



NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

2nd Session

Day 5(

12th Assembly

HANSARD

**: F =85M(SEPTEMBER 2) ,
1992**

Pagination reflects print edition

The Honourable Michael Ballantyne, Speaker

FRIDAY, SEPTEMBER 25, 1992

Page 1089

MEMBERS PRESENT

Hon. Titus Allooloo, Mr. Antoine, Mr. Arngha'naaq, Hon. James Arvaluk, Hon. Michael Ballantyne, Mr. Bernhardt, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Mr. Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Michael Ballantyne):

Good morning. Item 2, Ministers' statements. Item 3, Members' statements. Mr. Bernhardt.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Aboriginal Corporations In The N.W.T.

MR. BERNHARDT:

Thank you, Mr. Speaker. I rise today to speak about the importance of aboriginal development corporations in the Northwest Territories.

These corporations provide an important economic instrument for aboriginal people to have some degree of economic control over their future, and to provide employment and training opportunities for aboriginal people. This helps build important infrastructure in our communities, and keeps the wealth within the Northwest Territories.

Mr. Speaker, I know that to some extent, this government has offered encouragement to aboriginal development corporations. However, I believe we should be providing a definite focus on these types of organizations. Consideration should be given to assisting in the development of these corporations, and providing opportunities for their future growth.

However, Mr. Speaker, I am concerned about the composition of the corporations. I am not aware, at this time, of any legislation or policy that states the specifics of what would constitute an aboriginal development corporation. Does it mean all

shareholders are aboriginal people, or 51 percent aboriginal shareholders? Does the government have any requirements for an organization to call itself an aboriginal development corporation?

I will be pursuing these questions with the appropriate Minister during question period today. Mr. Speaker, as I have stated before, I believe that these organizations are important economic instruments for aboriginal people, and should be fully encouraged by this government.

Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Thank you, Mr. Bernhardt. I would like to recognize, in the gallery today, grade six students from St. Patrick's Elementary School; their teacher, Kris Ballard; and their classroom assistant, Belinda Green.

---Applause

Also, today in the gallery, there are nine students from Rimouski, Quebec, who are in a Voyageur 1992 Exchange Program with students from St. Patrick's High School. Welcome.

---Applause

Item 3, Members' statements. Mr. Gargan

Member's Statement On Department Of Justice's Handling Of The Family Law Review

MR. GARGAN:

Thank you, Mr. Speaker. I rise today, to say that I am disappointed, and appalled, with the way that the Department of Justice has mishandled a project known as Family Law Review.

This initiative was established way back in 1988, four years ago, and was supposed to result in a major reform of the territorial legislation in the field of family law. We were promised that this would result in family law, which reflects aboriginal traditions and values. We have been repeatedly promised that it would bring seriously outdated legislation up to current standards. This promise has not been kept.

Over and over, three successive Ministers of Justice have told us that we will soon be seeing the report, but still the project is not completed. Never in the

history of the government, of the Northwest Territories, has a department initiative been so badly bungled.

The contract and procedures, and overall costs of the project, have been treated secretively, ever since it began. Apparently high priced consultants have left the Northwest Territories without meeting contract conditions. The so-called working group of community representatives, seems to have changed membership every six to nine months.

In short, the official management of this critical initiative is nothing short of a major embarrassment for the territorial Department of Justice, and the Government of the Northwest Territories.

Sadly, aboriginal families have waited for years, and years, to see traditional principles surrounding custom adoption established, and legislation has been treated as a back burner priority.

Further, women and men of all cultural backgrounds have been forced to resort to costly and protracted court actions, because of the absence of the enforceable marital property laws.

Perhaps, most shameful of all is this state of current Child Welfare Act legislation, which I believe could be the most ineffective in Canada.

Mr. Speaker, the government should just forget about the failed initiative now, and find an alternative strategy for fast tracking the development of

Page 1090

legislation, before even one more dollar is spent on the consultants, officials, and committees that have delayed the process so long.

I trust that our new Minister...

MR. SPEAKER:

Sorry, Mr. Gargan, the allotted time has expired. Mr. Gargan.

MR. GARGAN:

Mr. Speaker, can I ask for consent to continue my statement?

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays, please proceed, Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Speaker and honourable Members. I trust that our new Minister of Justice will realize the failure of the current review, and will now develop a new and effective strategy to take its place. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Lewis.

Member's Statement On The Symbolism Of The Mace

MR. LEWIS:

Thank you, Mr. Speaker. Many people are very confused because, in our Assembly, we have a Mace, which is supposed to represent something. People are not sure exactly what it does mean.

Mr. Speaker, a long time ago, as we all know, if you had power, you had to have a way to keep that power. Usually it was by the force of arms. In other words, the strongest people with the biggest army were the people that held power. The club of the Mace was a symbol of power.

In this House, however, Mr. Speaker, we do not inflict our will on other people by force of arms. We do it in a peaceful manner. That Mace, which sits in front of us, does not represent power which is imposed on other people, it sits quietly on the table, and we settle our differences like peaceful people, through debate. Those people who worry about having this symbol, should regard it not really as a symbol of great power that people have over other people, but as the right of ordinary citizens to represent themselves, if you like, in a peaceful manner in this House. It has become not a symbol of great authority and great strength, but really as a symbol of peace. What you have, is that we have laid down our arms, we have put them on the table, and we discuss our differences in a peaceful, dignified fashion.

Mr. Speaker, when I look at that Mace, I recall that I knew all the people that made it. A small group of people in Cape Dorset in 1956, sat down and took a piece of narwhal tusk, and got copper from the

Coppermine River, and got beads from the MacKenzie River area, the MacKenzie Valley, and got pieces of wood from the ships that, at one time, explored the Northwest Passage, and they created a thing of beauty. That group of people worked cooperatively, and did it in a very, very short time, on the request of the then Governor General of Canada, Vincent Massey. Since that time, we have had something which is our own, a symbol of the authority of the people, and a symbol of peace. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Lewis. Members' statements, Mr. Todd.

Member's Statement On Correctional Services

MR. TODD:

Thank you, Mr. Speaker. I rise today to comment on this government's approach to correctional services, and the whole process of offender rehabilitation.

I am generally satisfied with the transfer of responsibility for corrections to the Department of Justice. We should hold no illusions that this move will automatically result in improved effectiveness, and efficiency, within our correctional system. There must be a new approach to go along with the new administrative framework. Like many northerners, I have been concerned for a long time about the number of adults incarcerated in our territorial correctional facilities, and about the way in which those same individuals find themselves returning to jail over and over again.

I am concerned about the quality of supervision provided for probationers and parolees in the smaller communities, and about the lack of preventative and post-release programming. I am particularly concerned, Mr. Speaker, about the almost total absence of counselling and therapy programs available to meet the needs of violent and troubled offenders.

Our correctional system, Mr. Speaker, simply is not working. We need to take a fresh look at the cultural relevance of many of our correctional programs, and redesign them to include a role for community resource people, and particularly the elders.

We need to develop effective, hopefully sound, treatment programs for adult offenders, and to follow-up with effective post-release programming in the

communities. We need to establish well planned diverse programs in community settings, so that the offender incarceration becomes seen as a costly and unavoidable last resort. With the transfer of corrections division to the Department of Justice, now is the time for our correctional administration to consider these new and more effective options. Thank you.

MR. SPEAKER:

Thank you, Mr. Todd. Item 3, Members' statements. Item 4, returns to oral questions. Mr. Alloo.oo.

ITEM 4: RETURNS TO ORAL QUESTIONS

Return To Question O825-12(2): Construction Date Of Lake Harbour Arena

HON. TITUS ALLOOLOO:

(Translation) Qujannamiik. Thank you, Mr. Speaker. I have a reply to Mr. Pudlat. The question regarding Lake Harbour arena. The construction of an arena is currently scheduled in the Department of Municipal and Community Affairs capital plan for 1996-97, and 1997-98. Unfortunately, I am unable to commit to advancing the construction time frame for a specific project at this time.

The Department of Municipal and Community Affairs capital planning process is structured to provide for the orderly delivery of capital construction throughout the N.W.T. The capital plan is developed through a process which sets in priority the needs of all communities across the N.W.T. This priority listing is developed based on established standards, and criteria, which assess, among other things, community population, access to existing facilities, and community capability of carrying the increased financial burden associated with operating a new facility. However, as is our current practise, my department and I will monitor changes in community needs and conditions through the capital process, and consult with the hamlet. Thank you.

MR. SPEAKER:

Returns to oral questions, Mr. Alloo.oo.

Page 1091

Return To Question O759-12(2): Clean Up Of Abandoned D.E.W. Line Sites

HON. TITUS ALLOOLOO:

Thank you, Mr. Speaker. I have a question asked by Ms. Mike on September 14, 1992, with regards to clean up of abandoned D.E.W. Line sights.

In 1990, the federal Department of Indian and Northern Affairs conducted a preliminary assessment of all 21 abandoned D.E.W. Line sights located across the Arctic. In 1992, the Department of Indian and Northern Affairs started a comprehensive assessment of five sites located in the western Arctic. They were Atkinson Point, Horton Point, Pearce Point, Bernard Harbour, and Matheson Point. My department was advised that the western sites were chosen because the contractor was already undertaking work in the western Arctic. This scheduling allowed for maximum use of the short summer field season. Detailed assessment of the remaining abandoned D.E.W. Line sites, including sites in the eastern Arctic, is planned for future years.

While not directly related to abandoned D.E.W. Line sites, clean up programs at the several military sites located in the eastern Arctic, are currently being undertaken by the federal government. A clean up program is under way at Coral Harbour, while an assessment of United States Coast Guard sites located at Cape Christian and Padloping Island, began in 1992. The tenders have also been requested to clean up three military sites located near Iqaluit. They are the upper base, north 40, and west 40 sites. Thank you.

MR. SPEAKER:

Item 4, returns to oral questions. Item 5, oral questions. Mr. Todd.

ITEM 5: ORAL QUESTIONS

Question O849-12(2): Underemployment Of Aboriginal People In Correctional Services

MR. TODD:

Thank you, Mr. Speaker. My question is to the Minister of Justice. The Minister of Justice should recall that on June 24, my colleague from Baffin Central pointed out that prior to the transfer of corrections, there were 254 correction positions, only 74 of these were filled by aboriginal people, and only one management position was filled by an aboriginal person. Recognizing that about 90 percent of the inmate population in the territorial correction facilities is made up of persons who are of aboriginal descent, will the Minister explain how it is possible to establish

a culturally relevant correction program when aboriginal people are so under represented among the staff that works with the offenders?

MR. SPEAKER:

Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, that might be institutionally impossible, because there is not enough time allotted for response to questions, so I would have to take it as notice. Thank you.

MR. SPEAKER:

Question has been taken as notice. Oral questions, Mr. Bernhardt.

Question O850-12(2): Policy On Aboriginal Development Corporation

MR. BERNHARDT:

Thank you, Mr. Speaker. I have a question for the Minister of Economic Development and Tourism. As I said in my Member's statement today, aboriginal development corporations are an important economic instrument for aboriginal people to gain some economic control over their communities. However, I am concerned about what this government considers an aboriginal development corporation, as opposed to a private corporation. My question is, could the Minister please tell me if his department has a policy in place that defines an aboriginal development corporation for the purpose of receiving business development assistance from the Government of the Northwest Territories?

MR. SPEAKER:

Mr. Pollard.

HON. JOHN POLLARD:

Mr. Speaker, I am not aware specifically, so I will take the question as notice, and get back to the Member. Thank you.

MR. SPEAKER:

Question has been taken as notice. Oral questions, Mrs. Marie-Jewell.

Question O851-12(2): Status Of Request Of Public Inquiry

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. My question is for the Government Leader, since the Minister of Health does not seem to be in the House today. Mr. Speaker, on Monday September 14, this House sent a clear message to the government when it expressed its support for a public inquiry into the matters at the Fort Smith Health Centre.

Since there has been no announcement from the Minister of Health, or the government, following the directions of this House on whether the Commissioner of the Northwest Territories has been requested to establish an inquiry under the Public Inquiries Act, my question is, will the Government Leader advise this House as to what action has been taken in establishing a process for a public inquiry? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O851-12(2): Status Of Request Of Public Inquiry

HON. NELLIE COURNOYEA:

Mr. Speaker, the Minister responsible for Health has provided a document that is being prepared for Cabinet to review. We had the first general discussion this week, a couple of days ago, and we will be discussing it further, on Monday, at Cabinet. Thank you.

MR. SPEAKER:

Supplementary, Mrs. Marie-Jewell.

Supplementary To Question O851-12(2): Status Of Request Of Public Inquiry

MRS. MARIE-JEWELL:

Can the Government Leader advise this House, or make a commitment to this House, as to when the Minister, or the Government Leader, will be able to advise us whether they will be proceeding with this public inquiry? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question O851-12(2): Status Of Request Of Public Inquiry

HON. NELLIE COURNOYEA:

Mr. Speaker, I know that there are going to be some changes to the scheduling of when we sit, but I will try to schedule a Cabinet meeting around the new schedule that we will be facing on Monday, to try to get something back on Monday afternoon.

