

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Tuesday, April 2, 1968

MR. EVANS: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MR. SPEAKER presented the motion.

MR. HANUSCHAK: Mr. Speaker, I wish to present to this House a grievance on behalf of the people of my constituency, on my own behalf, and no doubt in fact on behalf of all the people of Manitoba. This arises, Mr. Speaker, by the recent action that the Winnipeg City Council was forced into taking, and that is in increasing the property tax on residential property by better than 12 mills to a little over 64 mills, and on commercial property by an approximately equal amount to over 88 mills.

This, Mr. Speaker, is a record increase in the history of the City of Winnipeg and it is of particular concern, Mr. Speaker, to the people of my constituency for a number of reasons. A large percentage of the people in Burrows constituency live on a fixed income. They're old age pensioners; they're people who have retired on very nominal, minimal pensions from whatever occupation they may have been in which did provide a pension plan for them. They are by and large a payroll constituency, Mr. Speaker, and you know as well as I do that the history has been that any increases in wages that do come about, they follow and not precede increases in costs of living. It's a constituency made up of small businessmen, small businessmen whom an increase in taxes such as this would hurt far more than the large corporation which has businesses operating from coast to coast or in fact on an international basis.

I would like you to consider for a moment, Mr. Speaker, what is the effect of this 25 per cent increase in the mill rate which the City of Winnipeg has just recently experienced, or which decision was made, and the impact of which they will feel come this year. If you consider a home, a home of an assessed value of \$5,000, which is a modest home, which is not any luxurious palatial residence that one may find elsewhere, on a home assessed at \$5,000 this means an increase of \$61.15 a year in real property taxes. And let's translate that \$61 and a few cents, Mr. Speaker, into their earnings, into their income, and what does that mean. The increase alone - I'm not speaking of the total taxes but just the amount of the increase - amounts to practically one month's pension for the hundreds, in fact the thousands of pensioners living in Burrows constituency. It has the same effect on pensioners living anywhere else on a \$75.00 monthly pension. It amounts to approximately one and a half week's wages of a person working at the minimum wage in the Province of Manitoba, of whom there are tens of thousands in this province. And even if we look at the average wage of the people of the Province of Manitoba, it amounts to better than a half-week's wages for them.

If you consider the total tax that these people will now have to pay, Mr. Speaker, the person living at the minimum wage in a home such as I've described, there's two months' wages, one-sixth of his annual income goes for the payment of taxes in order to be able to live in his own home, in order to retain ownership of his own home; or a month's wages of the person earning the average wage in the province as was reported to us recently. When we consider the old age pensioner in this province, it amounts to the income for a third of a year, four months' pension goes to the payment of real property taxes that the people in the City of Winnipeg will now have to pay.

Now I'm not suggesting, Mr. Speaker, that the people in Burrows constituency are not appreciative of the need for the services which they presently receive - which to a large extent are financed out of municipal funds - they are. There is a need for them. They realize that, that there's a need for schools and there is a need for hospitals and there is a need for all other services that are rendered to the people of this province. But it is indeed regrettable, Mr. Speaker, that this government has not yet realized that it is neither fair nor just nor equitable to rely on real property taxes for the major source of income to provide those services, or in fact that it is fair to rely on those sources of income to provide any portion of those services, Mr. Speaker.

Now it's often been said - and we've heard it not too long ago - and it isn't my intention at this point to challenge the ruling of the Speaker in connection with a resolution that I had introduced in this House earlier today, but I simply wish to make this point, because it has

(MR. HANUSCHAK cont'd)...been said by the government that when it comes to municipal taxes that this is not the responsibility of the province, that it's the responsibility of the municipal councils, and if one wishes to complain about the level of taxes in any municipality, in any city, go to them and present your complaints there.

But, Mr. Speaker, each and every municipality in this province, each and every city is a creature of this government. Every municipality, every city, derives its existence from an act taken by the Manitoba Legislature. There's the Municipal Act that creates the municipalities; there are numerous charters which create the many cities that we have in the Province of Manitoba; and the province having taken the responsibility to create these municipalities or to provide legislation to make it possible for these municipalities to come into being, having provided legislation to make it possible for these cities to come into being, how can the Province of Manitoba and how can the government of this province now take the attitude that it is now your responsibility and your responsibility only to provide those services which the people of your municipality, of your city, demand and in fact deserve.

Mr. Speaker, it is time that the government of the Province of Manitoba took cognizance of the fact that there are certain needs of the people that have to be met. It is time that the government took cognizance of the fact that real property taxation is not the most equitable and the most fair source of revenue to provide the necessary funds to meet these needs. It is time that the government of the Province of Manitoba recognized the fact that it does owe some responsibility to the various municipalities and the cities of the Province of Manitoba to make it possible for its residents to enjoy those benefits, those services to which they are entitled.

The government of the Province of Manitoba well knows that its sources of revenue are much wider than those of any municipality. The government well knows that the taxation base to which it can resort to is much broader than that open to any municipality. It is high time, Mr. Speaker, that this government do away with this antiquated and this obsolete and this unjust form of raising revenues to provide needs and services for the people of Manitoba by the methods to which it has been resorting up until now and the methods to which it is continuing to resort. It is high time, Mr. Speaker, and the New Democratic Party has made this statement in this House time and time again, that services to people such as education, welfare and others, ought to be paid for out of provincial funds and not out of municipal funds, the sources of revenue of the latter being by and large that of real property taxes.

This, I suggest to you, Mr. Speaker, is a duty and responsibility of this province. This, Mr. Speaker, grieves me greatly. It grieves me greatly that this government of the Province of Manitoba is not only reluctant but refuses, refuses to face up to this critical issue that is today facing the people of the City of Winnipeg. I suggest to you, Mr. Speaker, that this problem will continue to grow, and will continue to grow until such time as this government, this government which in fact created the various cities and municipalities of the Province of Manitoba, comes to grips with it and presents the people of Manitoba with a more equitable form of raising the necessary funds to provide those services for the people of this province which they deserve.

MR. SPEAKER: Are you ready for the question of the Honourable the Provincial Treasurer?

MR. SPEAKER put the question and after a voice vote declared the motion carried and the House resolved itself into a Committee of Supply with the Honourable Member for Arthur in the Chair.

MR. CHAIRMAN: Department of the Attorney-General.

MR. MOLGAT: The member who has just spoken was on the floor last night. Has he completed his presentation? Well if he has then, Mr. Chairman, I would like to speak on the Attorney-General's Department, on the Minister's Salary.

I regret that I could not be here last night for the Minister's introduction of his Estimates, and since then I have been going through the Hansard to look for one item in particular which I have spoken on on a number of occasions previously in the House and which I had hoped he would give us a full statement at this time, but unless I am wrong, I can find no reference in his comments at all to the Vaughan Street Detention Home. I know there have been statements made prior to the opening of the House and I had looked forward to a full statement from the Minister now as to exactly what would be done with regard to that detention center.

In past years, I have spoken I think every year, either on a formal resolution to the Minister or on the Estimates, regarding the deplorable condition at Vaughan Street. I don't

(MR. MOLGAT cont'd)...propose tonight to go over the same territory again except to say that in the past year the whole of the community has become deeply concerned about the conditions there and some church groups, acting not at all on a sectarian basis but on actually a broad basis of several different groups getting together, produced some very definite statements during the course of the year addressed to the Attorney-General and some very specific recommendations as to what ought to be done with the Vaughan Street home. There is no question that that home, in the words of the present Attorney-General himself speaking some seven years ago now, back in 1961, he declared it to be deplorable, antiquated, going back to medieval times, describes it in most lurid terms, but the fact is it hasn't changed one bit in those eight years. -- (Interjection) -- Oh, Mr. Chairman, I haven't got my complete file here, but if he wants me to read back to him the very colorful language that he used to describe it in those days, I can easily do so.

Certainly it is a totally inadequate center. I pointed out to the Minister in the past that from the standpoint of space, for example, his own office and that of his secretary have more space in them than the whole of the detention center allocated to boys. The boys' detention center which houses as high as, well possibly 50 boys at any one time, does not have as much space in it as does my honourable friend's suite of offices in this building. How can the staff there possibly have any kind of possibilities of doing anything with these youngsters? How can they segregate them in any way? It's just beyond them. There is no possibility.

