard nothing from that particular group. So until such time as we hear something from that group, it would be more difficult for us to respond. And we would await any kind of response that they might give to us, at which time that we would look at it.

Whether or not we will go through a total reorganization or re-look at The Police Act, I suppose, is determined whether or not our manpower is best doing that or doing something else. And that would be the type of decision you'd look at, something that clearly could be considered. I wouldn't rule it out.

Mr. Van Mulligen: — Mr. Minister, I appreciate what you're saying and that you will respond if there is a written request of you to review certain aspects of The Police Act. But I wonder if that might not set the stage for trouble if local authorities, given their scant and limited resources, will only communicate to you when they have problems at hand.

And I wonder if it might not be advisable for you to — and I'm not suggestion that this be a matter of immediate priority, but it's something that should go into your planning for your work-load — that you ask your officials to do a review, and to ask the various boards of police commissioners and other interested parties as to their opinions of the Act, and how well it's working. And if after such an internal administrative review you see the need for a wider-ranging inquiry or review, then so be it.

But I would commend that approach to you, rather than waiting for individual problems or for suggestions to be brought to your attention as a result of individual problems which may arise in various situations.

Hon. Mr. Andrew: — No, I don't disagree with the hon. member. That's something that we can look at in the future.

Mr. Lyons: — Thank you very much, Mr. Chairman. Mr. Minister, I wonder in the past several days whether or not the Minister of the Environment or the Minister of Consumer Affairs has made representation to you or your

officials of your department regarding the sale of canned beverages in Saskatchewan.

Hon. Mr. Andrew: — Have they made representation to the minister, to me? Not that I know of.

Mr. Lyons: — Well, Mr. Minister, I want to refer to a story which appeared August 14 in the Moose Jaw Times-Herald. The headline says, "Moose Jaw stores accept canned pop." And I want to read a little bit from this story. It says:

Canned pop has arrived in Moose Jaw. Blake Pitts, owner of Mohawk Pit Stop gas station is stocking his shelves with carbonated beverages. Canned pop was banned in Saskatchewan by the NDP provincial government in 1972, according to Ron Schmidt, cold drink manager for Coca-Cola Ltd. The ban was implemented by the Department of the Environment in an attempt to reduce litter.

The current Litter Control Act has been in effect since 1973, said Larry Lechner, director of air and land protection of the Saskatchewan Environment and Public Safety department. Refillable glass containers are the only ones approved at the moment, Lechner says. Returnable is the key.

Pitt says he buys canned pop through Western Grocers in Winnipeg. He said he isn't the only one in Saskatchewan selling canned pop. From what I understand, a lot of Mohawk gas stations in towns such as Regina, Saskatoon and Yorkton are selling it, Pitt said. Canned pop has been sold at the gas station since it opened for business June 15 of this year.

It is illegal to sell pop in cans, Lechner said, and the department has asked the Saskatchewan Bottling Association to try and get distributors and manufacturers to withdraw all illegal containers.

And the question, Mr. Minister, is, we have here a case of business people in Saskatchewan openly flouting the laws of the province. We have, from your own admission, no representation to your department by the Minister of the Environment, and the Department of the Environment is aware of it. I'm sure that the minister for the Department of Consumer Affairs is aware of it.

My question is: will you now begin to, on the basis of the fact that everybody in Saskatchewan seems to know that these business people are selling pop in cans, and that's illegal in the province, will your department begin now to take prosecutions against those who are openly defying the laws of the province?

Hon. Mr. Andrew: — Well, I suppose what I . . . You asked me, did I have representation from the Minister of Consumer Affairs and the Minister of Environment in the last few days with regard to cans, and pop in cans, or something. I said I didn't. What I can do is undertake to meet with the Minister of Consumer Affairs and Minister of Environment. If somebody's out there breaking the law, then that's an area that we will look into.

Mr. Lyons: — Well, Mr. Minister, this is not the first time this issue's been raised in the House. It was raised during environmental estimates, almost several months ago, it seems like now, that we raised the whole issue of the fact that people were breaking the laws in Saskatchewan and were apparently breaking it with impunity. I want to know is that you make the undertaking, but will you also make the undertaking before the people of the province of Saskatchewan that you will, in fact, begin prosecutions and say here in this House that, we will begin to prosecute people who have broken the laws of the province when it comes to breaking The Litter Control Act.

Hon. Mr. Andrew: — I suppose you could . . . I suppose you could say that people throw litter out of the car and that breaks The Litter Control Act and I guess that's a violation. I was not aware that this was brought up in estimates so I will undertake to review it and give you an answer. I mean I'm not going to at this stage of the game say that I'm going to tell all the prosecutors to go out and prosecute if they find a pop can.

Mr. Lyons: — Mr. Minister, don't you . . . Mr. Minister, don't you think that it's irresponsible when the Minister of Environment and Public Safety was notified more than a month ago that violations to the Act were occurring — open violations; that when there's stories in the newspapers of the province that talk openly about how the law is being broken; don't you think it is somewhat strange that the minister involved wouldn't come to your department, or the ministers involved wouldn't come to your department, and ask that, in fact, the Department of Justice begin to take action in this matter?

Hon. Mr. Andrew: — I will undertake to you to raise this with the deputy — and they're both here — and the director of public prosecution to see whether or not they will pursue prosecution. It's up to the prosecutions department to determine what prosecutions to be laid, not up to me.

Mr. Lyons: — Mr. Minister, I will accept that you will undertake it. Will you give an undertaking to give a response to this House in this matter within . . . before the end of the week?

Hon. Mr. Andrew: — As I indicated to the hon. member, the decisions to take prosecutions are taken by the director of public prosecutions and by the prosecutors. They are not taken by the Attorney General, they have never been taken by the Attorney General over a long period of time, nor should they.

Mr. Goulet: — Just a bit of background before I ask questions, Mr. Minister, in regards to the history, I suppose, on incarceration rates in northern Saskatchewan, and for native people in general in this province. There was a great public outcry in the latter '60s and in the early '70s of the situation, and during the '70s and early '80s some improvements have been made in that area.

Such things as increasing the support to groups like John Howard, and also providing a native court workers program were important developments that provided very good support for people who were bringing into a

situation of having to deal with the law.

The PC approach, since you have come in in the '80s, was one where immediately there was, you know, a jail built in the North, which sent a signal to a lot of people that some of the support systems might be, indeed be, cut back, and that, you know, the system prior to the '60s was the one that was going to be put into place. There was a lot of concern, you know, voiced by people, and you've heard about it, you know, this spring when the native court workers program ... you know, where 30 people were eliminated.

One of the key concerns that a lot of people had was the issue of language, and especially for a lot of people in northern areas in terms of understanding the law and doing what was in front of them. I just worked with a native court worker in the area and she helped quite a bit in getting people to understand the situation.

(The hon. member spoke for a time in Cree.)

She spoke, you know, automatically in a bilingual capacity and was able to translate those things that were taking place in a court situation and relate the same type of information back to the people in their own language.

There was also a concern by a lot of people that, you know, although we had a native court worker program which hired a Cree speaking person, there wasn't one for Dene speaking people. In light of the recent court decision in the province which well understands the importance of people dealing with law in their own first language context — and I refer to, you know, the decision in regards to French in the understanding, you know, of the importance of language and understanding of key concepts of law in your own language — what is your own position in regards to that development, and especially as it relates to northern Saskatchewan where a lot of people are still Dene speakers and Cree speakers, and also in certain areas in the province here? What is your position in regards to providing that type of similar idea as what has happened in this court case with French when it comes down to Cree and Dene language? What is your own position on that as a minister in charge today?

Hon. Mr. Andrew: — The position of the department is that we supply translators for anybody, and that would be primarily in the North in their access to the courts. They have translators that will translate one language to the next. If your question to me is, should the same rules apply to the recent Court of Appeal decision with regards to the right to have a trial in French, a French judge, conducted totally in French. One has not ... I have really not looked at the implications of that, I can honestly say to you. It's something, I suppose, that is worthy of some consideration.

Mr. Goulet: — Same question. In regards to that translation services that are provided in the South for different speakers, for example on French speaking people, how much are the translators paid down here?