MR. SPEAKER:

Item 5, oral questions. Mr. Pudluk.

Page 1092

Question O852-12(2): Minister's Attendance At Grise Fiord School Opening

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. In Grise Fiord, at this time, they have been waiting for a school for a long time, it was not approved for a long, long time, and it was delayed. It is near the completion of the school, and I would like to ask the Minister of Education if he could come for the official opening, to officially open the new school? Thank you.

MR. SPEAKER:

Mr. Arvaluk.

Return To Question O852-12(2): Minister's Attendance At Grise Fiord School Opening

HON. JAMES ARVALUK:

(Translation) Thank you, Mr. Speaker. I would really like to attend the official opening, but I have not been advised when the official opening will be. When I am advised of the exact date, then I will examine my schedule to see if I will be able to attend the official opening. Once I know the date, then I will advise you. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Pudluk.

Supplementary To Question O852-12(2): Minister's Attendance At Grise Fiord School Opening

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. Since you became the Minister, this is my very first question to the Minister of Education. I did not want to make it a stressful question, but especially when the communities are proud, and when it is something to do with education for our children, I am sure that you can schedule a time. If you can advise me, maybe we could arrange when it will be, when you do not give me a straight answer, then the community, itself, might get confused, because they will be very proud to have you there. Do you say yes, or no?

MR. SPEAKER:

That was a long preamble, Mr. Pudluk. Mr. Arvaluk.

Further Return To Question O852-12(2): Minister's Attendance At Grise Fiord School Opening

HON. JAMES ARVALUK:

(Translation) Thank you, Mr. Speaker. Yes, I agree to attend, but I would have to check my schedule. I will talk with the Member later on today, and advise him when it would be most appropriate for me to go to that community. I am sure that we can come to an agreement. I will be able to talk with him, and make an agreement later on. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Mr. Zoe.

Question O853-12(2): Increase Of G.N.W.T. Aboriginal Employment

MR. ZOE:

Thank you, Mr. Speaker. On September 15, the Minister of Personnel made a statement on northern hiring. The Minister commented that we have 1,902 aboriginal employees, who make up 35 percent of the government's work-force of 5,406. However, Mr. Speaker, I am sure that he must be aware that some departments, and my colleague from Keewatin referred to another department, are not making a significant contribution to the government's efforts to increase aboriginal representation in the public service.

For example, Mr. Speaker, only 10.2 percent of the employees in the Department of Health headquarters are of aboriginal descent, and not one of them holds a senior management position. My question to the Minister of Personnel is, what action is he authorized to take, within Cabinet, to intervene in departmental

hiring practices that run counter to the government's goals of increasing the number of aboriginal people in the public service?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O853-12(2): Increase Of G.N.W.T. Aboriginal Employment

HON. STEPHEN KAKFWI:

Mr. Speaker, the Department of Personnel has been asked by myself to review the current situation with regard to the placement of aboriginal people in the departments, in the higher levels of management in the government, and to look at possible recommendations, I could bring to Cabinet, in order to address the concerns that have been raised by the Member, plus other Members, in the last few months. So, that is the situation as it is now. Thank you.

MR. SPEAKER:

Supplementary, Mr. Zoe.

Supplementary To Question O853-12(2): Increase Of G.N.W.T. Aboriginal Employment

MR. ZOE:

Supplementary, Mr. Speaker. Mr. Speaker, it seems as though senior officials in the Department of Health may be confused about how to put together a resource development plan that will result in increased aboriginal hiring. I would like to ask the Minister, will the Minister agree to assign one of his human resource planning officials to undertake a coordination of a long-term strategic plan, that the Minister of Health indicated that he is working on, for increasing the number of aboriginal people within our territorial health administration?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O853-12(2): Increase Of G.N.W.T. Aboriginal Employment

HON. STEPHEN KAKFWI:

Mr. Speaker, the question would have to be taken as notice, because I am not certain as to what the status of discussions are, and whether, or not, it is possible,

I guess, to target, at this time, specific percentages within specific departments for aboriginal employees.

MR. SPEAKER:

Item 5, oral questions. Mr. Todd.

Question O854-12(2): Establishment Of Aboriginal Corrections Authority Board

MR. TODD:

Thank you, Mr. Speaker. I have a question for the Minister of Justice. On March 14, 1991, the 11th Legislative Assembly passed a sound motion, which was proposed by my honourable colleague from Deh Cho.

This motion recommended establishing an aboriginal corrections authority board, to provide territorial advice to the Minister on aboriginal issues. For some reason, correctional services neglected to proceed with this initiative.

Will the Minister of Justice, make a commitment now, to give serious attention to the direction provided by the 11th Assembly, and establish this important advisory board?

MR. SPEAKER:

Mr. Kakfwi.

Page 1093

Return To Question O854-12(2): Establishment Of Aboriginal Corrections Authority Board

HON. STEPHEN KAKFWI:

Yes, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Todd.

Supplementary To Question O854-12(2):
Establishment Of Aboriginal Corrections Authority Board

MR. TODD:

Again, during the March 1991 debate on Mr. Gargan's motion, the Minister of the day, the Honourable Jeannie Marie-Jewell, pointed out that local native advisory committees had been established, using

inmate and community volunteers, at each of the three correctional centres.

Can the Minister advise the House whether these committees are still operating successfully within the territorial correctional system?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O854-12(2):
Establishment Of Aboriginal Corrections Authority Board

HON. STEPHEN KAKFWI:

Mr. Speaker, I am unable to answer as to whether they are still operating, or if they have been successful, or not at all. I will be able to get back to the Member on it.

MR. SPEAKER:

Item 5, oral questions. Mr. Pudlat.

Question O855-12(2): Inclusion Of H.A.P. Housing In Survey

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I have a question for the Minister of the N.W.T. Housing Corporation. I am happy with the survey that they conducted.

Was H.A.P. housing included in this survey, that was erected in the early 1960s? Some of the residents are trying to buy these houses. As they are very expensive, would the Minister continue the survey, and would the Minister indicate if this was included in the survey?

Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Morin.

Return To Question O855-12(2): Inclusion Of H.A.P. Housing In Survey

HON. DON MORIN:

Thank you, Mr. Speaker. All houses, in all the communities, were surveyed. My understanding is that all houses were surveyed. We surveyed

thousands, and thousands, of houses. The next phase of the survey, is to go back into your community, and consult with your community members, on what would be best way to meet the housing need.

I think the survey has credibility, because the community members are the people that did it, and that is the most important place, it needs credibility from the community perspective.

I believe the Member was talking about the northern rental program, and the buy. There is a program where we do sell northern rentals to the people that are living in them. That will all be taken into consideration. I believe I have given the Member information on that program, I could brief him more on it later. Thank you.

MR. SPEAKER:

Item 5, oral questions. Supplementary, Mr. Pudlat.

Supplementary To Question O855-12(2): Inclusion Of H.A.P. Housing In Survey

MR. PUDLAT:

(Translation) Mr. Speaker, the reason for asking this question, is that the north is very cold and money is becoming less and less available.

The houses that were built in the early 1960s, up to today's standards, are very expensive. Would the Minister, during the sitting of this Legislative Assembly, inform the House of the survey? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Morin.

Further Return To Question O855-12(2): Inclusion Of H.A.P. Housing In Survey

HON. DON MORIN:

Thank you, Mr. Speaker. I forget exactly what day last week, I did table the housing needs survey. The first seven pages of the survey were translated, as well as the pages for those ridings, for those Members that requested translation. Translation of the whole document should be finished within ten to 15 days. The document will then be going out to all the communities for consultation. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Zoe.

Question O856-12(2): Establishment Of Policy For Southern Hires

MR. ZOE:

Thank you, Mr. Speaker. On September 9, Mr. Speaker, my honourable colleague from Keewatin Central, made an excellent suggestion in his Member's statement on the G.N.W.T. Hire North policy. He suggested that consideration should be given to hiring southerners only on a term position basis, and only with the formal training plan attached to the term position, so that jobs will eventually be filled by northern workers.

My question is directed to the Minister of Personnel. Is the Minister willing to consider establishing this as a policy, particularly in areas of the public service, like the Department of Health, where progress in aboriginal hiring has been slow?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O856-12(2): Establishment Of Policy For Southern Hires

HON. STEPHEN KAKFWI:

Mr. Speaker, all suggestions and recommendations that come from Members of this House, are all given serious consideration and evaluated by staff, at least in the Department of Personnel.

If it does have merit, certainly we try to see what we can do with it, within our capabilities. The Member should be assured, that the suggestion was noted, and has gone to the Department of Personnel, for possible recommendations back to me on it. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mrs. Marie-Jewell.

Question O857-12(2): Implementation Of Power Rebate Program

MRS. MARIE-JEWELL:

Thank you, Mr. Speaker. I have a question for the Minister of Finance. Mr. Speaker, the Department of Finance runs a Power Subsidy Program that

Page 1094

subsidizes consumers who pay a higher rate for electrical power than is charged in Yellowknife.

Under this program, Mr. Speaker, the first 700 kilowatt hours of power are subsidized to the Yellowknife rate, and I understand that this program is funded solely by dividends paid to the G.N.W.T. by the Power Corporation. I have no concern with a program such as this, Mr. Speaker, and I want to make that clear.

However, my concern is for those communities where the power is cheaper to supply than the Yellowknife rate, particularly my constituency. Since the purchase of N.C.P.C. by the Government of the Northwest Territories, these communities, and I know my constituency, in fact, has absorbed substantial increases in power rates. I believe that it is to the amount of 24.6 percent, if not greater.

It seems to me, that these communities are, in my opinion, being unfairly treated in the application of power rates. I would like to ask the Minister of Finance, has the government ever considered implementing a power rebate program, to reimburse consumers in these communities, where the base power rate is lower than the one in Yellowknife. Thank you.

MR. SPEAKER:

Mr. Pollard.

Return To Question O857-12(2): Implementation Of Power Rebate Program

HON. JOHN POLLARD:

Mr. Speaker, this problem goes back to the N.C.P.C. days where there did not seem to be any reason for particular rates, in particular communities, so we ended up with this very complex, and some would say unfair, rate structure across the Northwest Territories. That goes for communities who think they are paying too much, and there are other communities who think that places in the Northwest Territories are paying too little.

That concern was addressed in a rate structure review that was done some 18 months, or two years ago, and that is still under consideration, Mr. Speaker.

With regard to the subsidy to the Yellowknife rate, and the fact there are communities that receive no subsidy whatsoever, this will be factored into the rate structure review and given serious consideration. I have previously been aware of the problem, Mr. Speaker. It will be taken into consideration. Thank you.

MR. SPEAKER:

Oral questions, supplementary, Mrs. Marie-Jewell.

Supplementary To Question O857-12(2):
Implementation Of Power Rebate Program

MRS. MARIE-JEWELL:

Thank you. To the same Minister, Mr. Speaker, since the rates structure review is still under consideration, and this will be given consideration, can I ask the Minister, when does he anticipate the rate structure review will be completed? Thank you.

MR. SPEAKER:

Mr. Pollard.

Further Return To Question O857-12(2):
Implementation Of Power Rebate Program

HON. JOHN POLLARD:

Mr. Speaker, I think the rate structure review is completed, and has been for some time. It is a question of implementation of that particular document, or some blend thereof of those particular suggestions that were made in the rate structure review. It is under consideration by Madam Premier's Power Corporation; it is in the hands of the Public Utilities Board, and I would say that it is one of those problems we have to solve very, very quickly. So, I would say that it should be settled in the next six months, Mr. Speaker. It is an enormous problem, and one that has to be addressed. Thank you.

MR. SPEAKER:

Oral questions, Mr. Todd.

Question O858-12(2): Rehabilitation Of Offenders

MR. TODD:

Thank you, Mr. Speaker. My question is for the Minister of Justice. I am certain the Minister will recall that my honourable colleague from Deh Cho raised this issue on June 23, when he told the House about

the Y.W.C.A. estimates that only 2.4 male spousal abusers have access to counselling. Can the Minister indicate whether it is a priority, within the territorial correctional system, to actually work toward the rehabilitation of offenders, or merely just to warehouse them for the duration of their incarceration?

MR. SPEAKER:

Mr. Kakfwi.

Return To Question O858-12(2): Rehabilitation Of Offenders

HON. STEPHEN KAKFWI:

Mr. Speaker, it is my understanding that corrections place a high priority on rehabilitation during incarceration. Thank you.

MR. SPEAKER:

Supplementary, Mr. Todd.