Now for the Minister to say, "well this is only a very temporary situation, the boys are in there for a day or two at a time." If he gives us average figures, yes he can show that, that the average stay is not that long. It probably works down to something like four or five days, but for an average stay of four or five days, Mr. Chairman, when you consider that some youngsters are brought in there only overnight and the next day are taken away by either their parents or other authorities, quite obviously some youngsters are kept in there for a much longer period of time.

Now surely, Mr. Chairman, this is the place to begin in our correctional work. If we are not in the position to do something with the young people and start off by having some proper segregation; training to the extent that it can be done - admittedly in a short-term institution; guidance; some means of working with these youngsters either from a school standpoint to the extent it could be done or at least some recreation; if we cannot do this with these young people who are in the danger at that time of embarking on possibly a life of crime, surely we're not going to do later on what needs to be done.

It seems to me that this is the first place to begin, and year after year we've had the same reports from the government: we are thinking about this. Some three years ago the present Provincial Secretary, who was then the Attorney-General, told us in fact that he had plans, he had plans all set up; he had the architects; they had the complete designs and the drawings and they were all set to go, but nothing has happened since. And this year, as I say, the Minister may have spoken about it in his presentation but I see nothing in reading the Hansard of last night's discussion. It seems to me that this is the wrong approach in his departmental work, that the first place to begin is with the young people. There is a great possibility here of ensuring that these youngsters who get into trouble can be saved at that time, and yet at the moment they are put in together with possibly hardened criminals, but certain with no possibility of segregation at all in that facility there at Vaughan Street. Certainly, the solution is an entirely new facility.

Last year I introduced a resolution in this House suggesting that possibly Fort Osborne Barracks could be used as a temporary facility until the government proceeds to build a final one. I recognize that Fort Osborne Barracks cannot be a long-term solution. What is needed is a facility here, in the centre of the city preferably, with easy access for the parents so they can come and see these youngsters, that there's an easy communication by the probation officers and those who work with these youngsters, easy access to the Juvenile Court, but surely we cannot continue with the present facility.

I don't know what my honourable friend has in mind because the statements that have been made have been outside this House with no possibility of members in the House asking the Minister exactly what he intends to do. I think it's high time that we have a clear-cut statement from the government as to what they are going to do, presumably now on a temporary basis, and what their long-term plans are for juvenile detention here in the City of Winnipeg. I would look forward to a complete statement from the Minister in this regard, not

(MR. MOLGAT cont'd)... simply the short run statements which I understand he has made as to renovations to this particular building, but as well what the long-term plans are.

MR. PAULLEY: Mr. Speaker, if I may, I'd like to make a comment or two on the estimates of the Attorney-General. I realize and appreciate that in some small way there has been some progress made, and I too am concerned with a segment of the community that I think has been overlooked insofar as the administration of justice is concerned. I'm referring Mr. Chairman, to what seems to me to be a deplorable lack of interest and aid to the many thousands we have in Manitoba of Indian and Metis extraction.

You know, Mr. Chairman, the Department of the Attorney-General are very ready to compile in its statistics the numbers of Indian and Metis who are confined to the various institutions in our province, but I wonder when the department is going to take a little more action in aiding these people in their troubles. My honourable friend the Member for Churchill every now and again deplores the lack of TV coverage in northern Manitoba, and of course we have joined with him on occasion in that lack, but some months ago I saw, as I'm sure other members of the committee saw, a TV program of the administration of justice at Churchill, and what struck me at that particular time was the apparent lack of legal aid to the Indian and the Metis that appeared before the magistrate in Churchill. -- (Interjection) -- I beg your pardon? -- (Interjection) -- There's no lawyer in Churchill. Then I would suggest, Mr. Chairman, that the Honourable the Attorney-General has just proved my point, that if there are no lawyers in Churchill to come to the aid of the defenceless, then they should not be tried there or that the department should make sure that there are lawyers there to aid in the defence of these particular people who are called before the so-called bar of justice. I thank the Honourable the Attorney-General for recognizing the problem which I am trying to raise at the present time on behalf of the Indian and the Metis people and I sincerely trust and hope that my honourable friend will supply legal aid to these people who at the present time go undefended and are at the mercy of their superiors.

The same is true, Mr. Chairman, may I suggest, in other areas as well, that the Indian and the Metis have not been duly recognized in our province. Just before leaving home this evening I watched for a very short period of time a program concerned with the Indian and the Metis in the area of Camperville and some of the deplorable conditions in which they are having to live, which of course in essence or in fact can conceivably breed a defiance of the law as we know it but not of necessity as they know it. I suggest that it is time that we in this Assembly started to come to realize that what the Indian and Metis are crying for is justice and recognition.

During the deliberations of the committee on the rules of the House there was a proposition, Mr. Chairman, that we should set up for a permanent Speakership a constituency comprising the Legislative grounds, and it was suggested by the proposer of that particular proposition that we should call this constituency, if we adopted a permanent Speaker, the Constituency of the Commonwealth. I made a suggestion at that time and I repeat it in this Assembly tonight, that possibly we should follow, if we do adopt the permanent Speaker of a separate constituency, that we follow in general the idea that they have in Toronto of calling it some park. As you know, Mr. Chairman, in Toronto, in Ontario, they call the seat of government "Queen's Park". I suggest that if we're going to name a constituency in Manitoba that we should give due recognition to one of the founders of Manitoba, Louis Riel, and call this area "Riel Park" in recognition of the contribution that the Metis has made to this Province of Manitoba.

I am proud of the fact that I represent in this constituency a considerable number of the Metis of Manitoba who live in the southern part of St. Vital, and I'm sure my honourable friend the Minister of Mines and Natural Resources also represents a number from that area, as indeed of course my good friend the member for Rupertsland, and I think many of the constituencies in the Greater Winnipeg area have a considerable number of Indian and Metis that they are representing. But I think, Mr. Chairman, it's time for the Attorney-General to recognize the fact that he agreed with a few moments ago, that these people are not being adequately represented in the law, and I appeal to him, I appeal to my honourable friend, him having admitted that these people are called before a magistrate to answer, should have some guidance and some help.

And while there are many other facets of the Department of the Attorney-General that one could talk of this evening, I think, Mr. Chairman, that for the time being I will limit my

(MR. PAULLEY cont'd)...remarks to the proposition that I'm placing before the committee at this time of more recognition and needed help to the Indian and the Metis. We know that they need help in the area of housing and education. We also know and realize that they need it insofar as provision of legal aid is concerned, and I would suggest that if there was legal aid to the Indian and the Metis the statistics wouldn't show, as they do on a proportion population-wise basis, the sad story that is does.

There is a conference, as I'm sure members know, this week of the Indian and Metis and I hope to be able to attend. I'm sure other members would find it to their advantage to have a chat with these people during that particular time.

MR. DESJARDINS: Mr. Chairman, this is a department which is quite difficult for us to cover. I say "us", especially the members that are not lawyers, because at times it is quite difficult to get answers. We're told "This is the law", and it finishes there. Now I think that there are a lot of people in Manitoba that are quite concerned with many of our laws and, I might say, with the closed corporation that the lawyers seem to have.

The Member from Selkirk just a few nights ago was talking about punishment, and he felt that punishment should not fit the crime as much as punishment should fit the person. Well, that might be a good idea, but I don't think that it's always a good idea. For instance, we had the Gingera case. We have a man here who probably stole half a million dollars or more. He was sentenced to jail and I think that he served about 2 1/2 years. This is a man that had been getting away with the business of embezzling the money of his clients and so on for a number of years. It was a known fact, but the other lawyers who knew about it felt that they couldn't blow the whistle on one of their own boys.

Now the people of Manitoba, and the people of Canada as far as that goes, are a little worried about these things. You have a man that is allowed to get away with murder like this and he gets about two years, but during that time he was going to university. He was taking a course in university, and then I understand that at times he'd take a short-cut and on his way to jail he'd go back and stop at home for a visit. This is pretty handy, but I don't think this is fair. If we had the question of the punishment fitting the person, I think that a man like that, who certainly is more responsible than 90 percent of the criminals, I think that this should not help shorten his punishment, his time in jail.