Hon. Mr. Andrew: — On the question of French, there's no translators for French. What you have in Saskatchewan now, if somebody applies to have their

case conducted in French, under the most recent Court of Appeal decision and under the decision that we took to implement that by September 1, what we have would be a bilingual judge, a bilingual prosecutor, and if it was a jury trial, a bilingual jury; or at least a French speaking jury, French speaking judge, French speaking prosecutor. And then I would assume the defendant would want a French speaking defence counsel if he made application to have his case conducted in French.

Mr. Goulet: — In regards to that translation payments, are they the same when you pay for your translation services for speakers of different languages? Are they paid the same as the ones you pay in northern Saskatchewan? What's the rate of pay?

(2100)

Hon. Mr. Andrew: — I'm advised that it varies in the sense that the translators that we'd use, let's say, for translation to Greek or translation to Chinese, we would employ somebody in the private world that acts as a translator, and whatever that might be, that's what we would have to hire. We don't do that as a policy of the department, but that's something that would be arranged by the individual prosecutor.

Mr. Goulet: — Could I get more information in regards to that specific issue? Because I'd like to compare the rates, the pay on the translators, you know, that you use in northern Saskatchewan as compared to the translators down here to see if there's any discrepancy at all.

Hon. Mr. Andrew: — I'm advised that what we'd have to do is go through a list of bills submitted by prosecutors to see if we can get you some kind of statistical information on that. That might take some time to do, but we'll undertake to try to get it for you.

Mr. Goulet: — You mentioned in your previous comments that you supported the concept of mediation diversion. You also mentioned that you provided mediation diversion help through Social Services. My understanding in northern Saskatchewan is that I haven't heard of a ...

An Hon. Member: — Only under young offenders.

Mr. Goulet: — Under young offenders only? Okay. The same problem arises, you know, whether you're dealing with court workers or mediation diversion, is a language situation — making sure that you have bilingual people. What steps are you taking in mediation diversion, if you're pursuing a policy on that, to make sure that it is indeed in a bilingual capacity so that you'll be able to deal with people in a fair and just manner in northern Saskatchewan? Are you trying to proceed with that idea in mind?

Hon. Mr. Andrew: — I think as I indicated to the hon. member when the question was posed to me that that mediation diversion is now used in Saskatoon for adult offenders and around the province for young offenders. Young offenders fall under the jurisdiction of the Minister of Social Services, not the Minister of Justice.

What I did indicate further was that in the mediation arbitration approach that we're taking, we would hope to be able to have a white paper out or some similar type document by this fall, and that's certainly something that could be considered.

Mr. Goulet: — Just one final comment. Most of the court workers that I've talked to in the native court workers program say that, you know, the change in policy will make the situation worse than it is right now, and that careful steps should be taken to make sure that the situation is monitored and researched; that in fact the initial thrust, you know, the idea that having more jails and having more native people going into jails is just not the solution.

People are saying that with a bilingual context they need the support system. Mediation diversion is not enough, that you'd need a specific targeted group of people such as court workers to be able to work with a mediation diversion situation, and that would in itself — a combined approach like that — would be a better approach. And that's the feedback, you know, I'm getting. And I would like to hear you make a comment on that floor.

Hon. Mr. Andrew: — Well it's certainly something that we are going to monitor, as indicated in response to the member from Saskatoon, was that the number of native people being incarcerated was still increasing significantly, even with the court worker program.

And the question is: would a properly run mediation diversion program for adults — which we don't have now, but for in Saskatoon — would that accomplish the purpose better than before? So that's something that we'll look at.

Mr. Shillington: — Mr. Minister, in the May convocation, the Law Society of Saskatchewan was asked by your department to provide three representatives, I believe, to a committee which was to consider farm debt. The minutes that I read — I reviewed them actually this morning — indicated that those members were appointed.

Mr. Minister, this is day 56. If there is a critical problem facing this province, it's the farm debt situation. If there was one problem that I would have thought that you would have taken some time to deal with, it would've been farm debt. And yet, as I say, this is day 56; we've had nothing from you. And I'll venture to say, when you get on your feet, you're not going to be able to give us any description of what that legislation might eventually look like.

Mr. Minister, you people have a policy on agriculture. It's the throw money at the problem, and let the chips fall where they lay. And that is simply not good enough, Mr. Minister. If we don't do something about the farm debt problem, we're going to lose a lot of the younger and the more productive farmers.

So I ask you, Mr. Minister: when in the name of heavens are we going to see this legislation that you have had in the oven for some months now?

Hon. Mr. Andrew: — Well I can advise the hon. member that there is few issues that are drawing more attention from our cabinet than how we deal with that. If you are to look at the farm debt numbers in this province, the largest farm debt numbers probably come from an area of the province that I represent. So to say that somehow we're not dealing with that is, in fact, not true.

Now the reality . . . Now the member from Regina Centre would somehow have us believe that you can simply sit down and write a law and solve the problem. Well you can't do that. This is a complex area; it's an area that we intend to give a great deal of thought to. For the hon. member to somehow suggest that we do not have the interests of the farmer at heart, I think is rather a long bow to draw from an individual that lives in Regina, that says all we ever do is throw money at the farmers. To make a statement that all we do is throw money at the farmers, I think reflects the attitude of a person that really doesn't understand rural Saskatchewan and the farm problem in rural Saskatchewan.

Mr. Shillington: — Mr. Minister, I don't pretend to be an expert on the farm problem. I can tell you what the effect of the agricultural crisis is on urban people, and it is creating economic problems in the cities every bit as much as it is in the rural areas. I don't pretend to be an expert on agriculture, but I know what the crisis is doing. Mr. Minister, this is our major industry, and it is in very serious difficulty. It has been in very serious difficulty for a long period of time.

Mr. Minister, I cannot imagine that on day 56 of the session you would tell us it's a complex problem. Mr. Minister, you seem to belong to the "gee ain't it terrible" school when it comes to dealing with this problem. All you can do is weep and gnash your teeth and tell us what a terrible complex problem it is. We know that.

The time, Mr. Minister, has come for some solutions. The time has come for your government to make some decisions and to do something and stop agonizing about the problem and provide this province with some solutions, because this is the most critical problem that this province has. It's been around for a long time, long enough that you ought to be embarrassed that you haven't done anything about it.

When I say, Mr. Minister, that your solution is to throw money at the problem and let the chips fall where they lay, what I mean when I say that is that the money you have spent has not been very constructively spent. You've spent a good deal of money, and you've accomplished very, very little. The industry is in worse shape now than it was before you spent the money. So I say, Mr. Minister, I say to you that the time has come for this government to make some decisions about what it should do about agriculture and have the courage to implement those. The time is long since past when you should be telling us how complex it is. Of course it's complex. It's also serious enough that it demands immediate action.

Some Hon. Members: Hear, hear!

Hon. Mr. Andrew: — Well the hon. member knows full well that the way the cabinet process of government works is that you . . . while you are exploring and developing policy, that is not made public. When it is decided as to what you're going to do, you make that public.

To indicate somehow that this side of the House does not have a concern on, or an interest in agriculture and farming, I think is drawing on a very long straw. Now we can be criticized for a lot of things, but I don't think you want to stand up, representing a core riding in the city of Regina, and say that all you folks that represent rural Saskatchewan don't care, don't understand rural Saskatchewan. I don't think that is believable, quite frankly.

Now you can maybe criticize us for a number of things, but I would suggest you don't criticize us for being concerned and sensitive to rural Saskatchewan and to the farm community of rural Saskatchewan.

Mr. Shillington: — I'm not saying, Mr. Minister, that you don't care. I'm saying you're unable to make a decision. It's the only conclusion one can draw.

Your Premier does . . . Your Premier spends a good amount of his time in public talking about the problem. What he has never done is provided anything that looked like a solution. In fact, some of the programs that have cost so much have exacerbated the problem. Those aren't your particular programs. Your particular responsibility, Mr. Minister, is to come forth with some legislation to deal with farm debt. It's been known for months that this is a serious problem. We're going to start losing a number of farmers if something isn't done about it.

The federal government has one solution which is abhorrent, and that is to get the speculators owning the land and the farmers working for them. Other institutions, the Credit Union by way of example — I saw a proposal that came from them — they have a different system.

Mr. Minister, you don't seem to have a system at all. You don't seem to have any programs. All you've got is a statement in this House that it's a very complex problem, and we're worrying about it. Well, Mr. Minister, while you're worrying, farmers are disappearing off the land. And those which are actually declaring bankruptcy are a small tip of the iceberg. There's a lot more that are simply turning the land over to the bank and walking away from it. I wish, Mr. Minister, that there were some accurate statistics as to how many farmers we're losing because of your failure to bring debt legislation into this House. But it should alarm everyone and embarrass you people.