Supplementary To Question O858-12(2): Rehabilitation Of Offenders

MR. TODD:

Thank you. Recognizing that spousal assault has now reached epidemic proportions throughout the Northwest Territories, would the Minister make a commitment, to this House, to ensure that he will provide the leadership necessary to ensure that all violent offenders have access to treatment and counselling, including anger management programs, while they are in the territorial correctional system?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O858-12(2): Rehabilitation Of Offenders

HON. STEPHEN KAKFWI:

Mr. Speaker, I can make a commitment that I would work to make sure that there is effective support, and counselling, to inmates as a way to assist in the rehabilitation of inmates.

I think it is important to recognize that all the counselling, and rehabilitation, in the world will not help, unless it is done in a relevant, or cultural, context which is what the Member asked in a question

earlier. It is a rather long winded answer to the question that would be required, so I chose to take it as notice. In my view, the rehabilitation is required, along with the counselling and support services, both during and after incarceration.

The larger question that arises is, if the system is so foreign and alien to all of the inmates, then how relevant are the support programs, the rehabilitation programs, and the counselling programs, going to be? So, that is a more fundamental question, and I do not think there is time to do justice to it right now.

I should raise to the Member, as well, that what I understand with many of our inmates, is that there are inmates in the federal institutions, and I think

Page 1095

they are the ones that are considered in the eyes of the law to have committed much more serious crimes. They are concerned about the inability of our systems to have any say on whether, or not, these people have to be subject to counselling and rehabilitation programs, because I understand that the prospects are fairly low in that area. Thank you.

MR. SPEAKER:

Supplementary, Mr. Todd.

Supplementary To Question O858-12(2): Rehabilitation Of Offenders

MR. TODD:

I appreciate the Minister's response, but recognizing the number of supportive organizations across the Northwest Territories, including the Native Women's Association, the Y.W.C.A., the Society Against Family Abuse, have all commented on the need, as you say, for improved culturally relevant treatment services. Can the Minister tell me, what his plans are to consult with these groups in the development of the culturally relevant programs that are necessary for our offenders? Is any discussion currently going on with these groups?

MR. SPEAKER:

Mr. Kakfwi.

Further Return To Question O858-12(2): Rehabilitation Of Offenders

HON. STEPHEN KAKFWI:

Mr. Speaker, it is no secret that, by and large, it is my view, and it is accepted in many areas, that the correctional institutions that we have now, are not necessarily the best way for northern people to see their people being incarcerated. There are some, I think, new approaches that are going to be looked at in the next while.

Certainly, I will be suggesting some new approaches be taken in the area of justice and corrections, which would be based more on community ownership, community responsibility for the administration of justice, and the administration of corrections, as we know it today. In that context, there will be calls for input from aboriginal organizations and groups, and community service groups, to advise the groups that will be coming up with these draft initiatives. They will advise on how best to structure the kind of programs, and support services, that we will want to design. Thank you.

MR. SPEAKER:

Oral questions, Ms. Mike.

Question O859-12(2): Tabling Of Housing Needs Survey Without Translation

MS. MIKE:

Thank you, Mr. Speaker. My question is to the Government Leader regarding the housing needs survey. Why was it tabled in this House, without having it completely translated? It has been the practice, I think, that documents tabled, have to be translated. Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Return To Question O859-12(2): Tabling Of Housing Needs Survey Without Translation

HON. NELLIE COURNOYEA:

Mr. Speaker, I am informed that because the housing issue was before us, and at the time the report was received, there was not time to have the document totally translated, but because the housing debate was in progress, and the housing department budget was up, rather than delay it, we would make it available. So, certainly our apologies. I believe that the case was because of the immediate discussion that was under a topic, that we would not have had time to translate it, and the document would not be

available, and in our hands as a tabled document until after the debate.

MR. SPEAKER:

I will just make a comment. There is no rule that says a document must be translated, but there has been an historic understanding that, for courtesy, most important documents have been, in the past, translated for Members. Oral questions, supplementary, Ms. Mike.

Supplementary To Question O859-12(2): Tabling Of Housing Needs Survey Without Translation

MS. MIKE:

It is my understanding that each and every one of the Members has the privilege, especially if there is a unilingual person in this House, to have a tabled document that is translated. That was my understanding. I understand that it is not a rule.

MR. SPEAKER:

That is not a point of order. There is no rule in the House that says that a tabled document must be translated. I said it has been a practice, and a courtesy, in the past. I think it is an issue that if Members have a problem with the rule, then, perhaps, this issue could be referred to the Standing Committee on Rules and Procedures. Oral questions. Ms. Mike, supplementary.

Question O860-12(2): Number Of Interpreters

MS. MIKE:

(Translation) Mr. Speaker, it is a new question. My question is to the Minister of Culture and Communications. I stated earlier his department's budget, the interpreters have a lot of work, and if our interpreters -- I think right now, we are short of interpreters at the moment.

MR. SPEAKER:

It is a new question to a different Minister. Mr. Allooloo. Sorry, Mr. Arvaluk.

Return To Question O860-12(2): Number Of Interpreters

HON. JAMES ARVALUK:

(Translation) Qujannamiik. Thank you, Mr. Speaker. As we all know, particularly the interpreters, written and oral interpreters are always in a shortage, and that other staffs are in a shortage. As we know, we are in a deficit, and we have to deal with things according to the money that is available.

MR. SPEAKER:

Oral questions. Supplementary, Ms. Mike.

Supplementary To Question O860-12(2): Number Of Interpreters

MS. MIKE:

(Translation) Qujannamiik. Thank you, Mr. Speaker. As you said, in this House, that this is not a law that the documents be translated into Inuktitut. If I did not understand in English, and I was the M.L.A., as with Mr. Pudlat, would I be given what I cannot read? I know that interpreters are always in demand, and there are also private interpreters that can be contracted out. Why was the whole document not translated? I received a response, but I did not like it. Thank you.

MR. SPEAKER:

A Minister can respond as they see fit, or not respond. Mrs. Cournoyea, you would like to respond to that?

Further Return To Question O860-12(2): Number Of Interpreters

HON. NELLIE COURNOYEA:

Mr. Speaker, on the particular document that the honourable Member is mentioning on the housing needs study, the document is filled with graphs,

Page 1096

mainly, and what was done was a summary of the first seven pages, which were the guts of the written contents. That was translated, plus the appendix for Mr. Pudlat's riding, as well. I know it would be preferable if all the book was done, but sometimes it is when the report is received, and when we can go out to contract, and, perhaps, if the report was available some months before, it probably could have been done. However, from the time it was received, and it was concluded, then we did go out to contractors. The contractors did say that the earliest it could be completed was October 31. Thank you.

MR. SPEAKER:

Oral questions, Mr. Ningark.

Question O861-12(2): Construction Of Access Road To 25 Mile Fishing Lake

MR. NINGARK:

Thank you, Mr. Speaker. My question is directed to the Minister for Transportation. Mr. Minister, you will recall that you received a letter from the Hamlet of Gjoa Haven dated September 18, 1992, regarding the road to 25 Mile Fishing Lake, and your predecessor has received the same request a number of times. The Hamlet of Gjoa Haven has been, and still is, asking the Department of Transportation to consider, seriously, building an access road to 25 Mile Fishing Lake. The access road would facilitate hunting, fishing, recreation, and, perhaps, tourism. I wondered if the Minister, through you Mr. Speaker, would seriously consider the matter, and get back to the Hamlet of Gjoa Haven within a reasonable time. Thank you.

MR. SPEAKER:

Mr. Whitford.

Return To Question O861-12(2): Construction Of Access Road To 25 Mile Fishing Lake

HON. TONY WHITFORD:

Thank you, Mr. Speaker. Yes.

MR. SPEAKER:

Item 5, oral questions. Item 6, written questions. Mr. Lewis.

ITEM 6: WRITTEN QUESTIONS

Written Question 61-12(2): Time Loss Accidents In The Mining Sector

MR. LEWIS:

Thank you, Mr. Speaker. My written question is to the Minister responsible for the Workers' Compensation Board. Would the Minister supply the average cost for time loss accidents in the mining sector for the following years: 1989, 1990, and 1991?

MR. SPEAKER:

Item 6, written questions. Item 7, returns to written questions. Mr. Clerk.

ITEM 7: RETURNS TO WRITTEN QUESTIONS

Return To Written Question 55-12(2): Results Of Assessments

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, return to written question 55-12(2), asked by Ms. Mike to the Minister of Renewable Resources concerning the results of assessments.

Return To Written Question 56-12(2): Locations Of Assessments

Return to written question 56-12(2), asked by Ms. Mike to the Minister of Renewable Resources concerning the locations of assessments.

MR. SPEAKER:

Item 7, returns to written questions. Item 8, replies to opening address. Item 9, petitions. Item 10, reports of standing and special committees. Item 11, reports of committees on the review of bills. Item 12, tabling of documents. Ms. Mike.

ITEM 12: TABLING OF DOCUMENTS

MS. MIKE:

Thank you, Mr. Speaker. I would like to table the following document today, Tabled Document 98-12(2), a listing of artists whose work will be shown as part of the 1991 Pangnirtung Print Collection and the listing of dealers across North America, which are opening the collection today. Thank you. Mr. Speaker.

MR. SPEAKER:

Thank you, Ms. Mike. Item 12, tabling of documents. Item 13, notices of motion. Mr. Ningark.

ITEM 13: NOTICES OF MOTION

Motion 37-12(2): Additional Sitting Hours

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, on Monday, September 29, 1992, I will move the following motion. I move, seconded by the honourable Member for High Arctic, that the Speaker change the sitting hours, effective Monday, September 28, 1992, for Monday,

September 28, 10:00 a.m. to 7:00 p.m., and for every sitting thereafter, until prorogation of the second session, to be 10:00 a.m. to 12:30 p.m., and 1:30 p.m. to 7:00 p.m.

Mr. Speaker, at the appropriate time, I will be seeking unanimous consent to proceed with this motion today. Thank you.

MR. SPEAKER:

Item 13, notices of motion. Item 14, notices of motions for first reading of bills. Item 15, motions. Mr. Ningark.

ITEM 15: MOTIONS

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to proceed with my motion, on the amendment to the sitting hours today.

MR. SPEAKER:

The honourable Member is seeking unanimous consent. Are there any nays? There are no nays. Please proceed, Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Speaker.

Motion 37-12(2): Additional Sitting Hours

WHEREAS there is a large volume of business before the Legislative Assembly;

AND WHEREAS there is a desire to complain...

---Laughter

---Applause

..sorry, complete the business before the Legislative Assembly in a timely and efficient manner;

NOW THEREFORE I MOVE, seconded by the honourable Member for High Arctic, that the Speaker set the sitting hours effective Monday, September 28, 1992 to be for Monday, September 28, 1:00 p.m. to 7:00 p.m., and for every sitting day thereafter, until prorogation of the second session to be 10:00 a.m. to 12:30 p.m., and 1:30 p.m. to 7:00 p.m. Thank you.

MR. SPEAKER:

Your motion is in order. To the motion. Mr. Ningark.

MR. NINGARK:

Mr. Speaker, I would like to ask for question.

MR. SPEAKER:

Secunder to the motion. Mr. Pudluk.

MR. PUDLUK:

I agree with my colleague.

MR. SPEAKER:

Mr. Ningark, you have the opportunity to conclude the debate. Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Item 15, motions. Item 16, first reading of bills. Item 17, second reading of bills. Item 18, consideration in committee of the whole of bills and other matters, tabled document 9-12(2), Strength at Two Levels; tabled document 10-12(2), Reshaping Northern Government; tabled document 62-12(2), Report on Northwest Territories Operations at Expo '92 as at May 31, 1992; tabled document 70-12(2), "The Justice House", Report of the Special Advisory on Gender Equality; motion 6, Discussion on Sobriety Clause in Contribution Agreements; committee report 10-12(2), Special Committee on Constitutional Reform Report on the Multilateral Conferences on the Constitution; committee report 17-12(2), Report on the Review of the 1992-93 Main Estimates; committee report 18-12(2), Multilateral Meetings on the Constitution and First Ministers' - Aboriginal Leaders' Conference on the Constitution; Bill 9, An Act to Amend the Insurance Act; Bill 31, An Act to Amend the Student Financial Assistance Act; Bill 33, Appropriation Act No. 2, 1992-93; Minister's statement 82-12(2), Update on National Constitutional Reform Negotiations; with Mr. Ningark in the Chair.

ITEM 18: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Ningark):

The committee will now come to order. Yesterday, when we concluded, we were dealing with the Department of Renewable Resources, 1992-93 main

estimates, and we were in general comments. What is the wish of the committee? Mr. Todd.

MR. TODD:

That we proceed where we left off yesterday, please.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Todd. I understand that there is going to be a very quick meeting of Dene and Metis Members, and I would like to take about a 15 minute recess, before we proceed with the matter.