Now there's another thing it brings back, what protection has the public on this. There were 33 claims against Gingera and only seven of them were taken care of by the Law Society of Manitoba - \$350,000 and \$16,718 was taken care of. Now what do they say? This is the last board; you have no appeal; this is final. It's a big favour that they're doing the people of Manitoba. They don't have to do anything; they don't have to protect anybody at all. It's a big favour if they accept this responsibility. I think that this came in -- I think that this came in -- I think that this law came in 1943 when other members of this House felt that this had gone too far at the time and the Law Society decided that they'd make good for certain offence. Not much has been said. I have a book full here of disbarred lawyers or lawyers that have been jailed because they've been playing around with the clients' money.

Now I don't apologize for speaking like this. I'm certainly not casting a reflection on all the lawyers of Manitoba, that's certainly a fact, but we're not afraid to discuss any other things. We're here to do a certain job and I think that it should be done. I'm not going to explain. I'm talking about those that are acting like this and I'm talking mostly about the protection that the people of Manitoba should have and that they're not enjoying at this time.

Well, we're told that the lawyer is not responsible because he was just lending money, but the people of Manitoba don't know this. They'll look in the phone book, or if somebody tells them, gives them an address of a lawyer and they respect him, they have confidence in him, and they go and see him. He's going to help them place their money. It might be a widow that's left with a certain amount of money; they even make the placement for her. And this is what happens.

Now I know this has been mentioned a couple of times in the previous years. The former Attorney-General I think would take about three lines to answer these charges and that was finished. You might have an article from the Law Society that shows that they've done a little more, that they were going to do something, and that was it. But this is no longer good enough; this has to change. I've talked about this for a number of years now. I haven't brought any resolutions because my idea was just trying to wake them up a bit, to let them -- they have the duty, the responsibility of policing themselves now. I thought that they'd do

(MR. DESJARDINS cont'd)...something about it, and nothing is being done.

Well, I serve notice now to the Attorney-General that if nothing is done after we've had a chance to study this - there's a special committee, a committee that has been delayed for two and a half years, who hasn't done anything for two and a half years - but there's a committee that is looking after the professional ethics and so on, and if nothing is done after this, I certainly will bring a resolution. The lawyers are the ones that should understand that most of all because they deal with these kind of things; they want protection on everything themselves. The Bar Association wants full disclosure; a law for mortgages to be restricted. We have all this, but what about the protection to the public of their own people? Pretty soon they'll have to be bonded, but they say then you decide who's going to practice law. I said this two years ago. I had this argument with one of the members. Oh no, this would be awful; you'd have no freedom. Two months after that same member was in jail. He had his clients' money also. Either they're going to be bonded to protect the public -- I think that this is one thing that we'll have to look at if nothing is done fairly soon. They are in the real estate business now. We're told that there's no lawyers in Churchill, and you know how long the people have to wait for any action.

I'm told that there was a young lawyer that was doing the work of a senior partner when the senior partner was on a holiday, and the man came back and he says: "Well, where are the files that were on my desk?" He says: "Oh, all this work is finished", and he said: "Well, you're fired, that was supposed to last all year." Well, maybe this is exaggerated, but nevertheless you have to wait an awful long time, and there's people that can't wait that long. You go and see one of the partners, he's either -- he leaves, he's on a honeymoon or something, then he comes back, he's transferred this to his junior partner and you'll be delayed and delayed. -- (Interjection) -- Course I'm not saying that all the lawyers are like that, but there's something definitely wrong there. We've got to look at all this sorry mess once and for all and change this and protect the people of Manitoba. And if the people want to be in real estate, let them get their license and go in real estate.

And say in the Gingera case -- as I say, there was only seven claims out of 33 -- but the people were going out there to see their lawyer. They don't understand, the general public doesn't understand all these things. So what is the excuse that I hear? Serves him right, he was trying to beat the income tax. Maybe that's true, but as was said this afternoon, two wrongs don't make a right. You get an unscrupulous lawyer like this, who leads him along, tells him that he's going to help him beat the income tax, the first thing you know well he's beat him all right, but not the income tax, he's got all his money.

If the people of Manitoba are going to have faith in the lawyers things have to be changed and we as a legislature haven't the right to let this go on any further. It's a difficult thing to do because in every Party there's always a few lawyers, and they jump up and down when you start talking about the Law Society--you can talk about funeral directors, you can talk about everybody else, that's fine--(Interjection)--they've got a pretty good union, that's true. But it's time we break that union; it's time we break it. If they can't police themselves properly, it's time we break that union. They say we're ombudsmen, we've got a job to do, and I think that this House should tell the Law Society, all right, do something about this, bring up your recommendation or we can't hold on any longer, we're going to look into this ourselves, we'll have a committee and look into it. We cannot allow this to go on. You're talking about loan sharks, you're talking about all these things. First of all, I think that there should be a schedule of fees also so the people would know what they're paying for. Right now you can't even get a form, you can't go to Willson Stationery, anywhere, to get a form to change property, you have to go and see a lawyer and he wants 10 percent or something like that -- 20 percent. And who makes the laws? It's a vicious circle. Who makes the laws? Here's the legislature -- and as I said, they're sharp, they've got a few lawyers in every Party. Oh they cover all the angles. We have a leadership convention in a few days and there's a law firm in town that's got I think the key organizer for practically every candidate. They've got to hit right, they're going to get the right one, they're going to get the right one. Well, this is sharp, it's a free country, it's a coincidence. Then they cover the -- they'll all get their commission from these loans and so on, because you've got a conservative and a liberal, not too many NDP's but if ever we have an NDP government there'll be NDPs in the firm also. It might look as if I'm exaggerating a bit --(Interjection)-- But the question is that we've been holding down, soft pedalling this issue for too long. If you dare say something like this, ah, you're against the lawyer, you're against the profession. Well,

(MR. DESJARDINS cont'd)...surely these people who are advising their clients how to protect themselves and so on, they should be above reproach, and I think it is to the advantage of the lawyers to do something about this, because the people of Manitoba are losing confidence in you -- they don't know there's an awful lot of very good lawyers. I'm sure there's two in the front bench there at least, but -- (Interjection) -- the lawyers are even promoting, "Vote for Lyon" -- I don't know what the score is.

Mr. Chairman, I hope that the Minister will take this seriously. I think that he should -- if I'm wrong, if there's some improvement, I'd like to know, but I certainly would want to leave him with these questions: what kind of protection do the people of Manitoba have? I think that the fees should be, the schedule of fees, I think that they should -- they say you can get it, I don't know where -- but I think that they should be publicized, let the people know. This is one of the things. I would suggest that the lawyers get out of the real estate business, and if not they should be bonded. You take an ordinary citizen of Manitoba, he's going to see a lawyer -- he doesn't even know this man -- he's going to see a lawyer because he's got problems. Most of the time you're dealing with money. All right, he's told, well there's a chance to place this money -- as far as he's concerned he's going to this man because he's a lawyer, it's his lawyer -- and there's no protection at all, no protection at all.

Now, as I say I hope that the Minister will take this seriously. I think that if he has some answers, if he can tell me that I'm worried for nothing, everything is taken care of, these things don't exist, this is fine. If he can prove it to me, I'll be very pleased. Now again as I said, this is about the fifth time that I've talked about this. The former Attorney-General as I said -- I think it was two lines, to say they were doing their best and, that's it, that finished everything. Well, that's not good enough, and if nothing is done I certainly will bring a resolution where you'll have to stand up and be counted. Gives a chance again to the Law Society. I know they'll know -- in five minutes they'll know that I've made this speech because there'll be five guys running for the phone and I hope they do because this is what I want. I think that we should have this kind of protection. Either they get out of this business of real estate or they be bonded and when you've got on your door that you're a lawyer and you're going in that office to deal with a lawyer there's a responsibility and I think the Law Society should look after that. The only ones that can complain seem to be lawyers themselves and they won't do it, we know that. And then to add insult to injury, you see a case as I said like Gingera who's sentenced to seven years, he got 2 1/2 years and he's let out, to rook somebody else I guess. And during that time the state is paying for his education at the university.

MR. GORDON W. BEARD (Churchill): What kind of a course was he taking?