Hon. Mr. Andrew: — Well I don't want to get into an argument on agriculture with the hon. member from Regina Centre. I would dearly love to argue agriculture with him for some period of time, but I don't think we will do that. I think you will have your chance when the Premier's estimates on Agriculture comes up. I can indicate to the hon. member that nobody in this House is more concerned about farm debt than I am, representing an area that I represent.

(2115)

And I will also advise the hon. member that when that legislation comes through, it will be thought out in a proper direction, just like our other agriculture policy has been, and been very well received by the farmers. Thank you very much.

Hon. Mr. Berntson: — Mr. Chairman, I wonder if I might beg the indulgence of, particularly the member for Quill Lakes, to make an introduction. If I have that leave, Mr. Chairman.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Berntson: — I would like to introduce a couple of people who are visiting us here tonight, Mr. Chairman, on their way to Washington. They are D'Arcy and Barbara McGee. They represent Canada in . . . Actually they have represented Canada in many parts of the world, including Brussels and Tokyo and other parts of the world as an energy specialist in embassies around the world for Canada.

D'Arcy is currently on his way to Washington to represent Canada's interests there with an emphasis, I believe, on oil and gas and coal and hydroelectricity and that kind of thing — very important questions relative to the Saskatchewan scene these days.

And I might also add that D'Arcy was in Tokyo at the embassy there at the time that our uranium markets were expanded to a couple of utilities in Japan and served us very well there. Just a small sample, Mr. Chairman, of the calibre and quality of people that represent Canada around the world on these kinds of matters, and I invite all members to welcome D'Arcy and Barbara here this evening and wish them well in their stay in Washington.

Hon. Members: Hear, hear!

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure Justice Ordinary Expenditure — Vote 3

Item 1 (continued)

Ms. Simard: — Thank you, Mr. Chairman. Mr. Minister, I wish to turn to the Saskatchewan Human Rights Commission at this point, and I wish to say, Mr. Minister, that it's ironic that cuts in the budget and staff at the Human Rights Commission should come the same year that we celebrated the 40th anniversary of the Saskatchewan Bill of Rights — the first human rights legislation in North America.

The Saskatchewan Human Rights Commission's annual report for 1986 states:

The Saskatchewan Human Rights Commission joins others in the celebration of that event and pays

tribute to those whose respect for human rights was evident in the legislation that they passed.

Obviously, Mr. Minister, the actions of the present government in Saskatchewan reveal little, if any, respect for human rights. And not surprisingly, this attitude is prevalent across a number of policy areas.

Your government has shown little inclination to support those measures which serve to protect the disadvantaged and those Saskatchewan residents with the least power. Instead, you've sought to dismantle or seriously underfund agencies which serve to monitor or regulate your activities, such as the Saskatchewan Association on Human Rights, John Howard Society, for example, Voice of the Handicapped, and many other advocacy agencies.

In the particular case of the Saskatchewan Human Rights Commission, if the province continues its current approach to the commission, there may not be one left when the government's term is over. And in particular, in 1984-85, the estimated budget for the commission was \$1,050,950 and the person-years were estimated at 21.4. In 1987-88, we're down to 860,900 and person-years of 15.4.

Now while the commission's budget has remained virtually the same or been reduced in the last three and four years, the number of complaints, Mr. Minister, the number of complaints have increased dramatically. We understand that the number of complaints with the Saskatchewan Human Rights Commission has increased by approximately 40 per cent in the last four years — 40 per cent and yet their budget has been decreased, and the person-years have been decreased from 21.4 to 15.4.

Now in addition to its investigative and adjudicative functions, the commission plays a very important role in the area of education, education of the public. It also plays an important role in reviewing exemption requests and affirmative action programs submitted to the commission, exemptions from the code for the affirmative action programs.

In order to balance their budget, the Saskatchewan Human Rights Commission employees have agreed, Mr. Minister, to take a 10 per cent reduction in work hours and salaries, rather than lose five staff as a result of budget cuts. And it will also close its offices in Saskatoon and Regina on every second Friday in an attempt to reduce cost. It will make itself, in that sense, less accessible to the public through no particular choice of its own, but because of necessary cut-backs and the need to reduce the costs.

The number of complaints, therefore, waiting to be investigated will increase because the reduced work week means the staff will provide 10 per cent less service to the public. And as you know, Mr. Minister, there has been a serious backlog in cases before the Saskatchewan Human Rights Commission, a serious backlog. And yet this government has seen fit to cut the Human Rights Commission by some 15 per cent.

This point must be emphasized over and over again, because in times such as these, when we have high

unemployment, tough austerity measures, we need constant vigilance of our human rights in this province, particularly in these tough times. But instead, we see a cut-back of 15 per cent and a supposed reduction of 10 per cent in terms of working hours.

I also want to point out, Mr. Minister, that one-third of the complaints before the Saskatchewan Human Rights Commission, before the commission, were complaints based on sex discrimination. So the Human Rights Commission is very important to the women of this province, and once again, according to your government measures, women are being neglected, and their programs that protect them are being slashed.

And I also want to once again refer to the backlog that existed in the Saskatchewan Human Rights Commission, and which I fear will be increased once again and will be added to because of the cut-backs, and I want to bring this to your attention because we are all aware that there was at least one case that was thrown out because of the backlog, because it wasn't being dealt with expeditiously.

And in the House when I asked a question about the backlog, the minister has referred to a 32-hour work week for the commission. Well the minister was aware when he referred to that 32-hour work week that that only applied to five clerical staff in the commission, and that the five clerical staff had little if no effect on the backlog. It did not apply to human rights officers. The minister was aware of that, and yet he referred to the 32-hour work week, and in that fashion, I believe, left people with the impression that the entire commission was working for 32 hours. I'm not suggesting those were the words he used, but it left people with that impression.

I think the employees of the Saskatchewan Human Rights Commission, Mr. Minister, deserve a lot more than that. Many of them, many of them — I'm not sure how many, but I do know some of them — have put in overtime, overtime, their own time, to help with that backlog. And instead, what do they get in this House? They get the minister saying there's a 32-hour work week when most of them have a regular work week of 37 to 38 hours. And I think that's very unfair treatment of the employees of the Saskatchewan Human Rights Commission.

The other thing, Mr. Minister, I'd like to hear from you tonight are the proposed amendments to the Saskatchewan Human Rights Code. There have been amendments put forth to this government, back in 1985, by the Saskatchewan Human Rights Commission, a proposal for some very good amendments to the Saskatchewan Human Rights Code. I have them here if you're not familiar with exactly what they are, the most important one, I suppose, being the general equality provision, or open-ended discrimination clause, somewhat like the clause in the charter of rights.

And I would like to know tonight, Mr. Minister, whether this government is planning to implement the amendments that were suggested as far back as 1985 by the Saskatchewan Human Rights Commission; whether this government is intending to bring the Saskatchewan Human Rights Code in line with the charter of rights?

Because I suggest to you, sir, that those amendments are long overdue, and I would like to see them forthcoming in this session.

And I want to say something, Mr. Minister, about the Murray Chambers case. I think it is absolutely appalling that the Social Services department would be given a *carte blanche* right to discriminate against people who apply for social services, contrary to the Saskatchewan Human Rights Code. I think that's absolutely appalling that they would be allowed to go ahead and discriminate. Does that mean that they can refuse to give natives social services and it's not discriminatory, that they can refuse this on the basis of race? Can they refuse a Jew or a Roman Catholic social services on the basis of his or her religion? I ask you whether that's possible as a result of the Murray Chambers case, Mr. Minister? And if it is, I strongly suggest that this government immediately comes forward with legislation that will rectify the situation, and make sure that those grounds of discrimination are not permitted in this province.

I want to also ask the minister what emphasis he is going to ask the Human Rights Commission to put on education because, in my respectful opinion, one of the best ways to eliminate discrimination in a province is to educate our young people and our adults with respect to what is discrimination and what the laws are with respect to discrimination. And the role that the commission plays with regard to education has too long been underestimated by our governments. It's absolutely imperative, in order to have an effective human rights system in a province, that education be given a top priority — education of human rights be given a top priority by our commission. And I strongly urge the government, strongly urge the government, to ensure that the commission is properly funded in order to play that very, very important role in the human rights area.