---SHORT RECESS

CHAIRMAN (Mr. Ningark):

Should we begin?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

The committee will now come to order. Yesterday, as I mentioned earlier, we were discussing the Department of Renewable Resources 1992-93 main estimates and we were in general comments. General Comments. Mr. Todd.

MR. TODD:

I think, if we can, Mr. Chairman, I would like to move line by line.

CHAIRMAN (Mr. Ningark):

Activity by activity?

MR. TODD:

Both. Sorry, Mr. Bernhardt, you still have some comments?

CHAIRMAN (Mr. Ningark):

Mr. Bernhardt.

MR. BERNHARDT:

Yes, thank you, Mr. Chairman. Yesterday, I had some questions for the Minister.

CHAIRMAN (Mr. Ningark):

Yes, Mr. Minister. Pardon me.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. With your permission, I would like to bring in some witnesses.

CHAIRMAN (Mr. Ningark):

Proceed, Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you.

CHAIRMAN (Mr. Ningark):

Mr. Minister, I do not know your Deputy Minister. Would you, for the record, introduce your witnesses, please?

Department Of Renewable Resources

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. To my left is the Deputy Minister of the department, Mr. Joe Handley, and to my right, is the Director of Finance of the department, Mr. Rick Feil.

CHAIRMAN (Mr. Ningark):

Thank you. Before I recognize Mr. Bernhardt, I would like the committee to join me in recognizing the hard working group of pages, and their Sergeant-at-Arms. We should encourage them for the good job they do in the House.

---Applause

Thank you. Mr. Bernhardt.

MR. BERNHARDT:

Thank you, Mr. Chairman. I have one question for the Minister responsible for Renewable Resources. The riding that I represent, the Kitikmeot, there is a mine within my riding, Lupin Mine, Echo Bay Mines, and I am wondering if you have any idea, or is there anyone in place to monitor where this gold mine, Lupin Mine, is disposing of their dangerous waste, like arsenic. Where are they depositing all of this waste?

Mr. Chairman, Mr. Minister, some of the people in Coppermine are coming to me regarding a concern that some of the fish that they are catching in the lakes, close to the mine, have become deformed. Some of the caribou that are being harvested are not suited for human consumption, because the meat in

the caribou is turning green. The wildlife that fly up every spring land close to the tailings pond, and they become inedible.

In talking to many of the workers who work at Lupin Mine, the caribou graze and they bed down for the night right beside their bunkhouses, and there is fear that they go to the lake and drink whatever it is in there that makes them sick. So, I was wondering if you have any ways of monitoring, or getting up to Lupin Mine, and investigating what they are doing to the environment. It affects the people of Coppermine, and also Bathurst Inlet.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. We could monitor the mine for the Member, although, at this point, we are not thoroughly involved in the Lupin Mine, for monitoring purposes, since it is a federal responsibility, on federal Crown land. We do

Page 1098

have some cooperation with the federal agencies, we could check out the mine for the Member.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Bernhardt.

MR. BERNHARDT:

Mr. Chairman, how soon, Mr. Minister?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. TITUS ALLOOLOO:

I will check it out today to see what we are doing up there. If we are not present at the site, which I believe we are not, we will do it as soon as possible.

CHAIRMAN (Mr. Ningark):

Thank you. We are under general comments, Renewable Resources. Activity by activity, line by line. Directorate, we are on page 12-10 of the 1992-93 main estimates, directorate, total O & M of \$1.859 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Next page, wildlife management, total O & M of \$3.545 million. Mr. Gargan.

MR. GARGAN:

Thank you. With regard to this item, the special program was already eliminated, and I guess there was supposed to be a special support program for hunters and trappers developed. Are there any programs right now to assist the trappers?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. It is under contributions.

CHAIRMAN (Mr. Ningark):

Thank you. We shall get to that later. Mr. Gargan, you will be posing a question under the program? Thank you. Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Mr. Chairman. I think the Minister remembers last year, last spring, in a place near my constituency there was a study done on polar bears, about the immobilizing drugs that are used on polar bears, and how long it stays in the bodies of the polar bear. The people that did the study have not given us any information yet. When are we going to be able to get some information from those biologists that did the study, as to how long that drug stays in the body of the polar bear? Thank you.

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Chairman. This winter we will be giving you the information about the immobilizing drugs.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you. Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Mr. Chairman. From what I have seen, and what I have heard, there were just two polar bears per day, and they wanted to do a study as to how long it takes for the drug to stay in the body of the polar bear. Say, for instance, a two or three day study on one polar bear that was immobilized. Can the Minister tell us whether that study was done the way they said that they were going to do it? Thank you.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

(Translation) The biologists did not just study the two polar bears. I think they studied about five polar bears.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Mr. Pudluk.

MR. PUDLUK:

Mr. Chairman, I do not agree with the Minister about him saying that there were five polar bears that were studied. I was up there and I was present at that study, and there was less than five that were studied. I have heard that they did studies, using helicopters, although I told them not to use helicopters, I told them to use dog teams. I told them, this way, the money could stay in the community, if they used dog teams and the local people. Because they used helicopters, it cost a lot more. In a day, it was about \$10,000 for the helicopter usage. When they ran out of money, they could not complete the study of the polar bears that were immobilized, and what the effects to the bears were.

I would like to ask the Minister, whether they have completed their study and if you say that they have completed it, I will not agree with you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Pudluk, Mr. Minister.

HON. TITUS ALLOOLOO:

They wanted to get at least six polar bears and the study that they have, they did, will produce this year. As to the question that he had about whether they

completed, or what kinds of study that they did, or whether they have completed their study, I will be able to answer the Member after I get information. I would like to thank the Member for saying that he would prefer that they use the dog team rather than the helicopter. Thank you.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you, Mr. Minister. Is that it.
(Translation ends)

Page 11, wildlife management, total O & M of \$3.545 million. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Conservation, education, and resource development, total O & M of \$4.782 million. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Policy and planning, total O & M, \$925,000. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Pollution control. Someone had a concern on this before. Total O & M of \$722,000. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, with regard to the emergencies, I can only refer to what happened this fall, when the barge hit some rocks and a lot of fuel was spilled into the river. Mr. Chairman, during my last nine years as a Member, I asked whether or not we do have emergency teams that can respond to spills, or hazardous waste on the highways, it should be addressed as quickly as possible. That is not the case. We do have teams in Yellowknife, I believe, and in Hay River, but in between, we do not have anything.

The situation in Providence, the day that the spill occurred, I chartered a plane, and I want to thank Transportation for covering that cost. I observed

Page 1099

the situation from the air, and there were no coastguards, there was not anything being done, really being done, at that point in time, as I was looking at the situation.

I was later told that the spill expert, or the expert that is supposed to be looking after this, was in Tuktoyaktuk or Coppermine, or somewhere down that way, and there were no coastguards to be seen. I would think that because of the strategic location of Fort Providence or Fort Simpson, or for that matter Fort Good Hope, that we would have a team, whether they be, like fire fighters, or whatever the case may be, they should be available and should be trained to take on these kinds of situations. We do not have them at this point in time. We do have a transportation route, by road, as well as by river. I think that, this year, when environmental issues are high on the government's list and have been talked about internationally, this government should look at initiating strategic plans for these types of emergency situations.

I would like ask the Minister if he has any plans, at this point in time. Mr. Chairman, while there was a spill in Providence, there was also one in the eastern Arctic, Hudson Strait or somewhere around that area, I do not know how they dealt with it, but these things are happening. It is not as if, it is something that should be taken lightly, but should really be looked at by the government.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Mr. Chairman, I agree that we need to improve the response to spill line. As a result of the spill that occurred at Fort Providence, the Canadian Transportation Safety Board announced that the board will initiate an investigation into all aspects of the spill. Out of this investigation, there is no doubt that there will be recommendations coming out, how to best respond to spills, especially in the Northwest Territories, and other areas, in waters, land, rivers.

As most of the Northwest Territories is Crown land, the Northwest Territories government does not

normally have the full responsibility of responding, nor do we have sufficient resources to have a spill contingency team that could respond to the spill. Although we are involved in the monitoring, and also we take part in the spill reporting line, the Canadian Council of Ministers, environmental agencies in Canada, presently prescribe the polluted pays principle and that they also require to have a plan in place to respond to clean ups, respond to spills for the purpose of cleaning it up. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. When you said most of the land in the territories is Crown land, you are saying over 80 percent of the land is Crown land. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, I pinpointed two incidents that happened this summer, but there were also other incidents, in which, like the Hercules that went down near Herschel Island, or somewhere in the High Arctic, and that took several days before they got to it, and had cause for loss of life. Those are the kinds of situations that we are running into. We do have emergency situations, in which we really do not have, it is not a question of jurisdiction, it is a question of whether or not we have manpower ourselves to address it, and worry about the costs after it has been addressed.

We have situations, Mr. Minister, in which if a vehicle has hazardous waste, and spills some on the Mackenzie Highway, and the emergency response is not to evacuate a community, so that it might suffocate us or something like that. You know, we do not have anything in place to address that, and that is a concern I have. Naturally, they are doing some special inquiries as a result of the accident in Fort Providence, and the spill in the High Arctic; but what are we doing, as a government, to protect the people in the event of an emergency. We cannot rely on Yellowknife or Hay River to address that if it is going to be in Grise Fiord or maybe some other place, so we should be able to address it, and address it now. That is my concern, Mr. Minister, and this government must be reviewing the situation, and saying, we really do not have any plans, we should develop a plan on how we will be addressing that. These are the committees that should be designated to respond to those types of situations. We should have something in place. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister, how receptive, and attentive, are you to the report on potential contamination to the environment? Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. As a department, we are administering the spill line, and we are asking all potential polluters to have contingency plans in place just in case of the spill. Hopefully, this Canadian Transportation Safety Board investigation will tell us how to improve our capabilities in responding to these spills. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Thank you. Just with regard to that, I am not satisfied with the response I am getting from the Minister on this issue. I do not know how serious the Minister is taking this. Emergencies are something that occur anytime, and if we are going to wait and rely on the Department of Transportation, I do not know how long it will take before we get any response. The situation exists now, but we really are not addressing it.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. I understand the Member's concern. It would take about a year for the Canadian National Transportation Safety Board to come back with a report, and like I said, the department itself does not have resources to be responsible for cleaning up all the spills. At this moment, Environment Canada requires that polluters pay, and they are required to have contingency plans in place, for instance, those transportation companies that transport dangerous chemicals. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, I would like to ask the Minister a question in regards to clean up of shore line water

around municipalities. This is not within the jurisdiction of the municipalities, and a lot of small communities around the shore line are requesting funding to do certain clean up. I wonder if the Minister could not find it in the budget within that department, to look after clean up around shore lines around municipalities, and other shore lines that communities are concerned about?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister, do we have sufficient funds in the program?

HON. TITUS ALLOOLOO:

Thank you. Once again, the department does not have resources. What we are doing though, in terms of shore line clean up, the Canadian Environmental Strategy through a Green Plan, is the communities are able to get some resources to clean up the shore lines, and we could assist the community in applying for the Green Plan funding. Thank you.

Page 1100

CHAIRMAN (MR. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, rather than each individual applying on their own, should the department not be looking at an overall plan to submit one big application to the federal government, because I know that a lot of communities have concerns with regards to a clean up of their shore lines. If each individual is going to wait, I assume the department is just going to sit there until they are approached. What I am suggesting is, that if that is going to be the case, where they are going to let the individual municipalities, or groups, apply directly to the feds with the assistance of the department, then the department should be advising various groups of the program that is available. They should be making suggestions to them, that if they are concerned about this type of clean up, then here is the program that you can apply under, and assist them in that way, rather than the department just sitting there. They should be going out to the communities and explaining the program to the groups, or the communities.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. Under the Green Plan, as a department, we are not allowed to put a proposal together to the federal government. What we have done so far, we have made organizations aware that there is Green Plan money available. So far, there are quite a few communities that have applied, and have got grants, including the Metis Nation. They requested some resources to clean up the old fishing sights along the Great Slave area. Mr. Chairman, we would be happy to make each community aware of this particular plan. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Carry on. Okay, we are under pollution control. Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Mr. Chairman. This is not directly on the pollution control. The High Arctic is very large and vast, and it is very hard to do a study. The best time would be in spring or summer, because it is very hard in wintertime when it is dark all day long.

At the time when they were first established, they used to do studies on old campsites, or mining potential. Those were the studies that were conducted. There is a lot of stuff that was left behind. I am aware that the territorial government will not have sufficient funding to do environmental clean up, even if there was a study done. There are old barrels, old shacks, and old batteries. There are quite a number of those that were left behind. If they are close to the communities, they are slowly cleaning up the communities, but for some places that are further from the communities they are very hard to clean up, especially without funding. I know, for the sites that are close to the communities, the federal government is starting to be more responsive to what the communities want in terms of cleaning up. At first it was Grise Fiord, there were weather stations that were put there, and they left behind a lot of garbage.