MR. DESJARDINS: I don't know, but I know he was taking a short cut around home, coming back to the -- (Interjection) -- Beg pardon? -- (Interjection) -- He wasn't a friend of anybody, he was a lawyer. Now, another thing that should be mentioned, there's another abuse here, is the summons resulting from Traffic accidents. This has gone a little too far also. You have an accident, there's nobody there, maybe there's just the two cars that are collided and so on. You are asked to back on your honour, you go to the police station, you fill in a report, you get -- I don't know if it's the police chief of the municipality, is looking through it: "Let's summon this guy, let's summon this guy, this guy is all right" -- people that are not even there. I can't see how this can be done. I don't know what the answer is, but if you get a summons, if you get a summons like this, what are you going to do? And this is supposed to be justice. You can go there when you're called at 7:30, night usually, or 8:00 o'clock, you're charged \$10, \$12 fine. Now remember this. You plead guilty, you pay the \$10, \$12, it's over. You say, "not guilty", well right away you're warned, well if you don't plead "guilty" you know this is not finished, you've got to go to the law courts. All right, you plead "not guilty", you go to the law courts, they're busy that day, you're remanded for another week, it will be dragged for a month or so, you've got to get a lawyer to defend yourself, defend you, I should say, and then if you're not guilty, you've lost three days of work or so, the charge is dismissed, it's going to cost you \$25.00 or so for the lawyer instead of \$10.00; you've lost two or three days of work. So what do the people say: "oh, for God's sake, I'm guilty: -- it's a little more money to the municipality or so. But should we try to make money -- gosh, we tax the people enough -- should we try to make money on this question of administration of justice? It's just like these traps that they have in the States, these speed traps. I haven't got the answer, but I think that there shouldn't be as many charges made on any summons issued, and if so I think that -- if there's any benefit of the doubt I think it should be given to the accused. And remember that

(MR. DESJARDINS cont'd)...these people are already punished. I'm not talking about -- if somebody is driving while intoxicated and so on, I'm not talking about this, you know that I'm not talking about this, I'm talking about these accidents -- somebody parked and trying to pull out looking to see if there's a car coming and he'll hit the bumper of the car in front of him and things like that. Well, of course he's responsible, he's got to see that his car's repaired and the other car for one thing. It might cost him \$100 - \$150.00, and then he has this summons.

So, as I say, I don't know what the answer is. I hope that the Attorney-General -- I know that we've discussed this outside of the House. He has some sympathy for what I've said, I don't know if he's got the answer, I know it's a difficult thing, but we should try to do something about this. Those are two things that have been bothering me for awhile. I think that we should look at these questions of these summons for traffic accidents and I do hope, even if it is felt that I've exaggerated a bit, I do hope that the Law Society will see fit to do something about this, to tighten up and to let the people know, the public know what it's doing. And if this is not done, I for one, and I think there's other members in this House who start to take their responsibility a little more seriously, maybe we should have done it before and we're certainly going to try to bring some laws that will give protection to the public.

MR. CHAIRMAN: The Honourable Member for St. Matthews.

MR. ROBERT STEEN (St. Matthews): Mr. Chairman, as a member of the Law Society, I cannot let some of the comments of the Honourable Member for St. Boniface go without a few comments of my own in rebuttal. First of all, I never thought that I would ever find myself having to defend the Law Society. I am not a member of their board of governors or the executive of either it or the Manitoba Bar Association, and they have people who will be quite competent to offer their own defence. I look forward to the day when the Professional Associations Committee has a chance to discuss these matters with the Law Society because the Honourable Member for St. Boniface is a member of that committee and that should perform one of the best deals that you ever saw when those two lock horns, and I know that the other lawyers who are members of this House will be anticipating with a great deal of glee the confrontation of those two massive forces.

Mr. Chairman, I think one or two points should be made and first of all, I'd like to emphasize there are 700 lawyers practicing in the Province of Manitoba, and believe it or not there's still a shortage; and out of the 700 lawyers in the ten years that I've held a practicing certificate I think we've only had about seven bad apples. And remember that in that ten years, there has been 30 or 40 been added to the rolls every year. Remember too that the Law Society also has in its employ a full-time chartered accountant who pulls spot checks on the trust funds of any lawyer and any law firm regardless if its size usually on a matter of about a one hour's notice, and the Law Society maintains a reimbursement fund for people who have left money with lawyers in trust for the purchase of a home or to complete some other business transactions, and when this is a legitimate matter in which the lawyer was acting as a solicitor for someone, the Society naturally reimburses those people and has reimbursed many hundreds of thousands of dollars since the end of the last world war.

Now the Member for St. Boniface made reference to the lawyers in the real estate business. I know that there are some people who have taken law degrees and have the right to practice who work full-time in the real estate business, but I would say about 650 of those people who are -- of the 700 I mentioned in the Province of Manitoba -- do not dabble in real estate in any form whatsoever except to complete the sale or the purchase of property for their regular clients. It's too risky a business. If you're going to involve yourself in real estate you've got to know your onions and there's a lot of people who are in the real estate business now who can more than handle that and are in a position to make money on the real estate market. Lawyers are not good businessmen in the normal sense.

The Member from St. Boniface referred to the Gingera case and the fact that during his incarceration in Stoney Mountain Penitentiary Michael Gingera took courses at the University of Manitoba. Neither the government of this province or the government of Canada will pay for any part of the university education of any of the inmates of any of their institutions. They themselves or their friends must raise the money to pay for this. This is a scheme that has been started by the Commissioner of Penitentiaries throughout the country and has worked marvellously, allowing inmates in penitentiaries to increase their education. Many of them come in there with not even Grade 10 or 11 and go through and pick up a complete senior



(MR. STEEN cont'd)...matriculation; some go on to universities and some pick degrees at the universities.

He mentioned about the fact that many prisoners only serve a third of their sentence. Under the Canadian law, any prisoner is eligible to apply for parole after serving one-third of his sentence. Any prisoner on good behavior gets an automatic statutory redemption of his sentence by one-third too. So if a man has proved himself to be a good risk as far as the penitentiary is concerned and as far as the parole board is concerned, after the serving of one-third of his sentence he is eligible for parole and in most cases gets it granted to him by the Canadian Parole Board which sits in Ottawa and has nothing whatsoever to do with this particular Legislature. But these are just a few of the points that I would like to mention in view of the remarks from the Honourable Member for St. Boniface.

Oh, there's one other one he mentioned too, and that's fees. The Manitoba Bar Association has a tariff of fees. It's a 12 page booklet; it's the bible in every office; and I'll be only too happy to supply the Member from St. Boniface with a copy of it, and this is what is the suggested minimum fees for all lawyers. Now, I don't know a single law firm or lawyer in the City of Winnipeg who charges the full amount of those tariffs. Though they're supposed to do it, most of them do not. If it happens to be a matter of litigation or a court case, anybody who is dissatisfied with the account rendered by his lawyer can take the matter to the taxing officer of the court and have it taxed. In other words, the fee set by the officials of the court. This is a risky decision for anyone to make, especially for lawyers to allow a bill to go before a taxing officer, so therefore the obligation and duty is upon the lawyer to be accurate in their bill because they know they run the risk of having it taxed, and if it is one cent too high it will be taxed down. Several times in the past few years I've had to appear before the taxing officers with a bill, and much to my regret the taxing officer didn't see the same amount of work that I saw that had gone into the particular account, and needless to say the other lawyers who are members of this Chamber have probably had similar experiences on many occasions.

So the fees of the lawyer are always being challenged, but I challenge the Honourable Member from St. Boniface to show me any other profession in this province where there is a chance to complain and to have those fees lowered and set by a proper and knowledgeable authority. Thank you, Mr. Chairman.

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MR. DOERN: Mr. Chairman, one of the, I think, biggest failures of this government is their failure to go ahead with the Vaughan Street Detention Home. This apparently has been talked about for so long that it's become rather a worn topic and so I don't want to spend too much time on the details. Apparently it was a priority in 1962; it was talked about again last year; it was talked about this year; and I think given the kind of priority that it obviously has with the government, we're not going to see anything done until the '70s, should the government itself last that long. They talk a great deal of priorities and I think we can only conclude, if we look at their actions and if we look at their priorities, that this must have the lowest of anything that they themselves believe in. If you look at the estimates under detention homes, there's only a rise of a couple of hundred thousand dollars, most of which is taken up in salaries and a small amount in other expenditures.