I would ask the minister then to reply to some of the matters that I've raised.

Hon. Mr. Andrew: — Well the hon. member's raised a number of issues. We in fact did cut back the Human Rights Commission as she questioned me in question period. She says I somehow referred to the fact that all staff members of the Human Rights Commission were working a 32-hour work week. If I was to read from *Hansard*, July 13, 1987, I said " . . . a group of employees who work on a 32-hour work week." So I don't think that says the entire group. You say that left the impression a group of employees within the Human Rights Commission work on a 32-hour work week. Well that's what I would read that to say.

Now a couple of observations. Number one observation is that I think it's a valid criticism to ask, is it proper that you have a 32-hour work week? Now it used to be a 40-hour work week; we're now down to a 37.5-hour work week for the most part. Is it proper to have a 32-hour work week? Is that not a legitimate question to pose to the Human Rights Commission? I suggest that it is.

If you look at the funding of Human Rights Commission in the three prairie provinces, which I think is a worthwhile gauge, is the . . . Alberta spends on a per capita basis 50

cents per capita for Human Rights Commission; the province of Manitoba spends 86 cents per capita on the Human Rights Commission; the province of Saskatchewan spends 85 cents per capita on the Human Rights Commission.

Now the province of Saskatchewan, province of Manitoba, are approximately the same size of 1 million people. I would assume the two provinces would face roughly the same number of concerns. The population, the type of people in both provinces are roughly the same. And I would guess that the dollars that we spend on the Human Rights Commission are pretty much identical to what is being spent in the province of Manitoba.

With regard to the human rights in education, the question, I suppose, can be properly posed: is the Human Rights Commission the proper function by which to provide education, or should that be done by various education — other education mechanisms around, or the media itself, that type of thing?

(2130)

You asked whether or not that we would be proposing, or bringing forward, amendments to the Human Rights Commission. I indicated, I believe, last December or early 1987 that I would be bringing forward to cabinet a proposal to amend the Human Rights Commission as it relates to mental disability. And I would hope that we would see that in this session.

Ms. Simard: — Mr. Minister, with respect to the 32-hour work week, I didn't say that you had said all staff; I said you left people with the impression that the staff was only working the 32-hour work week. But I wonder why you even mentioned it.

I wonder why you even mentioned when you knew that the human rights officers, who looked after the backlog of complaints, were working 37.5 hours or 37.8 hours, something like that per week, or 38, somewhere in there — but longer than 32 hours, and when, in fact — and when, in fact, Mr. Minister, some of them were putting in overtime at their own expense. And I felt that it was very unfair to them, and that they deserved far better than that.

You haven't answered my question with respect to the Murray Chambers case, Mr. Minister; that's the Social Services case.

Hon. Mr. Andrew: — Our view is the . . . The view of the department is that the Chambers case was decided on a question of fact. To somehow suggest that the interpretation of the Chambers case would mean that you could discriminate based on colour or based on religion, I think, would be hardly fair to make such an accusation. So I don't believe that to be (a) the case; and I don't believe that to be (b) any kind of interpretation that could be made from the Chambers case.

Ms. Simard: — What was the question of fact, Mr. Minister?

Hon. Mr. Andrew: — Perhaps my answer was not quite

accurate in this sense that when it was appealed — I think it's appealed to the Queen's Bench court — to the Queen's Bench Court, the appeal was denied, based on that it was a question of fact, and it could only appeal on a question of law. So that was . . . Perhaps I misunderstood from my officials as to what was involved.

As I understand that particular case, it was a question of can you pay a lower rate, or should you pay conversely a higher rate to single employables on welfare as opposed to married couples on welfare. I take it that was the interpretation, and that was the just . . . the crux of the argument was on that basis.

Ms. Simard: — It was decided, Mr. Minister, on whether or not the Social Services Department was offering a public service, and the board of inquiry held that it wasn't a service within the meaning of the code, Mr. Minister. It was decided on whether or not there was a public service being offered, and the board held that service wasn't a service within the meaning of the code.

Now the Court of Appeal may have said that was a question of fact, but if indeed that was the crux of the decision, then your government is faced with a decision now as to whether or not you're going to amend the legislation to make sure that the Social Services department is subject to the Saskatchewan Human Rights Code, because some people argue that it isn't, because of that decision.

Hon. Mr. Andrew: — I can simply say to the hon. member that the department is not at this point in time . . . has not to this point in time actively considered changing the Human Rights Commission to cover the particular situation that you referred to. It's something that we will discuss at a later date to see whether we might do this. That would then have to go forward to cabinet. It would have to be . . . consult with the Minister of Social Services, so I can't answer the question.

If I was to fairly answer the question at this point in time, I would say it has not been actively considered to change the Human Rights Commission to cover this particular case to date.

Ms. Simard: — Mr. Minister, will you give the House your understanding that you'll look at the Chambers case and consider amendments to the Human Rights Code to rectify the problem that exists as a result of that case?

Hon. Mr. Andrew: — I will give consideration to the matter that you raised in the House today with regard to the Chambers case.

Ms. Simard: — Thank you, Mr. Minister. Now with respect to your comments on education, you said that the education function perhaps could be better performed by an agency other than the Saskatchewan Human Rights Commission. I'm not suggesting that I agree with that, but given the fact that that is the case, who then is performing this function, and if there isn't anyone performing it, are you prepared to make sure that education in the area of human rights becomes a priority of your government, regardless of which agency performs the role of being the educator.

Hon. Mr. Andrew: — When you say, am I prepared to say that I will make it a priority of our government, I can undertake to indicate to you that we will look at that question. I can't indicate to you that we will make it a priority, or how you would define the word priority.

Ms. Simard: — Are you prepared to make this an important thing for your government to have done in the next year or two years, for example. If it's not included in this budget, will you be looking at this in your next budget?

Hon. Mr. Andrew: — I will undertake for the hon. member opposite that I will review this and bring forward proposals for budget finalization next year.

Ms. Simard: — Thank you, Mr. Minister. Can you give me a breakdown in the salary for personal services — how much goes to the commission, and how much goes to the staff of the commission as opposed to the commission.

Hon. Mr. Andrew: — We have to do a calculation on that.

Ms. Simard: — Okay, I'll ask another question then while you're getting that answer, Mr. Minister. I would like to know what's being done in your department with respect to implementing an affirmative action program for the three target groups: women, the physically disabled, and natives. And does your department have an affirmative action program, Mr. Minister?

Hon. Mr. Andrew: — I will get them to get the details, but I think that if you look at some of the actions that we have taken, number one, Ellen Gunn has been promoted to the position of director of public prosecution, which is the first time that's ever happened in the province of Saskatchewan; that recently Judge Wedge was elevated to the Saskatchewan Queen's Bench court, which I think was a positive step, a step that we endorsed. In our government, the chief of staff from my office is a woman. Most recently we appointed a new coroner in this province, which falls under our jurisdiction, and that particular individual was a woman. And we are looking at a couple of new appointments, perhaps down the road, in Justice, too, that we could look at that would be that way.

I would undertake that when we look at appointments to the court, women are going to be given a priority; they are going to be ranked in there. I think in fairness that you need 10 years at the bar to be appointed to the bench, and in fairness I think in the last 10 years there has been a tremendous increase in the number of women that are graduating from law school compared to the days when you and I graduated from law school where there was only perhaps two or three.

Now that's not in fact the case today, so I think that over time that type of thing happens, and I think in fairness from the professional positions that you, in fact, see more women graduating from law school in the last 10 years which will mean, in turn, more women ultimately being appointed to higher positions within the department.

I've made a concerted effort in that regard, and I suppose

it's never perfect by — certainly by women's standards, that they would like to see more, but I think progress has in fact been made. So that takes time and will take time. I'll perhaps then get some more details on the other two areas.

Ms. Simard: — Thank you, Mr. Minister. Just a comment on affirmative action programs. I assume that in appointing the individuals you have earlier referred to that it wasn't part of an affirmative action program because you need approval from the Saskatchewan Human Rights Commission to have an affirmative action program, and if you don't have that approval, then you could be accused of reverse discrimination — so just a note of advice.

I would like to see your government, both in the public sector and on a longer-term basis in the private sector with large corporations, look at and seriously consider legislating affirmative action and the necessity to implement affirmative action in the government.