Now adays, since we seem to be able to function with funding, I know all those are dangerous to the environment. They seem to be only more concerned about the sites that are close to the community. They cannot say, mining companies, or whatever, will come up to you and say they are damaging the environment. They are mainly concerned that it will require money to clean up.

In the very near future, there are sites where studies are being conducted. We have to be more careful to make sure that they are not damaging the environment. We are going to have to protect our land, whether it be the water or on the land. There is more pollution now than before. I think, one of the hardest is pollution control, because we cannot pinpoint where, exactly, it is coming from. We are more observant to the pollutants on land or on water, but if it is air pollution, even if I tried to explain it, because a lot of it, the air pollution, is coming from overseas. The people who work for Environment Canada are trying to pinpoint or find out exactly where it is coming from, and I think they can advise us now as to how fast it is going to our land. There are a lot of people who are working on it, they go up to Alert. In Alert I have seen their equipment that they use to do the study. I have gone there more than once. In Mould Bay, they also have equipment, and they have said there might be danger, pollution wise. So, in the very near future, if there is pollution on land, in water, and the air, if you put them together, there is going to be damage to our environment. The federal and territorial government should have a better working relationship to advise the people outside of Canada how the environment ... (Translation ends)...much will be done. We actually have to do the work, and it should be done in the very near future.

Nowadays, the people who reside in the High Arctic, not just in the High Arctic, I presume that maybe through the wildlife our elders know how it used to be in regards to the wildlife. While they are still alive they have seen the changes with the wildlife through their parts, such as liver, or the skin, or meat. They have noticed that they are different now. They cannot pinpoint what causes this. However, they think that it is because the environment is not being protected carefully enough, whether it be through land or water. That is what they think, because it was never like that before, but presently, that is what they think is the cause. The federal and territorial government will have to work more closely, and more carefully with the people outside of Canada. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you, Mr. Pudluk. Mr. Minister. Was your concern funding, or the environment?

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. I do not think he asked a specific question, but we understood his comments. Thank you.

CHAIRMAN (Mr. Ningark):

(Translation) Qujannamiik. Thank you. Pollution control is the activity summary. Ms. Mike.

MS. MIKE:

(Translation) Thank you, Mr. Chairman. I have comments under the pollution control. The Hunters' and Trappers' Associations in the communities have noticed and have brought things that have been left on the land, on the environment, so that they are helping towards a cleaner environment. The Minister knows, every year, the funding from the territorial government is becoming less and less for everything. There is not enough for the hunters and trappers, for them to look after, and to use the funding that they get from the territorial government is not enough.

I have a concern on this matter, because the federal government has to have more input into this and they give such a small amount of funding, that they give to the territorial government, and the amount of funding they provide is not enough to be given to each community.

Perhaps Environment Canada should be working together with the Hunters' and Trappers' Associations and that they be briefed because they are helping towards a cleaner environment and that could they be provided more funding. This was my concern.

Page 1101

CHAIRMAN (Mr. Ningark):

(Translation) Thank you, Ms. Mike. Mr. Minister, do you have comments?

HON. TITUS ALLOOLOO:

(Translation) Thank you, Mr. Chairman. I stated earlier that the communities, we can assist the communities in the cleaning of the environment, closer to their community. The Green Plan from the federal government and also the environmental strategy have funding under this program. However, our department cannot request further funding, and the federal government cannot give us more funding. However, if in the territories, we can assist them for a cleaner environment, and further to the community, the funding that we give to the communities and to

H.T.A.s under contributions, I am presently trying to change, so that the community has more input on how the funding is allocated to the smaller communities, and to the Hunters' and Trappers' Associations under other bodies have their own guidelines. We would like, at present time, to try and change this policy, so that the communities will have more control of the funding that they get from us. Thank you.

CHAIRMAN (Mr. Ningark):

(Translation) Thank you, Mr. Minister. Ms. Mike.

MS. MIKE:

Thank you, Mr. Chairman. Yes, I am aware of the Green Plan funds that are available for environmental clean up, these are limited resources, these are not going to be ongoing funds that the federal government makes available. On this pollution control again, we just have a little wee portion of federal responsibility. Just like the fisheries. What I was saying in the communities, most of the families who do go out of the community to their original hunting grounds, to do wildlife harvesting, most of them, they are very good in bringing their own garbage back to the community. There are also others that do not, and this usually becomes the responsibility of the Hunters' and Trappers' Association. I know that the H.T.A.s do receive small funding for operational purposes, but that is never enough, even to pay to keep their records in order, to hire somebody. If we were to translate the amount of work that the H.T.A.s do, on behalf of Renewable Resources, it would translate into much more than what they are presently given annually. With the amount that we are provided with on pollution control, most of it, more than half of it, is for salary and wages, and nothing really for the actual work.

What I was wondering, would it be possible for your department to negotiate with Environment Canada, and use our hunters and trappers as a tool for your negotiations, and translate the amount of time and efforts that are spent on doing cleaning up, environmental cleaning up? Maybe, perhaps, your department would be able to obtain more funding in this area.

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. The suggestion is a very good one, we could work with the H.T.A.s in pursuing possible revenues from Environment Canada. We will look at that. Thank you.

CHAIRMAN (Mr. Ningark):

Can we proceed with activity summary, pollution control, total O & M of \$722,000. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 12-15, field operations, total O & M of \$8.366 million. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Regional land use planning, total O & M of nil. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Here is a very interesting program. Ms. Mike.

MS. MIKE:

Mr. Chairman, can we go back to page 12-15?

CHAIRMAN (Mr. Ningark):

Does the committee agree that we go back to page 12-15? Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Proceed, Ms. Mike.

MS. MIKE:

Yes, this is another area where I do have concerns. I am not from Yellowknife, but I will speak on it. Two

winters ago now, well, I do have friends here who keep me informed of what goes in this town. The Minister, in his statement, stated that they are concentrating on conservation. I cannot remember whether it was last winter, or the winter before that, when the caribou herd was really close to Yellowknife. There were a large number of carcasses left behind, and the hindquarters just taken. I am wondering how many Renewable Resources people we have in this area to keep an eye out for harvest waste that occurs near Yellowknife.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. Right in Yellowknife, we have three plus one trainee patrolmen, plus two out of Fort Rae. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Ms. Mike.

MS. MIKE:

Depending on the movement of the caribou, because it differs from year to year, on the years that the caribou movement gets closer to Yellowknife, maybe perhaps, would it be possible to put in more enforcement out on the field to keep the look out on waste of harvest? I believe it is illegal to be leaving caribou carcass out to waste. You cannot even feed it to dogs.

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. Yes, we could look at, perhaps, using casual employees who are trained to do law enforcement in this particular area.

CHAIRMAN (Mr. Ningark):

Ms. Mike. Thank you. Now, we are done with regional land use planning. On page 12-17, activity summary, forest fire management, someone is going to have some concerns on this, I think. The total O & M is \$20.916 million. Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. There is potential for a conflict of interest on this activity, I am going to remove myself from the room, and will not be participating in discussions on this.

CHAIRMAN (Mr. Ningark):

Thank you for the courtesy of telling us. Getting on with this report, it is fire management. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. I think, I did not hear any agreed on the regional land use planning, zero.

Page 1102

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Over the page, page 12-18, forest management with a total O & M of \$446 million. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, I would like to ask the committee if it could defer dealing with it at this time. I have a motion that has been drafted at this time.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. Is the committee agreed we defer the program for the time being, until Mr. Gargan has his motion ready?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Okay. We should be able to do that today, right Mr. Gargan?

MR. GARGAN:

No, Mr. Chairman. All I was suggesting was that we defer that, keep on going with details of grants and

contributions, and then go back to that when the motion is ready.

CHAIRMAN (Mr. Ningark):

That is what I said, defer the program for the time being, and keep going. Details of grants and contributions with grants of \$658 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Contributions, on page 12-21 of the grants and contributions. There are contributions of \$2.016 million. Mr. Zoe.

MR. ZOE:

Mr. Chairman, I know we have had activity for either wild life management, or it is in regards to animal rights activists. I think it falls under this section, so since I have a second chance, I would like to take a kick at the can here under contribution in wildlife management. I want to make a comment, and ask some questions in regards to animal rights.

Mr. Chairman, the Minister has commented several times about the importance of his department. I guess that plays in combating the influence of animal rights activists. I am concerned that the commitment to this should not be diminished. Even though, Mr. Chairman, we have been very active, previously, in promoting the fur industry, I share the opinion of my colleague from Nahendeh. It seems as though there is less effort going on in this area, now, than in the past.

I want to follow-up on one initiative that the department undertook before, and that is in relation to a trust fund set up to combat animal rights activists. Now, this established trust fund was to be used to provide financial support to activities aimed at counteracting the impact of the environmental rights groups. To date, I have not heard much, or any further announcement, about this fund. I want to ask the Minister, what is happening with this fund, and where is it reflected in the main estimates?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. We have roughly \$300,000 in the trust fund at this moment, and I am asking the government to allow us to put in some regulations, so that we could enact the act that establishes the trust fund. Also, under the act, we are required to establish a board that would govern the money that is in the trust. It is almost coming to be established. There is money in the bank at this moment, we just need to establish a board and regulations.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, could I ask the Minister that since the fund has been established, how many applicants have we funded through this fund, through this trust fund to date?

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. None, because the board is not in place yet. Once the board is in place, then the money could be utilized.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, can I ask the Minister why it is taking the department so long to appoint members to this board? That act, if I recall correctly, was passed during the 11th Assembly, before we went to the polls, Mr. Minister. I would like to ask the Minister, why it is taking them so long just to appoint board members? We have not been funding any agencies that want to combat environmental rights groups pertaining to the fur industry. That means we have not done anything, why? It does not take that long to get people in place.

CHAIRMAN (Mr. Ningark):

Thank you. Why the drag, Mr. Minister?

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. We had the documents in place for Cabinet's review for quite some time. Because the Legislature requested that all boards and agencies of this government be reviewed, we were told to hold awhile a minute, until the Boards and Agencies Committee has dealt with all the boards of this government. All the documentation is ready for Cabinet, but since Cabinet has not dealt with it, we are not able to appoint boards. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister. Mr. Zoe.

MR. ZOE:

Mr. Chairman, could I ask the Minister if there are any applicants on file that have been dealt with? Are there any applications to utilize this fund, on hand with the department, and if there is, I would like to know the number, how many applicants are there?

CHAIRMAN (Mr. Ningark):

Mahsi. Mr. Minister.

HON. TITUS ALLOOLOO:

Mahsi. No, none.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Zoe.

MR. ZOE:

Mr. Chairman, with this trust fund, I trust my good friend, Mr. Allooloo, the Minister responsible for Renewable Resources, would make every effort to try to get this board in place, so that we can disburse the money that we have in the trust fund to combat the animal rights groups, to protect our fur industry.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Zoe, you seem to have hit the right spot. Mr. Minister.

HON. TITUS ALLOOLOO:

Yes.

CHAIRMAN (Mr. Ningark):

Thank you. Shall we continue with the line by line?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 12-12, contributions, this is a detail of grants and contributions.

Page 1103

Contributions of \$2.016 million. Mr. Gargan, Member for Deh Cho.

MR. GARGAN:

Page 12-12, or page 12-21. Mr. Chairman, with regard to disaster compensation, this spring there was an unusually amount of water all over, including Mr. Nerysoo's riding, and Mr. Zoe's riding, you have \$15,000 and people have lost cabins and have ski-doods that will no longer operate because they have been sitting in the water too long, rifles, paddles, boats, the lot.

This year must have been the worst in the history of the north, where there was an unusual high level of water. The Minister is aware, when he was Minister of Transportation, that the water was really high, it went over at the ferry levels, and destroyed a lot of areas.

I am wondering whether, or not, that is enough, \$15,000 hardly seems enough to cover a cabin. How is the Minister addressing this? I am sure some of the Members have already written to you for assistance to certain people in their constituencies. Can I ask the Minister if there is any action going to be taken regarding this?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. For the correction, I read page 12-12, it should have read page 12-21. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. That \$15,000 figure is a holding figure, since we do not know, as a department, how much money we are going to spend in any particular year, we use that as a holding figure. Some years we spend it, some years we do not spend that amount. This year, we will probably spend more than that. What we do in those particular cases, where the requests are more than \$15,000, either we fund it within or we request supplementary funding for

the contribution that we make in the disaster compensation.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. So, the \$15,000 does not stop the Minister or the department from saying, "look, this is all we have, sorry, but you are going to have to do without", or does the Minister still have that discretion, to make approvals with the anticipation that under special warrants, or appropriation, he will recover the money?

CHAIRMAN (Mr. Ningark):

Thank you. Honourable Minister.

HON. TITUS ALLOOLOO:

The Member is correct, as long as the applications are within the guidelines set out for compensation. Thank you.