In the past year we've seen the total budget rise \$23 million. The government budget, according to one -- if we look at a sheer increase of \$23 million on their own estimates, it's supposed to be 10 percent. They have found millions of dollars to increase other programs but they have not found apparently money for this facility. I'm waiting for an Order for Return from the Honourable Minister on the books and magazines that are found in the various penal institutions, because I know from first-hand observation that if you go down to Vaughan Street you find for the juvenile boys and girls practically nothing.

Another point to be brought out and reiterated again is the lack of a separate facility to place juveniles in who are not in fact being held for a specific offence, or are not even suspect for a specific offence. I was phoned about a month and a half ago by a Minister in my constituency who complained that a 13 year old boy who had run away from home was made a ward of Children's Aid and then of course was placed in Vaughan Street. There appears to be no separate facility to place children who have simply gone momentarily astray or who are being held perhaps due to some family difficulty. A case referred to in a newspaper clipping of several months ago, October, 1967 in the Free Press, referred to an 11 year old boy, a shelter case from Children's Aid who was placed in Vaughan Street and attacked by a homosexual. This is the kind of thing that is going on, and obviously the government needs these two facilities.

Now they talked about going out to Fort Osborne, and I just wonder how much forethought was given to this because it's simply not a matter of moving into another building and putting bars on the windows, which appears to be their general plan. I think that a proper facility must be carefully designed and constructed. There's been a great deal of public pressure. The Roman Catholic, the Anglican, the United Church, to mention three who have been foremost, have put the pressure on the government to do something; and the government has not responded. When they decided to go into the Fort Osborne area and the citizens of River Heights were quite upset about this, some of them, regarding their homes and their property value, and some pressure was put on -- this is what I consider negative pressure -- the government responded; but when it comes to pressure to build the proper facility and to take care of this problem, they continue to stay put and not to act.

Mr. Chairman, there is an excellent series of articles that appeared recently in the Tribune under the byline of Val Werier about jails and fines, and he came out with some very interesting statistics, particularly related to the Province of Manitoba. He says in this article, based on some pretty intensive research, that in 1966 in Manitoba 36 percent of the people sent to jails were put behind bars because they didn't have the money to pay their fines. Out of 6,887 people in our six provincial jails, 2,475 were jailed because they could not come up with their fine. This, I think, is a terrible and a very shocking situation indeed. I wonder whether the Attorney-General has considered some kind of way out of this, whether there is a method that could be found to allow people more time to pay for fines, because a great number of these fines, as we all know, are fines for drunkennes or alcoholism, and people are thrown into jail dozens of times. I think that if it's simply a matter of a \$50.00 fine or 30 days in jail, which is apparently a common sentence, that some way out of this should be found, some time element, even if it's a 30-day period in which to pay the fine, because if somebody doesn't have 50 bucks -- (Interjection) -- It's already there. Then why do they go to jail? -- (Interjection) -- Well, I'll think of one. -- (Interjection) -- Right, but then there's also the problem of a person who is an alcoholic, and the question again is what do you do for the alcoholic other than jail them repeatedly. That's not a solution either, to continue to fine the alcoholic, to continue to imprison the alcoholic. That's a vicious circle.

(MR. DOERN cont'd.)

If you look at some of our northern jails, there's a problem referred to by my Leader - and this I think is one of the most staggering statistics of all - that a great percentage of the people in our jails are of Indian and Metis descent. If you look at The Pas jail for women, in 1966 there were 158 Indian, 99 Metis and 2 white women. So you get a total of some 259 women in The Pas jail and two are white and the remainder are Indian and Metis. Well that seems to be a rather shocking situation.

And a final statistic: Canada has the highest rate of imprisoning people I think in the world, or among the Western countries - 240 for every 100,000 compared to 200 in the United States, 59 in Britain and 44 in Norway. The conclusion is obvious, that people are being imprisoned because of these offences where you must have so much money, often a small amount relatively speaking, and yet these people cannot afford it.

As I said, my Leader referred to this Indian-Metis problem which I think is very tragic. I think this is an all too common chain of coming in from the reservations or away from the city, into the city, breaking the law which may not be understood, and into jail. This is a pattern that must be broken.

The Honourable Member for St. Boniface apparently was concerned, at least in one part of his argument, about the fact that a prisoner was taking university courses. I don't know if I understood him correctly or not, but one of the problems I think in our penal institutions is the lack of education and the problem of trying to upgrade people who are in prison. I think I was told that at Headingly Jail or at Stony Mountain the average grade was around Grade 5. Well, that's pretty pathetic. I mean when you come out of jail, what do you do then for an occupation?

Another problem I wanted to discuss briefly is the question of narcotics. I intend to deal with this more fully under perhaps the Department of Health or the Department of Education, but just a few words now. I wonder whether there is any facility that the Attorney-General can refer to where there are treatment facilities for people who are tried and found guilty on narcotics charges. I wonder if there's any facility where a person can go for help. I think that there's a need for a co-ordinated program which would encompass not only the Attorney-General but the Departments of Health and Education to tackle this problem. And I think that the Attorney-General should consider, among other things, whether or not there should be restrictions placed on such things as aeroplane glue and nail polish. There's an increasing number of very young children who are getting involved in this particular area in our elementary and in our junior high schools who are sniffing glue and trying all sorts of crazy things, and this is a very serious matter indeed. Perhaps this so-called study on youth that we were promised last year when we talked about the voting age and other problems, the Department of Manpower and Youth could make a study in this particular area.

The final area that I wanted to examine, Mr. Chairman, is the liquor laws. Last year we passed a very large bill and I think we made a giant stride forward into bringing Manitoba into the 1960s from the 1920s. I want to ask a number of minor questions and then what I would at least consider a major one.

I want to know whether the Attorney-General can tell me whether these little forms that we have to sign in the purchase of liquor are necessary. Are they really? Not all the provinces have them. I think this is a carryover from former days. I really don't see the necessity of bothering to fill out this form with name and address, etc. If it's a matter of speeding the delivery of liquor from the back room to the counter, that's one thing. I don't see why a name and address is necessary. If you want to stop somebody, well then you can call for their identification. Nobody checks your signature anyway. I understand -- I think in Alberta they had this particular law and the head of the Liquor Control Board was a man named Peter Elliott. One day Elliott went into the liquor retail stores to check these purchases and he found out that hundreds of them signed their name as Peter Elliott. "Well," he said, "I put a stop to that silly law pronto." And he said, "not only was it futile but it was making me out to be the drinkingest man in Alberta." Well, Alberta seems to be a pretty conservative province and they've done away with this. I wonder whether Manitoba could.

We're apparently getting new forms this year and maybe it'll be an improvement over the green colour. I must point out a very microscopic point, but every time I see those forms or those pencils, I often wonder whether we couldn't do something about the quality of both. We're now getting that form should it be necessary. I hate to bring up such a minor point as a

(MR. DOERN cont'd.) . . . . pencil, but I've never seen such rotten pencils in all my life -- (Interjection) -- You can't see the point, that's right.

Going on to what might be considered a more major thing concerning liquor laws, this year we ran into a situation that I don't think was anticipated, and that is that New Years fell on a Sunday. I wonder whether the Minister could explain whether the Lords Day Act did in fact completely prohibit us from serving alcoholic beverages in various places like cabarets and so on on New Year's Eve. It seems to me that a provision could have been put in the Liquor Act, maybe should be put in the Liquor Act, to take care of this rather widely observed custom of celebrating New Year's Eve. It seemed to me rather silly that the Chairman, Mr. N. E. Rodger, would have to consider doing things like issuing special permits that would go from 12:01 in the morning to 2 or 3 o'clock. There were of course ways around this. Organizations which held dances and so on simply reserved rooms in hotels and drank there, and then when it was 12 o'clock ran out and broke open their own bar officially.