You have referred to a number of appointments that are women. One of them was Judge Wedge, and of course she's a federal court appointment, as the minister knows. But it doesn't deal with natives and it doesn't deal with the physically disabled. So when you're looking at affirmative action, we are looking at it from the three target groups, or we should be looking at it from the three target groups.

I would like to know from the minister, then, what the status of the accessibility regulations are for the physically handicapped?

Hon. Mr. Andrew: — The question relates to the facilities of handicapped people. That falls under Environment and Public Safety and not under the Department of Justice.

I can advise that we have a committee in the department dealing with the particular issue on . . . I stand chastised. I shouldn't have talked about affirmative action, but a committee within the department that encourages in recruiting and hiring, to hire more women into the Department of Justice.

We are working and attempting to hire more people, in corrections, of native ancestry. And you've got to appreciate that the hiring of those people . . . you have to have qualified people and properly trained people to go into that job of corrections, because that's not a job that you can put someone in through an affirmative action question. So that is being pursued as best possible. We are in fact looking at, perhaps, one of our correction camp facilities, in fact, having it totally native and run by the natives is an area that we are exploring with various people in the community.

(2145)

So affirmative action, I suppose we can sit and argue all night whether we should have affirmative action have quotas. I've never been one that really supported that theory that you should say that we should set a quota that says 50 per cent of the people working in the Department

of Justice have to be women, or whatever.

I believe that we have to move towards that. I believe that progress is in fact being made in this department and other departments, and I think you have to acknowledge that in fact it is. I never said for a minute . . . I heard someone suggest that I never elevated Marion Wedge to the Queen's Bench court. What has developed though is a situation where the federal government and the provincial government collaborate, if you like, on the appointment, and that appointment I certainly endorsed as having been made. Now I might not have said that about some of the previous appointments, but I wasn't in this department at that point in time, so I withhold my comment on that.

Ms. Simard: — Mr. Minister, with respect to affirmative action, I just wish to comment on a couple of your last comments. The reason for establishing an affirmative action program and going to the Saskatchewan Human Rights Commission is not to set quotas, but to establish goals that you work towards — that you may not fulfil but that you have something to work towards. But it's not to establish inflexible quotas.

And what one has to do with an affirmative action program in areas where you know you just can't stick a person in the area, as you mentioned, you have to train people and provide them with support services so that they are qualified and able to fulfil the position and do it properly and adequately. And that's another good reason for going to the Human Rights Commission with the program for approval, because they can assist you in setting up a workable program, one that really works, not just an ad hoc program that has been thrown together. And therefore I urge you to do that if you haven't already done so.

The other point I want to make at this time is that 22 per cent of all complaints that went to the Saskatchewan Human Rights Commission were complaints on the grounds of sexual harassment. And I want to know if the government has any specific policies with respect to sexual harassment in the public service, and if it has, what are they?

Hon. Mr. Andrew: — I don't want to beg off your question, but that particular issue is dealt with by the minister responsible for Public Service Commission and the chairman of the Public Service Commission. And we might advise them with regard to various legal questions, but that is not something that we would set policy for, or be responsible to answer for government for.

Ms. Simard: — On July 13, Mr. Minister, you said that 17.1 per cent of the total Department of Justice budget . . . you said that there was a 17.7 per cent increase, pardon me, in the total Department of Justice budget. That was on July 13, I believe.

Now as I understand, Mr. Minister, and correct me if I'm wrong, but as I understand, 80 per cent of that 17.1 per cent increase has gone to the property management corporation. In other words, it's been a payment made to another government agency.

Hon. Mr. Andrew: — In response to the question that there has been a 16.8 per cent — if I said 17.1, I was wrong; 16.8 per cent by calculation today — increase in funding to the Department of Justice, if you zero out the property management it would be 3.55 per cent. And if you look at that, you would go as follows: that 31.7 per cent of the budget goes to RCMP contract, 31.7; 26.3 per cent goes to corrections; 14.6 goes to the courts and prosecutors; 12 per cent goes to property management to pay for facilities — that's the courts, the correction institutions, that type of thing . . . (inaudible interjection) . . . No but, that is not to pay for them; that is to provide the upkeep and the service and that type of thing. Legal services and administration count up for 6.5 per cent.

So that tallies up to about 91 per cent, comes into that area, which leaves you with about 3.6 per cent to land titles. The long and the short — and this is classic government, it seems to me — is that you end up then with discretionary spending, if you like, of about 5 per cent on a \$126 million budget. And that discretionary spending of 5 per cent covers the following: personal property, public trustees, the coroner, the Human Rights Commission, the Law Reform Commission, the Police Commission, Public and Private Rights Board, Surface Rights Board, Farm Ownership Board, Securities Commission, mediation board, land security, crimes compensation, and grants to third parties.

So when you get down to it, if you really look seriously at how you allocate budgets in a department like Justice, your discretionary dollar is really quite fine as to what you can do, assuming that you can't do a great deal about the police, and you can't very well cut your budget to a very much degree in the area of corrections. Okay, I will . . .

Ms. Simard: — Mr. Minister, you haven't answered my question. Did 80 per cent of that increase in the budget go to the property management corporation?

Hon. Mr. Andrew: — I don't know whether it's 80 per cent of that increase. It was increased from 107 to 126, I believe. Is that what the blue book says? Just a minute, I had it in my book here. Yes, it went from 107.8 to 126, that's an \$18 million increase; 14.5 million of that was property management; 3.8 million of that was to the other services. That's 80 per cent; it's 80 per cent; if it's 75, it's 75.

Mr. Goodale: — Thank you, Mr. Chairman. I have two or three questions I want to direct to the minister having to do with farm law issues that have been mentioned in general terms in this House in the committee earlier this evening. Before I do that though, one specific question about a matter that the minister has dealt with on other occasions in question period with respect to the troubling circumstances, Mr. Minister, surrounding the Principal Trust matter.

You have indicated in the House in question period that an RCM Police investigation has been launched upon your instructions with respect to that matter in Saskatchewan. While I would not ask you to comment in any way at this point upon that investigation, I wonder if you could simply inform us as to the time frame that may be in play here, and when you might expect to receive a

report on that matter, if you have any indication of that at this moment in time?

Hon. Mr. Andrew: — It's somewhat hard to indicate. The investigation involves some investigation what you might call white-collar crime, or perhaps it's not fair to call it that, but that's the type of thing that would be looked for. The RCMP indicate that the investigation is ongoing. They have not given us a date as to when they might have a decision for us as to what they might do. And I can . . . I would, one, not obviously seek to inquire of them what they have for information, that type of thing, and so I guess we must still wait to see where that comes down. I would guess that they would probably take a decision — again, I'm only guessing — but in the near term. I can't imagine it dragging on for an extended period of time. One would hope that it wouldn't.

Mr. Goodale: — Well I thank the minister for that indication.

With respect to the farm law matters, Mr. Minister. You've had some questions on that subject already in the committee and on other occasions in the House. In reply to a question which I put to you some weeks ago with respect to the general laws in Saskatchewan governing the farmer-creditor relationship, you indicated that in the view of the government some of those laws in Saskatchewan, dating back to the 1930s and '40s, are perhaps out of date in terms of the modern circumstances of agriculture in Saskatchewan. And you suggested at that point in time, some weeks ago, that a review would be under way to examine those laws and to determine whether or not they need an entire revision to bring them up to date with modern circumstances.

I wonder if you could indicate tonight if that review process is now well under way, and when you might expect to be in a position to come forward with some specific legislation as a result of the review, modernizing the law in Saskatchewan governing farmer-creditor relationships at a time when farm debt issues are particularly painful for a significant number of Saskatchewan farmers?

Hon. Mr. Andrew: — The study is under way and it is very in depth. Let me suffice to try to answer the question for you this way. While the law today is very confusing, as many Acts involved, the very nature of that confusion has perhaps a desired effect of delaying the foreclosure process, and one therefore does not want to streamline if the streamlining helps the financial institution to the detriment of the farmer. And so you have a problem there, and sometimes maybe confusion is good rather than bad as seen through different sets of eyes.

You have that problem. You have the problem that you referred to in question period today. If the debt . . . and it's measured in a variety of ways. You can perhaps take it from one group or the next, but for the sake of argument let's say the debt in Saskatchewan is \$6 billion — farm debt. The farm debt of \$6 billion is held by some of the major financial institutions, including the credit union, including the federal government in Farm Credit Corporation, and I suppose you could say, in the Saskatchewan government and farm production loan.