CHAIRMAN (Mr. Ningark):

Mr. Gargan.

MR. GARGAN:

The one issue that I wanted to address, Mr. Chairman, is the replacement to the Special A.R.D.A. program. Under which detail heading is that?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister. Mr. Minister, this is not a football game, carry on.

HON. TITUS ALLOOLOO:

Mr. Chairman, there is no replacement for the Special A.R.D.A. What we do have is the Community Harvesters Assistance Program, which we fund small expenditures to individuals to allow them to get boats, ski-doo's, and that sort of thing. For larger purchases, they have to go through Economic Development. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you, honourable Minister. Mr. Gargan.

MR. GARGAN:

Thank you. I understood that the Community Harvesters Assistance Program is for people to go out on the land and harvest animals, caribou, and whatever the case may be. I thought that was the intent of this program, but if you allocated \$416,000 just to two communities, you do not have very much with regard to whether you have the option to allow hunters and trappers to harvest animals.

So, I would like to ask the Minister whether, or not, the department has any plans again, to maybe introduce a program that would actually help, or encourage, and motivate people to go back on the land? Since we are in difficult times, and the best way, perhaps, to address the situation of unemployment, is to encourage people to live off the land.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. I agree, \$416,000 is not a large amount, but what I would like to do is to put all the contributions that we make to communities, pool them together and allow the H.T.A. to have more flexibility in terms of giving out assistance to hunters or trappers. That would give them a little more resources in that way, since, as a government, we do not have a large amount of money at this point. Thank you.

CHAIRMAN (Mr. Ningark):

Shall we continue with the line by line? Mr. Gargan, are you done? Shall we carry on? Thank you, Mr. Gargan. Page 12-21, contributions of \$2.016 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Grants and contributions of \$2.631 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, can we go back to forest management?

CHAIRMAN (Mr. Ningark):

Is the committee agreed that we go back to forest management?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Proceed, Mr. Gargan.

Committee Motion 171-12(2): Department Of Renewable Resources Consult With Communities

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, I have a motion with regard to the details on forest management. I move that the Department of Renewable Resources, prior to issuing any timber permits and licences, consult with the communities in the area directly affected by the proposed timber harvesting, and receive their permission to the issue of a license.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Gargan. The motion seems to be in order, the motion is in order. To the motion, Mr. Gargan.

MR. GARGAN:

I know that Mr. Antoine is not here, but when Mr. Antoine was here, he did raise some concerns with regard to harvesting in the Jean Marie area. Since we are the ones that own the sawmill that is going to affect Jean Marie, I think that it is only right and

Page 1104

fair that we allow the communities to be consulted. Not only consulted, but have the support of the community before any licence is issued. That is the purpose of the motion. Thanks.

CHAIRMAN (Mr. Ningark):

Thank you. Before we proceed further with the motion, we do not have a quorum. Do we have a

quorum now? Okay, thank you. To the motion. We do not have a quorum here. Do we have a quorum now?

I believe we have a quorum. To the motion. Question has been called. All those in favour, please signify. All those opposed? The motion is carried.

---Carried.

Okay. On page 12-22 information item on fur marketing service revolving fund. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 12-23, details of work performed on behalf of third parties.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 12-25 revenues, recoveries and transfer of payments.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Thank you. Page 12-26, distribution of budget.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Mahsi. Page 12-9, program summary, total operation and maintenance of \$41.561 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. I notice that the budget has been reduced by six percent under salaries and wages. Is that just an overall reduction because of a reduction in person years, as opposed to everybody taking a small cut, including you, Joe?

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Minister, could you give us your justification?

HON. TITUS ALLOOLOO:

That is correct.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

That is correct that they are taking a cut in pay, or a reduction in person years?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. TITUS ALLOOLOO:

Thank you, Mr. Chairman. There has been reductions in PYs, as well as overall O & M.

CHAIRMAN (Mr. Ningark):

Mr. Gargan. Okay, thank you. Page 12-9, program summary, total operation and maintenance of \$41.561 million.

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Now does the committee agree that we conclude this item? Thank you. I would like to thank the Honourable Minister Allooloo, and his witnesses. Joe, nice to see you again, Mr. Handley. Thank you.

---Applause

CHAIRMAN (Mr. Ningark):

Now in the order of appearances, we have the Department of Justice. Now what is the wish of the committee? Carry on with the list? Mr. Todd.

MR. TODD:

Yes, Mr. Chairman. If we could proceed with the Department of Justice. Please.

CHAIRMAN (Mr. Ningark):

Yes, thank you, Mr. Todd. Mr. Minister of the Department of Justice, would you like to make an opening remark.

Introductory Remarks, Department Of Justice

HON. STEPHEN KAKFWI:

Mr. Chairman, I wish to present the budget of the Department of Justice, for consideration of the committee. Following are some of the points which, I believe, will be of particular interest to Members in reviewing the Department of Justice budget.

The department has been engaged in a thorough examination of its activities. Care has been taken to reduce in areas which will not have a significant impact on justice services to the public. Any budget reductions are made in the context of growing demands placed on the justice system. Although we are operating in a climate of fiscal restraint, it must not effect the development of vision for the future, for a justice system that will better serve the people of the territories.

In the directorate, we have targeted three areas of reduction as part of the government wide budget reduction exercise. The Aboriginal Court Challenges Program has been reduced. Considering requests for funding in the past, it is anticipated that the amount remaining in the budget is still sufficient to assist individuals, and organizations, with litigation to define and protect aboriginal rights.

The Northwest Territories law reform committee has not operated, as such, for several years, and we will not be reactivating the committee. The Law Reform function will be carried out internally, and by contract, on a scaled down basis. The elimination of the committee has allowed a reduction to that budget, for this fiscal year, with a further reduction plan for the next year.

We plan to close the Baffin Regional Directorate Office. This position was previously staffed with a lawyer. It is felt that improved services can be provided, within the region, by lawyers working with individual departments.

This year, we are pleased to receive the Report of the Special Advisor on Gender Equality. The report identifies a number of changes that can be made through the administration of justice to make the justice system more responsive to the needs of women. The report reminds us that the government has a particular responsibility to those who are victims of violence, instead of focusing solely on offenders. The victims, who must go through the often traumatic experience of testifying in court, have few or no resources available to them, to assist them. Victims' money will continue to be directed towards making opportunities available for community workers. I am determined to assist communities in the development of victims' services that are appropriate for each community.

Page 1105

I agree with the Standing Committee on Finance, that we should have no tolerance for violence. Violence, particularly violence against women and children, has been addressed in some detail in the Report of the Special Advisor on Gender Equality, and that report provides us with many helpful directions for approaching this problem.

Police services. After arduous negotiations, a 20 year policing agreement has been signed with the federal government. As I believe was mentioned in the Legislative Assembly, by my predecessor, we managed to retain the existing cost sharing ratios, our share being 70 percent. No funding has been identified in this document to cover inflation, or costs associated with the new contract for the R.C.M.P. They have been encouraged to hold the line as much as possible.

As a result of funding freezes, due to restraint at both the federal and territorial levels, of the last several years, G Division has had their own budget erode to the point where they can no longer sustain operations with their approved establishment of 225 members. This has resulted in the force not being able to fill various vacant positions. Recently, the R.C.M.P. informed us that they will be going ahead with staffing of the detachments in Paulatuk and Sachs Harbour, who are just waiting to hear from them as to when the staffing will take place.

The Standing Committee on Finance has made a number of interesting recommendations with reference to the R.C.M.P.. By way of not being reflected in the budget, any additional resources for an R.C.M.P. reserve, or volunteer force, the

department is working closely with the R.C.M.P. on a range of options to approach communities with. Consistent with the community transfer initiative, we want to have a meaningful dialogue with communities on options, such as training by-law officers to work as part of an R.C.M.P. reserve, training other local volunteers, increasing regular R.C.M.P. strength, or pursuing aboriginal policing pilot projects through federal funding programs. The options would be flexible, and financial implications would be identified, so that choices made are made in the context of each community's overall priorities.

The Legal Aid Program has been under scrutiny from various sources, including the Legislative Assembly, and the Auditor General's office, for some time. As a result of an action plan, which has been developed by the department, the program is being reviewed. We are working closely with the legal services board to reduce costs, and implement recommendations from various reviews of legal aid.

The recommendations are aimed at attempting to improve services, and yet, at the same time, control costs. It is hoped that by 1993-94, over \$400,000 can be reduced from the legal aid budget. To date, legal aid expenditures for fees and payments are down approximately 30 percent from this time last year. However, it is too early to draw any conclusions from this situation. The board has decided to hire two staff lawyers to work in the Yellowknife office. This change should result in considerable savings.

We are working with the Legal Services Board, and the Law Society, to establish a new tariff schedule. This, also, is being done with the intent of controlling costs through some sort of blocking and capping of fees.

A new lawyer has just started working in Rankin Inlet. The board is in the process of staffing some of the other clinics, and replacing the executive director. This transitional phase is difficult to get through, but it will no doubt be positive for legal aid in the long run.

Registries and court services. Funding for legal registries has been increased substantially in anticipation of transfer of responsibility for land titles from the federal government. It is expected that the program will raise revenue well in excess of additional expenditures that they will occasion. Negotiations affecting the transfer are under final stages at this time.

In spite of cutbacks in some areas, the cost of operating the courts continues to rise, because of the staffing requirements associated with the appointment of a third resident justice to the Supreme Court Bench. Generally, because of the increased case load faced by the courts, and because of charge back costs of the newly implemented justice information system, we are continuing to explore ways of controlling, and reducing costs within court operations. We are working with the judges to establish a management committee, in an attempt to find more efficient ways of carrying out justice proceedings, through the cooperation of all interested parties.

A review has been conducted into the possibility of closing the Hay River court registry, in an attempt to reduce costs. Following the recommendation of this review, and consistent with the comments made by the Standing Committee on Finance on this matter, the decision has been made to keep the registry open.

The Justice of the Peace administrator continues to offer training seminars to Justices of the Peace across the territories. We are reaching a point, where, with the cooperation of territorial court judges, justices are willing and able to sit in sentencing.

The administrator also continues to conduct discussions with community members, about the roles that communities might assume in the administration of justice. Efforts continue to recruit justices who are representative of their communities, and I would urge Members to encourage respected members of their communities to put their names forward.

As Members are aware, we undertook a project to revise the N.W.T. Statutes and Regulations some time ago. The revision of the legislation is now complete and the revised regulations came into force in July, 1992. We will now be able to eliminate this expenditure from our budget.

Corrections. Although not specifically covered in this budget, Members are aware of the government's intent to transfer correction services division to the Justice department. The transfer of corrections, besides bringing us in line with other jurisdictions across the country, should allow us to better coordinate the development of community justice initiatives across the territories.

We will now have regional resource people available to work with communities, in defining and acting upon

their aspirations for more community involvement in the administration of justice.

As communities gradually assume increased responsibility, it is expected that, in the long run, this will slow the growth of the demands placed on the justice system.

Mr. Chairman, in light of these remarks, I invite the Members of this committee to examine, in detail, the 1992-93 budget for the Department of Justice, and I would be pleased to try to answer questions. Mahsi.

CHAIRMAN (Mr. Dent):

Thank you, Mr. Minister. Did you want to bring witnesses before us?

HON. STEPHEN KAKFWI:

Yes.

Page 1106

CHAIRMAN (Mr. Dent):

If the Sergeant-at-Arms could bring the witnesses in. Mr. Minister, for the record, could you introduce your witnesses?

Department of Justice

HON. STEPHEN KAKFWI:

Mr. Chairman, I have Mike Rudolph, Acting Director of Finance for Justice; also the Deputy Minister of Justice, Geoff Bickert.

CHAIRMAN (Mr. Dent):

Thank you. The chairman of the Standing Committee on Finance, do you care to respond to the Minister's opening remarks?

MR. TODD:

Thank you, Mr. Chairman. We have a series of motions that we would like to deal with, on the front end, as we have done with previous departments, if that is okay.

The Standing Committee on Finance is equally concerned, Mr. Chairman, about the way in which the justice system, and in particular the correctional system, is currently working, or in the opinion of some of us, not working.

CHAIRMAN (Mr. Dent):

Just a second, Mr. Todd. Apparently the translation system is not working right now. Okay, Mr. Todd, if you would not mind starting again, I understand that the system is up and running again.

MR. TODD:

Thank you, Mr. Chairman. The Standing Committee on Finance is as equally concerned as the Minister is, with respect to the escalating costs and human costs with respect to the justice system, and in particular, with respect to corrections. Clearly, if you have 90 percent of the correctional facilities with aboriginal people, we have got to find a new and more creative way to look after people who have committed crimes.

It seems to us, on the standing committee, that there was very little involvement in terms of the cultural relevance of the way in which people are incarcerated. We need to accelerate discussions, and I am pleased to see that the Minister is talking about moving forward in meeting with people and groups to find out better ways to do things.