A point that I raised last year which I raise again - perhaps this is premature since maybe these new laws have not yet taken effect and some people may feel we're moving too fast - but I wonder whether this law about midnight Saturday shouldn't be put to rest. We now have drinking on Sunday. We have drinking in licensed restaurants until 1:00 a. m. on Sunday morning, and I guess in the afternoon. Starting at 12 noon or on Sunday until 1:00 a. m. Monday a person can in Manitoba have a beverage with a meal, but at 12 midnight the drinking stops; lemonade from then on, oatmeal cookies and all. I just wonder how realistic that is. Isn't Saturday night the biggest night of the week; isn't that the night when most people go out? -- (Interjection) -- Well, it is Friday, based on our restrictions. But I wonder whether in fact we're not really -- if our laws don't make sense in this regard. We have drinking at cabarets until 2 a. m. every night of the week except Saturday night, going on into an hour or two on Sunday and then of course the cabarets are also closed during the day on Sunday. But it just seems to me silly that on the night that is regarded as the number one evening of the week, the night when most people go out, that they are told at midnight they should go home. I think it's time these laws were made consistent, and we're only talking about an hour or two, we have it all through the week. How many people are drinking until 2 a. m. Wednesday morning and getting up and going to work the next morning? Not too many. It's on a Friday or the Saturday that people do go out and do drink.

Just a few other questions that I'd like the Attorney-General to comment on. These are areas that I don't have any particular preference in but I wonder whether he could explain why we don't have these things in Manitoba. As I say, I'm not proposing these, I'm just asking questions. What about selling beer in grocery stores? Is this such a radical thing? It's been done in the States for what? -- 20, 30 years. -- (Interjection) -- He recommended it?

A MEMBER: Yes.

MR. DOERN: Well, then perhaps he could re-establish his position. So I just wonder whether this shouldn't be looked into. It's hardly evil to buy beer in grocery stores.

Another thing is, I wonder whether there's any point in having stand-up bars. This is done round the world, people drink standing up or are able to walk around with a drink in an English pub or European places and I think in many American cities as well, also I believe in Montreal or some places in eastern Canada.

And I'd also like to know whether the Minister could just give us a general comment on what sort of feed-back he's had on the new liquor laws, whether people are satisfied with them or not. I'd like to refer briefly to the "Manitoba Hotelmen" quoted in an article in the Tribune September 28th last year, after a convention they urged an extension of drinking hours past midnight Saturday night and flexibility of hours during the rest of the week. They also, it says here, called for flexibility of hours so hotel-keepers and beverage room operators may close during the week if business didn't warrant staying open. Is it fair to require a person say in a small town who has a licensed premises that he must, say operate a licensed dining room until 1 a. m. every morning. What if he finds, for example, that his business goes to midnight during the week and then 1 a. m. Friday and Saturday? I think this should be looked into.

So those are my preliminary comments, Mr. Chairman, I hope that the Attorney-General will answer some of them.

MR. CHAIRMAN: The Member for Rhineland.

MR. FROESE: Mr. Chairman, I have a number of items that I would like to bring forward on this occasion under the Attorney-General's department. First of all, I would ask him why the pages are not numbered in this booklet that we received from the department. It makes it very unhandy and cumbersome to refer to it. I do hope that next year when we get it it will be numbered.

First of all, in connection with the Throne Speech, it mentioned that legislation would be brought in in connection with police service for those centres having a population of 500 to 1,500. Then too, I find here when the Minister made the introductory remarks the other day, last night, that he said and I quote; "Mr. Chairman, on the 1st of April 1966, the Government of Manitoba entered into a new ten-year policing contract with the government of Canada." Was this in 1966 that it was made? If that is so, why did we not get more information on this a year ago? There were two communities in my particular constituency that were, and still are, interested in getting police protection and these fall into the category named, but they find that this is not really what they were asking for, and I'm just wondering whether any alterations will be made so they can be accommodated according to their needs and wants.

I haven't seen the proposal as yet as to what is all involved. I think correspondence has taken place with these communities but when talking to the representatives of these towns or villages, they inferred that this was not to their liking and that the cost was such, and then the services that would be rendered would not suffice, that they still would have to have someone in charge who would look after local traffic and so on, so that it's not actually fulfilling the needs that these people want.

I notice from the report in connection with the suspension of drivers' licenses, that the number has increased from 125 in 1966 to 239 in 1967. This is a substantial increase, but I still feel that we're not strict enough in the matter of the drunken driving especially, that we should not be imposing fines but rather giving more suspended sentences. I think this is a much stronger and better remedy to use and it would be much more effective. The small fines that are imposed, they're paid and they go off and do the same thing over again, whereas if it was a matter of license suspension this would not happen as readily. This creates a difficulty

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MR. LYON: There is automatic suspension for drivers impaired -- automatic.

MR. FROESE: It creates a difficulty for those people that are probably salaried people working to get transportation to and from their jobs. Here if a system could be worked out that if they could use their vehicle during the time of work but that when as soon as they're off duty that this would be in effect. I don't know whether this could be arranged, but certainly I think this would be as strong a deterrent as it would be otherwise but at the same time at least these people would have a way and means of getting to and from their work.

On previous occasions I've asked for permits for younger people from 14 to 16 during the harvest period. I would appeal to the government to issue this type of permit. Many a farmer finds it difficult to get the help during those particular weeks and months and many a farmer has a young lad on his farm that could and can do the job very satisfactorily, and if a permit could be issued that would only cover a certain radius within their home place that maybe this could be worked out. I certainly would feel that this would be very welcome to the farmers of this province. I don't think that this would cause any great deal of accidents because our young farm boys generally are quite alert and they know how to handle themselves. So I think this would be quite in order and I certainly would ask the government to arrange for this type of a permit for our younger boys during the harvest season.

I do not intend to discuss the matter of the Vaughan Street Jail. This has already been done by other Speakers. My only question is, just what would a new facility cost? I think we should get down to those facts so that we would on this side have a knowledge as to what is involved. Is it really a matter of a large sum of money or is it not, and if it's not a big item then I think that we should proceed. Surely the government must have some knowledge as to what is involved, what would be needed and what the cost would be. Could we have some information along this line passed on to the committee? I think it would be appreciated.

Under the estimates, there is provision for revision of statutes. This has been discussed in previous years, and I think this is proceeding at the present time. I wonder if we could have some information as to when this will be completed. And while we are on this subject, I would like to appeal to the Minister whether we could not have the same thing done to

(MR. FROESE cont'd.) . . . . . regulations, that we could have a consolidation of the regulations that have been passed over these years. I don't know how far back we'd have to go on the regulations and certainly not all members have copies of those regulations that were made in earlier years. We only started receiving copies of bound regulations a few years ago and we have no way of referring back to them from earlier years. Therefore I feel that since they form a part of the laws of this province, that we as members should have access to them and that we should be provided with copies of regulations of past years.

The Honourable Member for St. Boniface touched on a few points that I had earlier thought I would touch on. One has to do with robberies and break-ins. During this last while, this last year, we haven't had as many as we've had in some other years. I know for a while two years ago we had a whole rash of the, especially in southern Manitoba, and to this day I still don't know, have the people that did these robberies, have they ever been caught, have they ever been taken to court? What is the situation? We hear about in the press that certain robberies have taken place; we don't hear about it whether any of them have been found or have been apprehended and taken to court, and I feel that as members we should have a better knowledge of whether these cases have been brought to a successful conclusion or not. The motto that "the Mounty gets his man" I think is getting further and further away, and we in southern Manitoba and most likely like other areas in Manitoba are just wondering when are these people going to strike again? They have robbed many a business in southern Manitoba, likewise the credit unions have been broken in and we feel that if these people have not been caught that they might be back some day for a bigger haul. So I would like the Minister to enlarge on this, what is happening in this area.

The Member for St. Boniface also touched on the matter of some of the legal people, lawyers absconding with funds, and we heard the Honourable Member from St. Matthews defending the law profession in this regard. I know that the legal people have a fund whereby they reimburse, but to what extent and for what purpose? I think the honourable member only raised one or two points where they did reimburse. I too well remember the Gingera case as well. He was involved in one of our credit unions too. And he's not the only one that has been involved in credit unions of this type, we have others. On many occasions people from the country will ask me for references as far as the city lawyers and . . . . .

MR. GREEN: What do you tell them?

MR. FROESE: . . . . . some of them I just wouldn't refer them to because I feel that some are not doing a good job. But we have some very worthy ones too, so, I'm glad of that. (Interjections) Maybe I have my favorites, but most people do have. I'm sure many of the lawyers in the city have dealt in second mortgages and have taken many a person for a ride, many people have been caught with balloon payments and so on, so that not all of them have a clean sheet. So I think there's also room for improvement within the law profession too.