The question becomes, I suppose in yesterday's terms, is simply say, well let's make it so that nobody can collect the money, and the institution eats the debt, and then the institution no longer lends money. Have you really solved your problems? That's a dimension that you have to sort of wrestle with on the one side. On the other side, you don't want to free it up so that foreclosures become more commonplace.

And so the dilemma is there. And it's easy to say that, you know, snap to attention and find a solution. Those solutions are fairly delicate as to how you do it and, improperly done, I think you get the exact opposite results that you intentionally set out to solve in the first place.

So that investigation is under way. It has not yet come to my desk, and from my desk it would then go to a joint meeting with Agriculture, and then from there to cabinet and to caucus. That has not taken place yet. In my view, it's an urgent matter that I would hope to be able to come to grips with. And I think maybe at the end we're probably going to have to look at a series of things, not simply one magical little law that is going to solve the problems. I would guess that you're going to have to look at a series of things as to the nature of finance. I won't get into a great deal more detail than that because I'm sure the Premier has more to say about it than I.

Mr. Goodale: — Mr. Minister, would it be fair to say that you might be in a position to report to the House in detail on this matter some time early in the fall? Would that be a reasonable time frame? And while you are answering that question, I would also ask you to indicate whether or not your review in this area is specifically covering the question of whether The Saskatchewan Exemptions Act should apply to government lending agencies, just as it applies to private sector lending agencies. Is that included in your review?

Hon. Mr. Andrew: — Your second answer, I think, that's certainly something we will consider in that review. The exemption obviously is a way that you might look at protecting certainly a minimum standard of assets for a farmer, that's number one.

Number two, I would hate to be pinned down on the exact time, because I would not want to be held to the fact that cabinet or caucus decided to go a different way, or one way, and that has not been taken yet. So I don't really want to pin us to that.

The whole area's going to be driven primarily by the Premier in the sense that the minister responsible for Agriculture is the Premier. We are taking an active role in trying to look at the various legal dimensions that we could fit into the puzzle, if you want.

Mr. Goodale: — One final question, Mr. Minister, having to do with any actions that may be commenced now under existing rules and existing legislation by government lending agencies in relation to their farmer clients.

The Premier has indicated on other occasions that any legal remedies available to a government lending agency

now would only be pursued now in those cases where the farmer client essentially puts himself in an incommunicado position, not responding to inquiries and so forth.

Could you indicate if that is the general policy of the government — whether it be the Agricultural Credit Corporation of Saskatchewan, or any other Saskatchewan lending agency dealing with farmers — that in terms of immediate legal actions that might be contemplated while this whole other area is under review, that those legal proceedings would be taken only in those cases where farmers seem to be deliberately refusing to communicate with the government with respect to their debt obligations.

Hon. Mr. Andrew: — Those particular actions are taken by the Ag Credit Corporation who have their own counsel and instruct their own counsel. And that would not be something that Justice would do. Your question is more appropriately put to the Premier.

Ms. Simard: — Mr. Minister, in the Saskatchewan Highways and Transportation, 1986 Saskatchewan Traffic Accident Facts, it states that fatal accidents have increased from 1985 to '86 by 11.9 per cent. Fatal accidents have increased by 11.9 per cent in Saskatchewan from 1985 to 1986. Now I would like to know what the Minister of Justice, in — you know, having regard to his department's responsibilities — what the Minister of Justice will do to reduce that figure of 11.9 per cent from '86 to '87?

Hon. Mr. Andrew: — The area that would primarily be involved in the Department of Justice would be in the whole area of prosecutions on the impaired driving offences, where I think that probably if you looked at the number of fatalities — and I don't know what the percentage is — but the percentage across Canada has always been fairly high that alcohol has been used in, in many of the fatal accidents — in fact, in many of the automobile accidents, so . . .

We have always, as a government — and this is not something I think that's new — have taken a fairly aggressive stand as it relates to the prosecution of impaired drivers, particularly the prosecution of second offenders and that type of thing. We would explore that, and I think that . . . I mean everyone is concerned about fatalities on the highway. I don't think that's an issue from one side or the other, and I think it's an area that is deserving of some further action. Perhaps more advertising of the dangers of it helps. I'm not sure that simply prosecuting after the fact is going to solve the problem in itself, although it should contribute to it. Maybe the bench has to start imposing heavier fines; I don't know whether that would solve the problem, whether longer suspension of driving privileges would work. Those types of things I would certainly be prepared to consider.

Ms. Simard: — And, Mr. Minister, I'd also ask you to consider not cutting back on police forces in the province, because it's my understanding that there are fewer policemen out there patrolling the roads.

Hon. Mr. Andrew: — Again, I indicated to you that the budget has increased 17 per cent in the Department of Justice. The funding to RCMP is increased from 37 million to \$40 million — and that's a \$3 million increase. That's almost a . . . That's becomes almost a 7 per cent increase in policing funding from this government. Now if you'll look at . . . There's very few departments of government or services of government that have had an increase of 7 per cent.

And I think that, well, clearly some have been cut back. You have to also bear in mind that what you have is perhaps on a per capita basis, five or six criminal offences committed in some of these small areas — only five or six criminal offences. And then you come to the larger centres where you have sizeably more. And so do you deploy your police force more to where the crime is being conducted or into the rural areas where they're pretty much crime free by world standards?

So I think it's not so simple as to simply say: well, we're cutting back on police. They have had as large an increase as anybody else in this budget on standards.

Ms. Simard: — The problem may not be so simple that it's just policemen that make the difference; and that's not what I suggested, Mr. Minister. But the fact of the matter is: regardless of the fact that the policing services may have been increased by 7 per cent, positions have been cut. There have been cuts in positions.

And we have a fatal accidents record up 11.9 per cent from '85 to '86. And I'm suggesting to you, Mr. Minister, that by cutting back on positions is not going to help this increase in fatal accidents — this record. And I realize there has been an increase to policing services, but positions have been cut.

Hon. Mr. Andrew: — Fifteen positions in the RCMP, as I understand, were cut out of in excess of 800. And now that's 15 more officers. Most of those officers were cut from some very small areas where there's very low crime rate.

Mr. Shillington: — Mr. Minister, the subvote containing the estimates for the Crimes Compensation Board estimate, there was a reduction by 25 per cent. Since, Mr. Minister, this is not a matter you have any discretion about, but it's simply an amount that was spent depending on how much is awarded, I wonder how you arrived at the remarkable conclusion that whereas last year you needed 446,00, this year you are only going to need 334,500. It strikes me, Mr. Minister, that there's a bit of creative accounting gone into that figure.

Hon. Mr. Andrew: — What happened there is that whatever they award is what we are going to have to pay, and the figure that we have down here is the average of the last two years.

Mr. Shillington: — What was spent last year?

Hon. Mr. Andrew: — The '84-85 total payment was \$356,084; 1985-86, actual was \$302,920; 1986-87, \$340,948.

Item 1 agreed to.

Item 2

Ms. Simard: — Mr. Minister, can you advise me whether maintenance enforcement comes under 2 or 3 before we move off 2? — 2 and 3? Okay. Then I will ask my questions under 2.

I wonder if the minister could tell me what the total allocated budget and total final expenditure of the maintenance enforcement office was for the previous fiscal year, and what is its budget for this fiscal year?

Hon. Mr. Andrew: — We'll undertake to get that information for you.

Ms. Simard: — Thank you. Can you also advise me what the Saskatoon family law office lawyers were being paid. Can you advise me now, or will you undertake to get it? You'll undertake to get me that information within the next week, Mr. Minister?

Hon. Mr. Andrew: — All the information that I undertook to get for you, I will deliver to you within a week's time. And if it's impossible — because there is one question about going through a variety of prosecutor's bills on interpreters; that might take a little longer — I'll advise you accordingly.

Ms. Simard: — Okay. I don't believe I asked you this afternoon what the lawyers in the Saskatoon family law office were being paid. I'd like to know that, Mr. Minister. I also want to know what the private lawyers are now being paid to perform the same services. And that information will be forthcoming, Mr. Minister? You're nodding your head, so I'm assuming it will be.

Hon. Mr. Andrew: — I will forward that information to you.

Ms. Simard: — Thank you.