I guess my concern would be that you have to put some time lines on those things. It is fine to talk about it, but talk is cheap in my world, action is what counts. We have heard this, from this Minister before, when we are talking about community initiatives, etc., and I suggest to you that we need a bit of a plan here. Somebody has to come forward with a plan, this is what we are going to try to do, this is who we are going to discuss things with, and come up with some comprehensive changes with respect to the way in which our people are being taken care of in corrections.

I know that in discussions, certainly in the east, there are a number of agencies and groups who are interested in a review and in discussing with the department, new ways in which, and I think more economic ways, if I can talk about dollars, ways in which to look after people, who again have committed crimes.

We need to move forward in meeting with these groups and coming up with a comprehensive plan. The cost, in terms of the justice costs, as we all know, is going through the roof. Whether it is in terms of legal aid, transportation costs for judges, per day costs of keeping people in jails, etc. We are talking one employee for one criminal, and to my mind, there has to be a better way to do it. There just simply has

to be, you cannot just chuck people in jail, pop them out at the end of their term, and expect them to go home and be good boys and bad boys.

I know, in my experience, in looking at the repeat offenders, it is almost frightening at the number of people who are going back, and back, and back again. There is a significant judicial cost to this, never mind the human cost.

The committee is concerned that violence, particularly against women and children, seems to be at epidemic proportions. The committee supports a zero tolerance for violence. At the same time, the Northwest Territories has, as I have said earlier, the highest rate of incarceration in the free world. What is clear to us, is that the current justice system and our approach to violence is simply not working.

We recognize that solutions are difficult to achieve. This is not an easy task, but clearly some kind of swift short-term and some long-term action is necessary. The justice, the court, and the corrections system, contrary to popular belief, are not at the tail end of the problem, but are part of a vicious circle of violence, which we must make an effort to break.

Whose mandate is it? While there are a number of partners responsible, certainly the territorial government has the resources at its disposal to provide leadership and direction to turn this situation around, or at least make an effort to do so, and reduce the violence and incarceration statistics.

We suggest that within the territorial government, the Department of Justice is the most appropriate department to lead an integrated approach to this problem. The Department of Justice should not just be reactionary, as its current mandate in the 1992-93 main estimates states, it must be pro-active.

As I have said earlier, we need a plan. We need to find a plan to bring this about. A plan must be developed in wide consultation with the people in the communities and must incorporate an integrated and creative new approach to dealing with these community problems, rather than the current departmental approach.

For example, participants must include the families, federal and municipal governments, economic development, social services, police justice, corrections, it is a total all-encompassing problem. It is no easy task, we say that again. Solutions must be found. We must work toward preventative measures

to try to reduce the need for jails and a method of suitable sanctions, or jails, which we will hope that we will not, and programs for victims and after-care. I cannot stress that enough, that comes up time and time again. After care to minimize the changes of reoccurrence. It is clear, that in the statistics we have seen, the repeat offenders are at a similar level of violence, it is at epidemic proportions.

Committee Motion 172-12(2): To Adopt Recommendation No. 51

Mr. Chairman, I move that the committee recommends the Department of Justice be given the mandate in 1993-94 main estimates to develop a proactive plan, or strategy, on behalf of the government, to overhaul the justice system and deal with violence in the Northwest Territories, by October of 1993. That is the plan. The strategy should incorporate that preventative and after care programs be integrated, and developed with wide consultation.

CHAIRMAN (Mr. Dent):

Thank you, Mr. Todd. Your motion is in order, but we do not have a quorum at the moment, so I will ask the Clerk to ring the bell, and see if we can get a quorum.

Okay, we have a quorum. Your motion is in order, Mr. Todd. To the motion.

Page 1107

MR. TODD:

Thank you, Mr. Chairman, it all has been said before. You know, we have said it all before, the department has said it, the Minister has said it, the committee has said it, what we need now is to get on with it. We need a plan that shows that we are going to do things differently, because the way in which we have done things in the past simply has not worked.

There is an acceleration in the costs of justice, and we have to find a way to, at least, hold the costs. We, certainly, cannot continue to expend the levels of money, and the level of human suffering, that we currently have. So, I mean, I do not think we are saying anything different than the department, but what we are saying to this Minister, is, let us have some time lines on the plan, so we have some indication of what kind of changes can come about, what it is going to cost, and how we are going to do it, etc.

Somebody has to come forward with this plan, we are suggesting by October, 1993.

CHAIRMAN (Mr. Dent):

To the motion. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Chairman, I just want to speak to the motion. My view, I guess, being part of the government and part of this Legislature, is that the solutions to the many problems that we are faced with. Being Ministers of different departments, and being Members of this Legislature, is all encompassing. I believe that it is possible for us to put together a plan, from the justice point of view, I guess, on what we can do to be more responsive and proactive.

In my view, the solution is going to come more from our approach. As experienced, as well intentioned, and as moral as we are, being elected representatives of our constituents, the fact is that, any solutions that we come up with are just going to come up with other warts in other parts of the body, so to speak. We can fix up certain unsightly things that plague our society, but in the end, I think the solution, in my view, lies with us going to the communities and asking the question, "can we, with communities, work out what the approach should be?"

For instance, in earlier discussions, it is noted that corrections, the way that it is run, the way the institutions have been designed and have been functioning, are inadequate. I will not use any adjective here, but it is agreed that they are not adequate and, perhaps, culturally, very alienating for all aboriginal people, perhaps for all northern people, as well.

The fact is, these have been designed elsewhere. I think it would be, I can say foolish, but I think it would be a better investment of our time and our resources if we took the occasion to go to communities this time and say that we know it is no good, but why do you not tell us what you would design. We have so many people that are presently employed in the system, we have so much money that we spend, and are planning to spend, here is the task we have to do.

We have so many people going to jail, they serve so much time, and here is the scenario. Go to communities, and say, "what would you do to try and come up with solutions?" I think we do the same thing with the different aspects of law, regarding laws

about adoption, about family violence, how sentencing should be conducted in the communities, about policing, that was a statement that I made earlier, that we want to talk to communities about how to do it.

I just want to make sure, I guess, that the Member, that is the approach that he would advocate. We have, for instance, a master plan, that was apparently initiated by some former Minister of Social Services, to take a review of the correctional services division, when it was still under Social Services. That has resulted in what they call a master plan being drafted and developed. I think, if I can get that translated, as well, that we will definitely share it with Members, and table it.

That seems, to me, just part of everything else that is coming down in line, with the approach that the Minister of Intergovernmental and Aboriginal Affairs is suggesting, for the approach to take in community transfer initiatives.

I think the justice thing is going to be one part of that big plan. It is going to tie into what approach we take helping our young people learn parenting skills, and what we teach our children in the schools. It is going to tie in with, of course, the kind of money and support we give to communities, housing, and the kind of responsibilities we transfer to them in a whole range of other areas, the approach we take in transferring responsibility.

I wanted to add that to the record, and the motion is being considered. Thank you.

CHAIRMAN (Mr. Dent):

Thank you, Mr. Minister. To the motion. Mr. Todd.

MR. TODD:

Yes, if I may, and I do not want to get too defensive, but I want to say if I had given this to the Minister, he would have understood it.

This plan must be developed in wide consultation with the people in the communities, unless they incorporate, integrate, and create, a new approach, so we are not disagreeing. The preamble says exactly what he said. We are not disagreeing one bit. That is what we are suggesting. We need to know when, who, and how proof of the pudding is going to be in the eating, as they say. So, talk is cheap as far as I am concerned, and I do not want to be too hard, but we want some action on this thing. We are not

saying anything different than what you are saying, and if you would listen to the preamble, you would have heard that.

CHAIRMAN (Mr. Dent):

To the motion. Question has been called. Are we ready for the question? All those in favour, please raise your hands. All those opposed, please signify. Motion is carried.

---Carried

MR. TODD:

Thank you, Mr. Chairman. We have a motion on our police services. As the Minister said earlier, there have been extensive negotiations taking place with the contract that we have come to have with the R.C.M.P. However, the committee believes that programs should all undergo independent program evaluations to ensure efficiency, effectiveness, and economy. The police services, which are funded 70 percent by the territorial government, in our opinion, is no exception.

In addition, the Minister indicated that he will, no doubt, have to return to the Assembly before the end of the fiscal year to request supplemental funding for a shortfall. We must ensure that the police services are delivered in the best way possible, and accountability upheld.

Committee Motion 173-12(2): To Adopt Recommendation No. 52

Therefore, I move that the committee recommends that a program evaluation be undertaken of the police service agreement, and funding be included in the 1993-94 main estimates, to cover all approved contract costs with no expectation of additional supplementary funding.

Page 1108

CHAIRMAN (Mr. Dent):

Thank you, Mr. Todd. A motion is in order. To the motion. Question is being called. All those in favour, please raise your hands. All those opposed? The motion is carried.

---Carried

CHAIRMAN (Mr. Dent):

Mr. Todd.

MR. TODD:

Thank you. While the committee recognizes that we are all under financial restraint, there is clearly a need to ensure that there is some policing mechanism in some of the communities that do not have the R.C.M.P. I believe, in the Minister's speech the other day, that he indicated that was going to happen, and we applauded him for it. The committee also believes that the state police should be represented by the people they serve.

Committee Motion 174-12(2): To Adopt Recommendation No. 53

Therefore, I move that the committee recommends the Assembly establish a goal of significantly increasing the number of aboriginal people in the police force, and the government review options with the R.C.M.P., and develop an action plan in the 1993-94 main estimates to accomplish:

1. Job redefinition to use talents available in the north; and
2. Development of career pathing for northerners.

CHAIRMAN (Mr. Dent):

Thank you. The motion is in order. To the motion. Question has been called. All those in favour, please raise your hands. All those opposed? The motion carried.

---Carried

Mr. Todd.

MR. TODD:

In the new O & M budget, there was some concern by the committee, about court travel costs, and while we recognize this is sensitive ground, it seems to us that we are just soaring through the roof. No one should be immune from evaluation, and taking a second look, to see if it is the most cost effective way to do things. The committee was concerned that court travel costs are high, and we were not provided with any guidelines covering court travel costs against which we could evaluate the need for the government resources.

Committee Motion 175-12(2): To Adopt Recommendation No. 54

Therefore, I move that the committee recommends that the Department of Justice provide court travel guidelines in the 1993-94 main estimates.

CHAIRMAN (Mr. Dent):

Thank you. The motion is in order. To the motion. Mr. Ningark.

MR. NINGARK:

I am wondering, Mr. Chairman, do we have a quorum here?

CHAIRMAN (Mr. Dent):

Yes, Mr. Ningark, we do. To the motion. Question has been called. All those in favour, please raise your hand. Thank you. All those opposed? The motion is carried.

---Carried

Mr. Todd.

MR. TODD:

The second last resolution is the computerization of the legal registries, and it appeared that the Standing Committee on Finance felt that this should be computerized.

Committee Motion 176-12(2): To Adopt Recommendation No. 55

I move that the committee recommends the Department of Justice include, in its objectives for the 1993-94 main estimates, a cost benefits study of computerizing legal registries.

CHAIRMAN (Mr. Dent):

Thank you. Motion is in order. To the motion. Mr. Gargan. To the motion. Question has been called. All those in favour, please raise your hands. Thank you. All those opposed? The motion is carried.

---Carried

Mr. Todd.

MR. TODD:

Last, but not least, measuring output and effect, it is no different than the rest of the departments. The committee wishes to know what the department will accomplish with the money put into the justice program.

Committee Motion 176-12(2): To Adopt Recommendation No. 56

Therefore, I move that the committee recommends that the Department of Justice report, as a minimum, the following performance measurements in the 1993-94 main estimates:

1. Incarceration rights by the region;
2. Criminal and civil crime statistics;
3. Court costs and back logs to the courts; and
4. R.C.M.P. costs on performance, including affirmative action.

CHAIRMAN (Mr. Dent):

Thank you. The motion is in order. To the motion. Question is being called. All those in favour, please raise your hands. Thank you. All those opposed? The motion is carried.

---Carried

Does that complete the Standing Committee on Finance resolutions?

MR. TODD:

That does, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Dent):

Thank you, Mr. Todd. Are there any general comments on the Department of Justice before we proceed activity by activity? Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. Mr. Chairman, on the Department of Justice, I want to make some general comments about the fundamental changes that must take place within the Department of Justice.

We cannot go on any longer with the present system which tells us that our beliefs and traditions do not matter, and will not be enforced, while we must follow rules that make no sense to our way of life.

Earlier today, I made a statement about the government's refusal to fulfil its promise to aboriginal people in the Northwest Territories in the area of family law. The government promised aboriginal people that there would be a major reworking of the Northwest Territories Family Law Legislation, so that laws will respect and enforce aboriginal traditions and values.