There is one other point that I would like to raise and this has been a matter of question by other organizations. I know the City of Winnipeg questions the matter of contributions to the John Howard and Elizabeth Fry Society. The city took exception and I stand to be corrected, but if I remember correctly, they were not going to pay the grant to this organization. What is the situation with the province? If these people feel that they are not getting value for their money are we still going to contribute? I think we should take a good look at some of these organizations that we are paying large grants to, whether they are performing a proper job and whether they are doing the job. I think the matter here was whether too much of the money was spent for -- I don't know, was it salaries, or was it some other thing -- administration expense -- and too little was being actually used for the effort in helping people. So that, Mr. Chairman, I would feel that we take a good look at these items as well.

On the matter of delinquencies, from the report that we have here on corrections in Manitoba, I see that we still have an increase in delinquencies. For instance, theft being the No. 1 item on the list, we had 1,198 cases in 1966 and in 1966 - 67 this had grown to 1,227. The next, No. 2 item is breach of Liquor Act increased from 611 to 686. Break and enter, from 476 to 551. The No. 4 item is sexual immorality and other vices, increased from 66 to 252. And then auto theft, the No. 5 item from 166 to 246. So we see increases all along the line.

I know that just having laws will not necessarily do the thing to improve people and it seems that society as such, when you take a look at the report as a whole, is getting worse and I'm just wondering whether we are doing the right thing in many cases. I still feel that we should be using other deterrents than what we are presently using. I think by building the

(MR. FROESE cont'd.)... nicest jails, keeping the people warm and fed in winter, by causing small infractions, this certainly will not help. I think we have to use other measures.

MR. PAULLEY: Siberia?

MR. FROESE: No, not Siberia, but I think using the paddle wouldn't hurt once in a while. I'm sure for a lot of the younger ones it would help. --(Interjection)-- It hurts the individual but not society. I don't think I'm wrong in my opinion here, because the newer methods that have been tried certainly don't work, otherwise we wouldn't see these increases come about every year. I would like to hear from the Minister whether they have any new ideas as to --(Interjection)-- Oh, not necessarily, that's not torturing. Do you mean when you punish a child that you torture him? This is certainly not my opinion of bringing up a family and this I think applies to the younger juvenile delinquents as well. We should use the same type of measures for these juveniles as we do in our home for the upbringing of our youngsters and I think using the paddle once in a while would do a lot of good. Did the member from Selkirk have a question or ....

MR. EARL DAWSON (Hamiota): Mr. Chairman, I have two areas I would like to touch on briefly and one of them is the - we have heard so much about the Vaughan Street Detention Home this evening. I certainly agree that the facilities should be improved on but I wondered if it was necessary for the facilities to be enlarged. I think that in this particular case the rural people can teach the urban people a lesson insomuch as that it's not only the City of Winnipeg that has young people in trouble with crime, we have that in the rural areas as well. But in the rural areas the young person is not detained in jail as is done in the city and in many cases, I would say probably 99 out of every 100, it is not necessary to detain the young person overnight in a detention home and subject him to lessons in crime and molesting and everything else such as the Member from Elmwood mentioned. What we do in the rural areas, and I'm sure that members from the rural areas will agree with me, is that the boy is picked up by the police and then interviewed and taken back to his parents, and they say that they will be responsible for him for the period that is necessary for him to appear in jail. And should there be a problem with the parents, we have a number of foster homes in my constituency where the people will look after the boy overnight. I think that this is a much better setup than what we're using in the City of Winnipeg.

When the delegation from the Catholic Church and the Anglican Church and a member of the Salvation Army I believe presented a brief at our caucus, this was mentioned to them and they agreed that this was probably the best way of handling our young people - was not to place them in a detention home for a period of one day, two days or three days but was to place them either with his parents and have the parents responsible for him overnight or for the time that he must appear before the magistrate, or if there was a problem with the parents, to place him in a foster home. Now, I'm sure that this would certainly lessen the problem of the Vaughan Street Detention Home and when we're talking in the estimates of spending 300 or in excess of \$345 million it's all right to stand up here and say this should be done and that should be done and this should be done but I think we have to come up with some constructive criticism in ways of how we can cut down our spending and curtail the taxes for the people of Manitoba.

The other area I want to touch on is the Unsatisfied Judgment Fund. I was prepared to discuss this when the Minister of Public Utilities estimates were before us but I was informed that this came under the Attorney-General. It would seem to me that it probably comes under two different areas, probably under licensing and then the Unsatisfied Judgment itself would be under the jurisdiction of the Attorney-General. But I firmly believe that the Unsatisfied Judgment has to be totally reassessed because it seems to me that the responsible citizens of Manitoba are paying the shot for the irresponsible drivers that we have in Manitoba.

There are a couple of questions that I would like the Minister to answer to me. One of them is that if I have a brand new \$3,500 car, can I walk down to the licensing bureau and say to them when they ask me if I have any insurance, I say "no", I haven't," and they say well that's \$25.00 extra. Now I know that if my car hasn't a lien on it that there's no problem with the insurance company, they're prepared to issue me a license and all I have to do is pay the \$25.00 into the Unsatisfied Judgment Fund. Now, I think this is the way it works and as far as I'm concerned, if every citizen in Manitoba did this, the Unsatisfied Judgment Fund would be in trouble -- I should have said, every responsible citizen in Manitoba did this, the Judgment Fund would be in trouble.

And then there's another angle that I figure the Minister has not covered, is the fact that

(MR. DAWSON cont'd.), . . . I was talking to an insurance agent this morning, and he told me that he has instances where people come in to receive a license -- incidentally the licensing office is in the insurance office and they say to him: "I haven't any insurance, I'm going to take out a policy right now." He issues the policy and in this particular case he gives credit. He takes a down payment of \$5.00, they walk out, they've paid \$5.00 on a policy, they have their license in their possession - which is good for one year - and when he bills them at the end of the month for the balance of that money they let the policy lapse, yet the licensing bureau is not aware that the policy has lapsed and this particular party are driving around for, you might say for nothing, and as far as I'm concerned once again they're abusing the privileges of the person who is a responsible citizen.--(Interjection)-- It could have happened in Neepawa, it could have happened in Rivers but in this particular case it's happening all over the Province of Manitoba, where people are always looking for a way to beat the law and in this particular case I think they've found an excellent way of beating the law, because we have no way of follow up. As this particular agent mentioned to me this morning, he said that he has at least 9 cases in his own files, and we have a number of agents in the town that this person comes from, and he says they've done this to me time and time again. They walk in, they buy their license and I say, "what about insurance?" and they say well I'll take out a policy. The policy may run about 80, \$90.00, they put \$5.00 down and say bill me at the end of the month and they don't continue their payments and as far as the licensing bureau is concerned these people are covered for the balance of that year.

Now in the case that they get into trouble, the people that have been damaged have no access to the Unsatisfied Judgment Fund; the only thing they can do is sue that person in the event that he has no money, and he must be that type of person that is irresponsible or he would never have handled it like that in the first place.

Now it seems to me that the workings of the Unsatisfied Judgment Fund should be completely re-analyzed. There's another thing that is objective to every citizen in Manitoba. The responsible citizen walks in and has to subsidize the person that is living off the Unsatisfied Judgment Fund insomuch that I think there's a 50 cent contribution with every license that is issued in the Province of Manitoba. The responsible citizen has to contribute 50 cents into the Unsatisfied Judgment Fund. Now, I'm not sure what your figures are now in the Unsatisfied Judgment Fund, but I understand that they were in excess of \$5 million at one time and I further understand now that this Fund is practically depleted.

One of the other questions I would like to ask the Minister is this: What has happened to that Fund in the meantime? Has it been allocated for some other purpose, or has the government found an occasion to borrow on it, or has it been depleted because of claims? And, if it has been depleted by claims, the situation should certainly be re-analyzed because as I said, it not only seems to me but practically every responsible citizen in Manitoba is upset with the workings of the Unsatisfied Judgment Fund. I hope the Minister will find time to take his pencil in hand and have the replies to those two particular questions for me. Thank you.

MR. HILLHOUSE: Mr. Chairman, I'm glad the honourable member who just spoke did not accuse some lawyer of stealing that Fund.