Item 2 agreed to.

Item 3

Mr. Mitchell: — On item 3, Mr. Minister, I notice the number of positions have been cut by six positions, but the salary allocation is approximately \$1.5 million more — that is the money allocation. And, Minister, can you tell us in general terms how this increase is accounted for.

Hon. Mr. Andrew: — I'm advised that over the last several number of years that this particular number was never ever accurate in the budget estimates, and what we've done this year is to take the actuals from last year and bring it in and correct it, if you like, in the budget cycle. Very often this was not done in this particular subvote, and it was not a very good estimate for a long period of time in this subvote. We have corrected it this time, based on actuals and reports.

Mr. Shillington: — Mr. Minister, either tonight or within a week as you have promised, could you tell us what the six positions which were . . . the 5.7 positions which were

deleted — it did not strike me that the courts were overstaffed.

Hon. Mr. Andrew: — I'll undertake to give you this. It's somewhat complicated, and I'll get that information for you.

Item 3 agreed to.

Item 4

Mr. Mitchell: — Why are we cutting one judicial position, one judge's position, in light of the conversation we've had all day today about the pressures on the court system and the need to catch up on the backlog and keep the system running effectively and efficiently?

Hon. Mr. Andrew: — I'm advised that's simply a carrying of an empty position off and on and I'm not — if there's an empty position now, we're about to appoint one — it's the best I can give you right now.

Item 4 agreed to.

Item 5 agreed to.

Item 6

Mr. Shillington: — I have the same question with respect to public prosecutions. Again it's an area which has scarcely been overstaffed and I see we're cutting four positions. I'd like to know where those positions are being cut.

Hon. Mr. Andrew: — One in Moose Jaw, one in Saskatoon, two in Regina.

Mr. Shillington: — What's the rationale for cutting prosecutors. As I say, it's hardly an area where you're overstaffed, Mr. Minister. Indeed, the prosecutors we have are run off their feet.

Hon. Mr. Andrew: — It was our view that we could absorb the work and handle it with fewer people.

Ms. Atkinson: — Yes, my question is to the Minister of Justice. I would be interested in him explaining to the House the procedure that his department used in firing one Bob Caldwell, the prosecutor — senior prosecutor — in the Saskatoon office.

Hon. Mr. Andrew: — We are advised that there could be a legal challenge to this, or a court case involved with this, and at this point in time I've been instructed that it would not be proper for me to answer that question.

Ms. Atkinson: — Well, Mr. Minister, I can assure you, based on the information that I have, that you certainly didn't use ethical procedures in getting rid of Mr. Caldwell when you decided to terminate his employment — some 32 years employment with the civil service of this province. And I would be interested in knowing why you chose to get rid of a senior prosecutor in this province — a senior prosecutor — over some other junior prosecutors, if, in fact, you had to get rid of prosecutors.

Hon. Mr. Andrew: — My answer is still the same.

Mr. Shillington: — Mr. Minister, is it a fair assumption that with fewer prosecutors you're going to be sending more prosecutions to the private bar? Is that a fair assumption? That's really what we're doing, is privatizing by degree prosecutions in this province.

Hon. Mr. Andrew: — I'm advised that we will use whatever arrangements we will need in view of what the case-load might or might not be. So we're going to use that flexibility; to say that we're going to put all prosecutions out to the private bar is not true.

Mr. Shillington: — I never said that, Mr. Minister, nor did you answer my question. Mr. Minister, my question is: is it a fair assumption that with fewer prosecutors in the public service there are going to be more prosecutions sent to the private bar? I never suggested that in the next six months you're going to privatize all prosecutions. I did suggest to you that with fewer prosecutors you're almost certain to send more prosecutions to the private bar.

I want to say, Mr. Minister, that I, for one, stand four-square against sending prosecutions to the private bar. I do not believe that the private bar are as expert on it as the people who work in the public service and do nothing else. I believe, Mr. Minister, that the . . . (inaudible interjection) . . . well I see the member from Weyburn is giving us the benefit of his long experience with public prosecutions.

Mr. Minister, if lawyers who are employed by the Crown do nothing else, they develop an expertise in an area of the law which is quite different than most others. In my experience, the prosecutors which are employed by the Crown do a better job of it than private bar. They are almost certainly — it's almost certainly less expensive.

And I wonder, Mr. Minister, why you are decreasing the number of prosecutions — when that almost certainly means there's going to be more going to the private bar — where I think they'll be done less efficiently at a higher cost?

Hon. Mr. Andrew: — One of the answers is, there's four positions cut, and what we're doing is deploying some of the lawyers that would spend a great deal of their time in head office. They're being deployed out to actually be involved in the prosecutions in the court.

Mr. Shillington: — Well, Mr. Minister . . .

An Hon. Member: — Can you be more specific?

Mr. Shillington: — Yes, could you be a little more specific about who you're deploying? I had the notion that your prosecutors are fairly well deployed as it was. The ones I had experience with were fairly busy.

I was unaware that there were prosecutors in — apparently at the head office who are sitting with their feet on the desk with nothing better to do than to run around and fill up the slack with the four you fired. I find that answer very difficult to believe, Mr. Minister, and I suspect that that is not the answer at all.

Mr. Hagel: — Mr. Chairman, I'll concede to the minister to respond to the statement made by the member first of all, if he'd like to respond.

Mr. Shillington: — Is it not accurate that it costs more per case to use the private bar than it does to use a Crown prosecutor? Is that not an accurate statement?

Hon. Mr. Andrew: — It can be accurate in one location and one particular type of circumstance. It can be not accurate in other situations. I mean, I think if you use the rural versus the urban, the private prosecutor does a lot more work in the rural area than in the urban area.

What I indicated to you, that we were deploying the prosecutors in some of the head office work out into the field, it is our view that you will now see the amount of the dollars spent on private prosecutions increase.

Mr. Hagel: — Thank you, Mr. Chairman. Mr. Minister, if we may then talk about a specific, would you please tell me how many Crown prosecutors were employed in Moose Jaw in 1986-87, and how many will be employed in 1987-88?

Hon. Mr. Andrew: — There was two and there is now one.

Mr. Hagel: — And the rationale for cutting the Crown prosecutors in half in the city of Moose Jaw, Mr. Minister?

Hon. Mr. Andrew: — I am advised that with the one in Moose Jaw, we can deploy some out of head office from Regina, which is reasonably close, to do some prosecutions in Moose Jaw. And number two, that we've always used some private prosecutions in Moose Jaw, and we have that flexibility to do it, and we believe in so doing we can do it cheaper than before.

Mr. Hagel: — Mr. Minister, are you suggesting that there wasn't enough work to occupy two Crown prosecutors in the city of Moose Jaw? Is that what you're suggesting?

Hon. Mr. Andrew: — I indicated to you that the one prosecutor working full time can be supplemented by people from Regina head office going to Moose Jaw to do some prosecutions, which is still fairly close to travel. That will take up the bulk of it. And if you have the odd case where you get a heavy work-load, you can get the private bar to do it at a fraction of the cost of having a second lawyer.

Mr. Hagel: — But will you answer my question, Mr. Minister? Is it your view then that the office was overstaffed, there wasn't a sufficient amount of work for the Crown prosecutors in Moose Jaw to occupy two people up till this year?

Hon. Mr. Andrew: — No, I think what I would indicate is that when you looked at controlling cost — that's one area that you looked at — and we felt that we could find a savings there and are so pursuing it so that we believe we can find a savings.

Mr. Hagel: — And how, Mr. Minister, will you make this

decision then as to which private law firms or individuals you're going to use to carry out Crown prosecutions?

Hon. Mr. Andrew: — We'll probably make it on an ad hoc basis.

Item 6 agreed to.

Items 7 to 26 inclusive agreed to.

Item 27

Mr. Shillington: — What's going on here, Mr. Minister? The amount spent on the Saskatchewan Securities Commission has increased by about 60 per cent; there has been a 25 per cent increase in staff, and I am wondering, Mr. Minister, why the rather dramatic increase in this?

Hon. Mr. Andrew: — The reasons are, one, a transfer of the Department of Co-ops, the co-op security board goes into that. All right? We have a position of vice-chairman now as well as chairman; and some computer service and printing costs increased with computer installation.