Page 1109

This is a four year old promise, Mr. Chairman, for fundamental changes that are crucial to self-determination of aboriginal people. Does the government really think that we will just forget about it?

Mr. Chairman, this project has been shrouded in secrecy from its beginning. We do not know how the project was organized, how it was contracted, what work has been completed, and by whom. People have come and gone, and four years later we have nothing to show for all those involved.

Mr. Chairman, we have no idea of what the government has paid for this lack of action. We know that there has been a lot. Is this government interested in being accountable to the public for the expenditure of public funds? Is it spending a lot of effort to avoid accounting for the cost of the project?

I would like to know how a private business could survive under such management. I know that it is not acceptable from this government. The public needs firm answers, we need a figure, and we need to know if there has been anything worthwhile produced.

Mr. Chairman, I also want to make some general comments about the entire justice system in the Northwest Territories, because this is an area in which the territories should take a lead role in aboriginal self-determination.

Mr. Chairman, Members know that the issue of the application of the current justice system to aboriginal people, is an issue of great concern to me. I have been raising the need for change in this House, for many years. For example, three years ago, I made a statement in which I said that the so-called Canadian justice system must be changed so that the criminal laws reflect the cultural practices, and traditional ways, of Canada's aboriginal people. The legal system has been termed well intentioned colonially, but it is time that this practice ends. The legal system must serve the people.

Mr. Chairman, over the years, I have come to realize that aboriginal people will not be served within the present justice system. As I have said in the House, I am convinced that the only way that justice for aboriginal people can be assured, is through the development of an aboriginal justice system.

Mr. Chairman, my words seem to have fallen on deaf ears over the years, but I will keep on pushing. I believe that a separate aboriginal justice system is the only way to secure justice for our people. If anyone doubts that there is unequal treatment of aboriginal people in our present system, there are more examples of reports and inquiries completed that confirms injustice. I could mention, Donald Marshall, a native man from Nova Scotia, was convicted of a murder that he did not commit, and spent 11 years in prison for it. The report of the commission looking into the case said that they were convinced if Donald Marshall had been white, the investigation would have taken a different course.

In Manitoba, the death of J.J. Harper and Helen Betty Osborne caused an inquiry to be held on the justice system and aboriginal people. The very first sentence of the report of the Aboriginal Justice Inquiry is "the justice system has failed Manitoba's aboriginal people on a massive scale."

In Alberta, a Cree trapper was shot in the back, and the man who did it was allowed to plead guilty to manslaughter, and received a full years sentence. The inquiry looking into the death was marked by attempts to block information from being heard.

We know that injustice has happened in the Northwest Territories. The case of Kitty Nowdlak Reynolds, an Inuit women who was victimized once by sexual assault, and a second time by the actions of the Crown Prosecutor and the R.C.M.P.

Mr. Chairman, these are only some of the people whose tragic situations have made the headlines. There are countless hidden tragedies. The Manitoba Aboriginal Justice Inquiry recommends that the federal and provincial governments recognize the right of aboriginal peoples to establishing our own justice system as part of the inherent right to self-government, and commit themselves to establishing a constitutionally protected aboriginal justice system. The Canadian Bar Association and the Law Reform Commission of Canada have formally supported the establishment of separate aboriginal justice systems.

The constitutional package that was recently reached by aboriginal leaders, territorial leaders, and the provincial and federal government would provide the framework for the incorporation of a third order of justice. A third order of government, controlled by aboriginal people.

We should be moving now, to examine the models on which a separate aboriginal system could be based.

In February, 1990, I made a statement about my trip to the Navajo Reservations in the United States, to look at the Indian Tribal Court System. I was impressed with their system, and the advances they have made. The reserve has its own aboriginal judges, lawyers, and police force. They have also been developing traditional methods to dispute resolutions, such as, using peacemakers to resolve issues rather than court system, in some cases.

Another model, is the Northwest Inter-tribal Court System in Washington State, as well, in 1989, there was a tribal courts symposium held in Manitoba. When those who attend, heard from several American tribal court judges and court officials, about how they run their courts, there were a number of tribes with populations similar to Canada's First Nations, who operate their own fully functional justice system.

I hope it is clear that we cannot just tinker with the present colonial system, in the hopes of having it represent aboriginal people better. We cannot do that. In my view, it is crucial to the development of aboriginal self-government, and the aboriginal administration of justice for our people. Aboriginal communities should be entitled to, en-act their own criminal, civil, and family laws, and to have those laws enforced by their own justice system. Certainly, it would also be possible for federal and territorial laws to be adopted, as well.

We have to ensure our people have respect for the teaching of elders, and for our traditional customs. This would not be any different from the traditional Canadian legal system, which is based on English common law.

Aboriginal people must be able to govern themselves in a similar way, based on our traditions, customs, beliefs and values. This must be the foundation of the development of an aboriginal system.

Mr. Chairman, there are no excuses to delay any further. The Government of the Northwest Territories is in a unique situation to take a lead role in the

country, by creating a separate aboriginal justice system, for the aboriginal people of the north. It is time that we quit talking, and start acting.

Page 1110

I do not know how many more tragedies we need to witness, or how many more organizations, and inquiries, we need to hear saying that this should be done, before the government does something.

CHAIRMAN (Mr. Dent):

Mr. Gargan, we have gone past your ten minutes, did you want to seek unanimous consent to continue?

MR. GARGAN:

No, I am finished. Thank you.

CHAIRMAN (Mr. Dent):

Mr. Minister, did you wish to respond?

HON. STEPHEN KAKFWI:

Mr. Chairman, part of the problem that I have, is that the if we talk about a separate justice system, and I think it is possible now, I think it is possible because of the very strong possibility, I hope, that the Constitution will be amended to include the third order of government, that aboriginal form of government. I think this would make a very strong case for a whole different form of government, that aboriginal people can develop themselves, which can include a different justice system.

My assessment of it is, that ultimately it is the aboriginal people, their elected people, and the communities that will decide that. Even if they decide it, it certainly will not be for some period of time. What are the choices? I think that is what comes at me from the Member's comments. Should we stop doing what we can to remedy the present system, and put all our efforts into coming up with a whole different aboriginal justice system, or should we bank on doing both? If there is a legitimate call from aboriginal communities for a separate justice system, established basis for it, then should we not, also, in the interim, do everything we can to lessen the pain, the suffering, and the alleged injustices that are occurring as a result of the present system. A separate justice system, at best, would be, at least, a decade away from being developed, or at least implemented.

Those are the comments that I wanted to make.

What I see as a new Minister of Justice, is a lot of work, by a lot of people, to do preparatory work for making changes. We have a massive document, done by a group of very highly qualified people, who have given us the Gender Equality Report, which I think has massive amounts of recommendations that have been forwarded from people, from communities, and all walks of life. We have now, within a few days, I hope, the possibility of tabling the Family Law Review report, which the Member has been very frustrated in waiting for.

I have done a quick review of that report, and it seems to have been put together by, again, a massive amount of people at the community level, from the aboriginal organizations, support groups, and from every segment of our communities. It definitely has many of the elements that the Member has spoken on, on different occasions over the years, as I have heard.

As a new Minister, one of the problems that I have, and I appreciate Mr. Todd's dislike for talk, but I have not been prone to preaching about all the grand things that I am going to do. It is coming from a lot of different places, I can do that very well, I know myself well enough to say if you ask me to stand on the soap box and brag well in advance of doing anything, that is what I intend to do. I can do that. It seems to me that the biggest challenge that we still have is to accept that it is not going to be Steve Kakfwi or John Todd that is going to remedy, or come up with solutions, or Sam Gargan. But rather, it is going to come from the kind of approach we take. I have said it before, and I think it needs to be said over and over again, that ultimately, it is going to be in our making the commitment. I think blindly, but with full faith that the communities are going to come up with the remedies. The approach that is going to resolve many of these problems, that this is really a call on this government, and no other government, as far as I know, in the history of Canada for that matter, has ever done something like that, which is to say, we know we are not going to solve the problems. Somehow we have to jump into a situation where we are not in control, that we have to share the control where we have to, except that the communities are going to have to take ownership, and tell us what they want. We will have to assist them with resources for them to come up with the solutions. That, I think, is going to be the way we do it, and the call for a separate aboriginal justice system, is what, I think, the

Member sees in it. The aboriginal people by themselves can do it.

My view, is that in the short term, we still have to ask communities what we can do to alleviate the staggering problems that we have, as people, about how our people are sentenced, what kind of support they have while they are incarcerated here, and what happens to them when they are let out. There is a problem of how children are treated in the court system, and how women are treated in the court system. There is staggering problems in corrections. For instance, I had a short visit to Fort Smith, where there is a correctional institute for women. There are women from the eastern Arctic there, and I asked the question, "how is it, in the cultural context?" They are in a community that is really not in their own country, they are at least a 1,000 miles away from their homes. They are, you know, the staff, the kind of staff that Inuit people would staff for corrections, if they were in control of it. Would the kind of programs, be programs that the Inuit people themselves, elders would say that this is what I think our Inuit inmates should have.

Those kind of questions jump out at me, and I know that there is a need for new correctional facilities to be built very soon, if we do not cut back on the amount of people who are being incarcerated. We asked the question, "are communities prepared and interested in sentencing with judges and J.P.s about, instead of sending them all to Yellowknife?" Are our communities, willing, interested, and able to take young offenders, for instance, and even adult offenders, to take responsibility for their own people, instead of handing them over to a court system, a justice system that was not of their own making?

I think I can answer those questions, and I say, but it is not the day to get up, and stand up, on a soap box. I believe, absolutely, that the justice system has to be changed, and it has to address the dire needs of women being treated fairly and equally. It has to be altered to adjust for the fact that there is massive violence in our communities against women and children. It seems lopsided for many of us, biased of property instead of people, biased towards women, and against women, and totally not adequately structured for the treatment of children. Many of our institutions, and acts, need to be altered. New acts need to be drawn up to focus on the treatment of children, for instance.

CHAIRMAN (Mr. Dent):

Mr. Minister, you have exceeded your ten minutes.

HON. STEPHEN KAKFWI:

I will pass, Mr. Chairman, thank you.

CHAIRMAN (Mr. Dent):

Mr. Gargan.

MR. GARGAN:

Yes, Mr. Chairman, if the Minister keeps continuing to make all these long responses, you are not going

Page 1111

to get a chance to go to Fort Simpson for the justice conference that is happening over there. One of the things, Mr. Chairman, that I talked about is that we are still doing the same thing that we have been doing time and time again, and that is, every time there is an aboriginal concern, we try to fit it into the existing system; somehow, piece it together in there.

It is difficult to do that, because aboriginal values differ from what is in the justice system itself. I could imagine the Family Law Review Committee and the turnover of people. We have a situation in which there are disagreements on both sides of the argument with regard to trying to fit custom adoption within the existing Child Welfare Act, perhaps.

I think that the only way that you resolve the whole thing, is to look at alternatives to what is there now. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Dent):

General comments, Mrs. Marie-Jewell.

MRS. MARIE-JEWELL:

Mr. Chairman, I move that we report progress.

CHAIRMAN (Mr. Dent):

Motion to report progress. It is non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

We will rise and report progress.

MR. SPEAKER (Hon. Ludy Pudluk):

Now this House will come back to order. Item 19, report of committee of the whole, Mr. Chairman.

ITEM 19: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Dent):

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 33, and committee report 17-12(2), and wishes to report progress with seven motions being adopted, and Mr. Speaker, I move that the report of the chairman of committee of the whole be concurred with.

MR. SPEAKER (Hon. Ludy Pudluk):

Is there a seconder? Mr. Ningark. All those in favour? All those opposed? The motion is carried.

---Carried

Item 20, third reading of bills. Item 21, orders of the day, Mr. Clerk.

ITEM 21: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, meetings for Monday morning at 9:00 a.m. of the Ordinary Members' Caucus, and at 12:00 noon of the Special Committee on Constitutional Reform. Orders of the day for Monday, September 28, 1992.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Reports of Committees on the Review of Bills

12. Tabling of Documents
13. Notices of Motions
14. Notices of Motions for First Reading of Bills
15. Motions
 - Motion 36
16. First Reading of Bills
17. Second Reading of Bills
18. Consideration in Committee of the Whole of Bills and Other Matters
 - Tabled Document 9-12(2)
 - Tabled Document 10-12(2)
 - Tabled Document 62-12(2)
 - Tabled Document 70-12(2)
 - Motion 6
 - Committee Report 10-12(2)
 - Committee Report 17-12(2)
 - Committee Report 18-12(2)
 - Bill 9
 - Bill 31
 - Bill 32
 - Bill 33
 - Minister's Statement 82-12(2)
19. Report of Committee of the Whole
20. Third Reading of Bills
21. Orders of the Day

MR. SPEAKER:

(Translation) Thank you, Mr. Clerk. The meeting is adjourned until Monday, September 28, 1992.

---ADJOURNMENT