The only reason why I rise, Mr. Chairman, is due to the fact that I was absent tonight when my colleague from St. Boniface gave us his usual treat. I don't know whether he knew I was going to be absent but unfortunately I wasn't here but if what I hear he said is correct, well I think that his theme song should be "Oh Where is My Wandering Boy Tonight?"

MR. DESJARDINS: I'll repeat it for you Tom.

MR. ELMAN GUTTORMSON (St. George): Mr. Chairman, the Leader of the Opposition discussed the situation of the Vaughan Street Jail and there's a couple of questions I'd like to direct to him in the hope that he would reply when he speaks on the matter again.

I believe that earlier in the year, or recently, that the Minister has indicated that they will proceed with a plan of renovation for the Vaughan Street Jail. Could he tell us when the renovations will get under way and what the estimated cost is of the renovation. And will it be completed in 1968?

And I believe earlier this year, December, the Minister met with members of the clergy and indicated at that time if I'm not mistaken that he would implement a program of - at the old Grace Hospital - of a detoxification unit. Is this plan going into effect this year and if so when?

MR. CHERNIACK: Mr. Chairman, there's just two items I want to get information on,



(MR. CHERNIACK cont'd.) . . . . I've had occasion already to comment at some extent on the two aspects of the report of the committee on statutory regulations which I believe involve this Minister, that is legal aid and compensation to victims of crime, and I don't intend to repeat what I had to say about it. One of the reasons I don't intend to do it because I couldn't get a rise out of the Minister last time and I don't suppose I can get any out of him now. I think he's just not prepared to discuss the accusations that have been made for the delays that he and his friends are guilty of. So that I'll just confine myself to asking him specifically on the estimates, just where one finds the provision for legal aid and how much it amounted to last year and how much is set aside for this coming year, or this current year?

And secondly, I would ask him, where in the estimates is provision for compensation to victims of crime to the limited extent which he is prepared to recommend and for which he proposes to bring legislation?

MR. LYON: Mr. Chairman, I didn't want to utilize time in case there are other questions that other people might wish to ask. Some of the items that have been dealt with in the remarks that were made last evening and tonight are items that should properly be dealt with on the Ministers salary because there's no other item in the estimates for matters such as the Liquor Control Act, matters such as Indian and Metis. I will attempt where possible to confine my remarks or my responses to those items at this stage and then for particular items such as detention homes or law enforcement items, try to deal with those under the particular headings in the estimates in order that we can perhaps deal more expeditiously with the debate in that way.

My Honourable friend from Selkirk made some very useful comments as usual, about the reorganization of the Magistrate's Court and he will be happy to know that many of the recommendations that the Canadian Bar Association have made over the years either were in effect in Manitoba or, particularly those with respect to pay are being put into effect in Manitoba. I can report to him that the salary scale that we are presently offering for a police magistrate on a full-time basis in Manitoba compares extremely favourably with all other provinces in Canada. I was going to say that we were in the top of all of the other provinces until I saw a news clipping the other day that the Province of Ontario was raising their Magistrate, ultimately I think to \$21,500 by a bill that is now before the Legislature of that province. But notwithstanding that fact, the magistrates in Manitoba are classified now as professional officers on an increment basis, with the result that magistrates are higher than, I'm subject to correction, a few hundred dollars one way or the other, they're higher than the range usually of \$13,500 to \$14,000, and the bulk of the full-time magistrates that we have on staff are earning between \$16 and 17,000 a year in a graduated salary range. The Chief Magistrate is in a slightly higher range than that still, and I think his range goes up somewhere between \$18 and 19,000.00. So, I think that this is real progress in terms of providing the kind of stipend that is necessary in order to attract the kind of men that all members of the House would want to see on this very important bench. And I did want to mention this in passing to my honourable friend because I know of his long interest in the magistracy and I know as well by reputation of the distinction with which he held that particular office for the two years that he mentioned last evening when he was the Magistrate at Selkirk. Unfortunately, my experience with him was when he was a defence council, and he was equally distinguished in that position, and I think I lost as many cases with him on the other side as perhaps I ever won against him. But it's helpful to have his comments and I appreciate what he has had to say.

The Member from Burrows talked about no progress in legal aid. There is an item in the estimates - I believe it's under administration of justice generally - where legal aid expenditures are placed, because these are of course an item that you can't put any particular ceiling on. The arrangement that we have had up to the present time with the Law Society of Manitoba, is a tariff of fees which the Crown will pay for cases which are approved as to needs and are approved as to being indictable offences and appeals and so on. This tariff is laid down and the money is paid out. There's no particular ceiling that you can put on it, anymore, than you can put a ceiling on the amount that will be spent for instance, for the criminal assize that will take place next September. We have no way of knowing what that will be, so what we do is make a guesstimate of the amount that will be required and hope that we are within that. If we aren't, then we must ask the Provincial Treasurer to provide us further money as that occasion arises.

But I can tell -- going away on to my honourable friend from St. John's, I can tell him

(MR. LYON cont'd.) . . . . that we have guessed at this year for -- legally, for indictable offences, a figure of approximately \$40,000.00. During the past year we've spent on legal aid a figure of approximately \$16,000 and we're estimating roughly \$40,000 for indictable offences for the forthcoming year, but that is not a hard or firm figure. He is aware of the fact, I believe, that Ontario under their very broad plan estimated I believe one year something like a million dollars and they ended up paying 2 1/2 or more millions of dollars for that plan. But that is where it is found and I'll point it out to him specifically when we come to it.

Compensation to victims of crime of course also would be an item that no amount could be put on because you don't know how many cases will arise, and it would be payable out of that general estimate. If there is not sufficient money in the estimate, we would have again to ask the Provincial Treasurer to meet the statutory responsibility, presuming that one arises by approval of this House for this basic requirement of government.

The Leader of the Opposition mentioned Vaughan Street, and, as I mentioned, I'll be happy to deal with that when we come to the particular item under the estimates. I think that would be the most expeditious way. In the meantime, I would refer him to a document that perhaps he never looks at at all, but one of the information sheets, I think from the Information Services of March 1st which I am sure he received in his mail, carried an explanation of the plans of the government in that respect.

The Leader of the New Democratic Party spoke to us about the problem of Indian and Metis and what was this department doing in particular about that problem. I join with him in saying that this is, not only from a law enforcement standpoint but from a total cultural standpoint, this is certainly one of the great problems facing the people of Manitoba and indeed the Indian and Metis people themselves in our province today. Law enforcement, as we see it manifested there, that is one manifestation of the total cultural problem that is worked on primarily by the Department of Welfare and the community development officers under my colleague the Minister of Welfare, and in our department, where possible, we try to give the kinds of probation counselling and so on to Indian and Metis who appear before the court that is particularly adaptable to the problems that they run into in court.

Now, they're not all liquor problems. I can say to my honourable friend, and to others who are concerned about persons ultimately ending up in jail on drunk charges - because some comment was made tonight that more time should be given to pay - on Criminal Code offences it is a statutory requirement that time be given to pay. Under The Summary Convictions Act of Manitoba it is a statutory requirement that time be given to pay for offences, so people are not going to jail because time is not being given; people are going to jail ultimately in these cases because, after time having been given, they are then either unable or unwilling to pay the fine. And I can tell my honourable friend as well that if the courts were as harsh as perhaps some honourable members think they are, then the jails would have considerably more people in them than are in them at the present time. The hard fact is that the courts are extremely lenient in these matters.

I remember looking at a docket in particular from northern Manitoba on one occasion and asking why this particular person -- asking the magistrate why this particular person had gone to jail, for a period of two months I think it was, and why time had not been given. The magistrate looked at me with a smile and almost patted me on the head and said: "That person has been given time to pay on 13 different cases that he has appeared before me. He has never paid on one of them and I thought on the 13th I really had to take the action that the statute requires me to take and to impose an alternative and to issue a warrant if the fine wasn't paid.

Now I don't say one swallow doesn't make a spring and one case doesn't prove the contrary of what my honourable friend is saying, but I do suggest to him that the courts, the justices of the peace and the magistrates are extremely lenient in this regard and are bending over backwards to try to accommodate persons who find themselves in this predicament, but time does not permit any further extension of these remarks tonight. I move the committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, the Committee of Supply has considered a certain resolution, directed me to report the same and asks leave to sit again.

IN SESSION

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

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable the Provincial Treasurer, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Wednesday afternoon.