I can advise the hon. member that when you look at the Securities Commission, you see an expenditure line here. And traditionally we've suggested the Securities Commission should operate on a break even budget. In other words, their fees go up according to their expense. And so the volume of work goes up, and they still are in a break even position or slightly profit . . . making a slight amount of money. That money flows into the Consolidated Fund and back here. But it's based on a break even mandate by the Securities Commission. In other words, the people that use the Securities Commission are the people that have to pay for it.

Mr. Shillington: — If this represented any increase in the protection given to the Saskatchewan public in dealing and purchasing securities, I'd be delighted. Given the growling that's gone on from the Minister of Consumer Affairs whenever the issue . . . whenever Principal Trust is raised with her, I doubt that's the case.

Mr. Minister, I wonder if you'd give us a specific description in writing — I don't need it tonight — of where the increase has come from. It seems it's a tad unlikely that one can ascribe a 60 per cent increase to the absorption of the co-op guarantee board. That sounds a little unlikely.

Hon. Mr. Andrew: — What I will undertake to give you is a breakdown of the way the Securities Commission . . . various cost items in the Securities Commission.

Item 27 agreed to.

Item 28

Mr. Shillington: — Mr. Minister, there is yet another reduction in the Provincial Mediation Board. Mr. Minister, this follows a pattern of reducing those services which are used by people in our society which are most helpless and least able to protect themselves. This is a service which by and large is used by the little guy. this is

a service which is used by people who are having financial problems. When operating properly it provides a means by which people can come to terms with debts which often appear unmanageable and often staves off bankruptcy. Mr. Minister, I'm distressed to see that the funding for this is being cut.

Don't stand up and tell me that the existing work-load is being absorbed by fewer staff. It just cannot be, Mr. Minister; that staff is busy. And if you've cut three staff, that means you're just going to do that much poorer a job of assisting ordinary people who try to come to terms with their debts. As I say, the alternative is obvious and not very attractive — it's bankruptcy. This often staves that off. And I think it's most unfortunate, Mr. Minister, that this is getting less staff in times such as this when so many are having financial problems. It ought to get more staff, not less.

Hon. Mr. Andrew: — Well this particular subvote is three early retirements. We'll explain the numbers. And what we intend to do, as I explained to the hon. member from Saskatoon Fairview, is that this will be looked in conjunction with a series of other things in the whole area of mediation and arbitration which I would intend to use as a main focus of justice over the next couple of years.

Mr. Shillington: — I would have thought it would have made more sense to have the new solution present at the same time as you phased out the staff. If you've got a new idea, that's all well and good, but I wouldn't have reduced the staff until the new idea was in place.

Mr. Minister, am I correct in saying that this does not include the Office of the Rentalsman.

Hon. Mr. Andrew: — I'm advised that it does include the Office of the Rentalsman.

Ms. Atkinson: — Mr. Minister, can you please give me a breakdown of the money that will be going to the Provincial Mediation Board, the money to the Office of the Rentalsman, and the money to the Rent Appeal Commission. Can you give us that breakdown today?

Hon. Mr. Andrew: — I'm advised that that is not set, and hasn't been set for some time. Now this particular thing just came over — this particular branch just came over to Justice from Consumer Affairs, and we don't have that information for you. I can undertake to get it for you, or to try to answer your question, but I'm advised you would have to break that type of information out.

Ms. Atkinson: — Well obviously you must break it each year for the annual report, so the information should be available. Is that not correct?

Hon. Mr. Andrew: — I simply advised that we can get it for you. I'm advised that they don't have that here, but I would undertake to get it for you.

Ms. Atkinson: — Mr. Minister, I'd also ask your officials to give us a breakdown of the salary for the Rentalsman and the salaries for the two Deputy Rentalsmen in Saskatoon and Regina.

I would also be interested in having a breakdown of the number of orders that have been issued by the various rentalsmen and their helpers in the last year; I'd be interested in having that information. I'd be interested in knowing how many orders were issued by the Deputy Rentalsman in Saskatoon, how many in Regina, how many orders issued by the Rentalsman, and I understand there's some other people on a contractual basis that are also issuing orders, and I'd be interested in having that information.

Hon. Mr. Andrew: — I'll provide that to you.

Ms. Atkinson: — I would ask the minister to provide that within a week. Is that appropriate?

Hon. Mr. Andrew: — As indicated to a previous question, I will provide all the information that has been requested today, within a week.

Ms. Atkinson: — I'd also be interested in having the salaries for the employees of the Office of the Rentalsman in each of the offices in Saskatoon, Regina, and Prince Albert, and I'd also be interested in having the names of the people that are working in those various positions.

Hon. Mr. Andrew: — I'll get that for you.

Item 28 agreed to.

Item 29

Mr. Shillington: — Mr. Minister, could you give us a breakdown of how the figure of \$14,555,700 was arrived at?

Hon. Mr. Andrew: — I'm advised that the accommodation charges come to \$13,967,600; mail and postage, 583,100.

Item 29 agreed to.

Item 30

Mr. Shillington: — Well, Mr. Minister, there are two boards with similar sounding names. This is the Farm Land Security Board. In an era when the farm financial problems are multiplying, I wonder how it is that this board . . . that less money is . . . fewer resources are being allocated to this board?

Hon. Mr. Andrew: — The Federal Farm Debt Review Board also does similar jobs. They take part of the cases; we take part of the cases.

Mr. Goodale: — Thank you, Mr. Chairman. The notes in the blue book, Mr. Minister, with respect to item 30, the Farm Land Security Board, indicate that this year there's a transfer of this item from the Department of Agriculture to the Department of Justice. Could you indicate the rationale for that transfer? Why is it this year more of a Justice item where it was an Agricultural item previously?

Hon. Mr. Andrew: — I think the answer to that is in the new thrust to try to get into more mediation and arbitration, to bring many of the things that are involved

in mediation and arbitration into one department and try to create a thrust that we could perhaps co-ordinate them all in both training people to arbitrate questions and to mediate questions. And there could be some benefits in looking at that whole thing as a thrust, particularly if you're going to look at that issue as an area that we might move the justice system towards.

Item 30 agreed to.

Item 31 agreed to.

Item 32

Mr. Mitchell: — Mr. Chairman, Mr. Minister, I don't need the information tonight, but will you provide me with a list of agencies receiving grants, and the amount of each grant in 1986-87 and in 1987-88?

Hon. Mr. Andrew: — Yes.

Mr. Hagel: — Thank you, Mr. Chairman. Mr. Minister, I note that item 32, grants to justice organizations and for justice related activities, has been cut from 897,000 to 222,000, and it is my assumption, Mr. Minister, that those are cuts that are predominantly, if not entirely, to non-government organizations that work with and on behalf of people who have come in conflict with the law.

I think it is indicative of the priorities of your government, Mr. Minister, that you've made cuts in this area. And I would welcome from you, sir, an explanation as to how you justify cutting, in less than a quarter, the funding to non-government organizations who do good work for needy people — oftentimes, I would add, poor people of Saskatchewan — from the funding to non-government organizations here?

Hon. Mr. Andrew: — The largest cut here, and it makes up most of the cut, is the native court worker program that we've talked about before.

Item 32 agreed to.

Item 33 agreed to.

Item 34

Mr. Shillington: — Mr. Minister, did we get an undertaking from you to provide a list of your office staff and the salaries which they have?

Hon. Mr. Andrew: — You didn't, but I'll get that for you.

Mr. Shillington: — Could we also have a list of the trips, the out-of-province trips taken by yourself, and the cost of each?

Hon. Mr. Andrew: — Yes.

Item 34 agreed to.

Vote 3 agreed to.

Supplementary Estimates 1988 Consolidated Fund Budgetary Expenditure

Justice Ordinary Expenditure — Vote 3

Mr. Chairman: — Carried.

Supplementary Estimates 1987 Consolidated Fund Budgetary Expenditures Justice Ordinary Expenditure — Vote 3

Items 1 to 9 inclusive agreed to.

Vote 3 agreed to.

Mr. Chairman: — I would like to thank the minister's officials.

Hon. Mr. Andrew: — I would like to thank my officials as well, and I would like to thank the questioning from the hon. members opposite. Perhaps it is a reflection that lawyers have traditionally served in this institution, and perhaps others should take lessons from them.

Hon. Mr. Berntson: — I can hardly resist responding to that, but I will. In the interests of time, I move we rise, report progress and ask for leave to sit again.

The committee reported progress.

The Assembly adjourned at 10:42 p.m.