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The Honourable Michael A. Ballantyne, Speaker

MEMBERS PRESENT

Mr. Antoine, Mr. Arnagna'naaq, Hon. Michael Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Hon. Rebecca Mike, Hon. Don Morin, Hon. Richard Nerysoo, Mr. Ningark, Mr. Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

ITEM 1: PRAYER

SPEAKER (Hon. Michael Ballantyne):

Good afternoon. I would like to welcome a visitor in the gallery, Mr. Peter Ernerk, a former colleague and MLA.

---Applause

Item 2, Ministers' statements. Was my microphone on when I made the last statement?

SOME HON. MEMBERS:

No.

MR. SPEAKER:

I would like to advise the House I have received the following communication from his honour, the Commissioner of the Northwest Territories. "Dear Mr. Speaker, I wish to advise I recommend to the Legislative Assembly of the Northwest Territories the passage of Bill 20, Loan Authorization Act, 1993-94 during the Third Session of the 12th Legislative Assembly. Yours truly, D.L. Norris, Commissioner."

---Applause

Now that we have everything on the record we will go on to item 2, Ministers' statements. Item 3, Members' statements. Mr. Pudluk.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement Congratulating New TFN President And Board

MR. PUDLUK:

(Translation) Thank you, Mr. Speaker. I rise today to speak briefly regarding Nunavut. I am very happy Nunavut is progressing well. I would like to congratulate the president and the board on their

recent election to the Nunavut government. I am sure they will have a great deal of work to do. We received the results this morning of the newly elected president and board. I would like to congratulate the president of TFN, Paul Quassa. I would also like to congratulate the vice president, James Eetoolook. James and Paul have been working very hard to create Nunavut. I am very happy those two individuals won the election and I congratulate them. I would also like to congratulate the second vice president, Raymond Ningeocheak, who has been put back on the TFN board. Those three individuals have worked very hard for the creation of Nunavut. We can see that they have been re-elected and that everyone has supported them by voting for them. Because of those individuals and their hard work...

MR. SPEAKER:

Mr. Pudluk, your allotted time has elapsed.

MR. PUDLUK:

(Translation) Mr. Speaker, I would like to seek unanimous consent to conclude.

MR. SPEAKER:

The honourable Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed, Mr. Pudluk.

MR. PUDLUK:

(Translation) Thank you, Members and Mr. Speaker. The secretary-treasurer of the TFN board is Bernadette Makpah. We all know this individual and she is a very good candidate for the position. She has worked very hard. Once again, I would like to congratulate the new TFN president and the board. I am looking forward to working with them. The MLAs will be meeting them shortly. We will work with them. Thank you, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Pudluk. Item 3, Members' statements. Mr. Ningark.

Member's Statement Congratulating New TFN Board

MR. NINGARK:

Thank you, Mr. Speaker. Mr. Pudluk, the dean of the House, has made a statement. I would like to make a

statement on behalf of the Nunavut caucus to congratulate the following members of the executive council of Nunavut Tungavik who were elected yesterday, Mr. Paul Quassa, president, Mr. James Eetoolook, first vice president, Mr. Raymond Ningeocheak, second vice president, and Ms. Bernadette Makpah, secretary-treasurer. These results ensure that persons from all the regions of Nunavut are represented on the executive. I am sure all Members will join me in wishing the new Nunavut Tungavik executive every success and also in thanking all of the other 45 candidates who put their names forward for these positions. The Nunavut caucus will be seeking a meeting with the new executive at the earliest opportunity in order to discuss how we may continue working together towards a successful implementation of the Inuit land claim and Nunavut. Thank you.

---Applause

MR. SPEAKER:

Thank you, Mr. Ningark. Item 3, Members' statements. Mr. Zoe.

Member's Statement On Fuel Subsidy Program For Senior Citizens

MR. ZOE:

Mahsi, Mr. Speaker. I would like to express my concerns regarding the administration of the fuel subsidy program for our seniors, through the Department of Social

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Services. I fully support the policy of providing fuel assistance for our elders. I have a great amount of respect for the elders in our communities and, particularly, the communities which I represent. It is important this government ensure that they do not suffer hardship just trying to keep their homes warm.

However, Mr. Speaker, there are some problems with the way in which the program is being administered. There are many elders who are not being treated on an equal basis because their individual circumstances are not taken into account. Each elder, who has reached the age of 60 years, who lives in his/her own home and depends on wood or fuel for heating, may receive a wood or fuel subsidy. An elder who uses wood to heat his/her home will receive five cords of wood per year. Other elders who use fuel will receive certain amounts of oil, propane or natural gas. Mr.

Speaker, there is no consideration given to the type of home the elder lives in. Some of our elders live in higher quality homes with good insulation, and the amount of wood or fuel provided under this subsidy program is quite sufficient, but there are many elders, particularly in the western Arctic, who live in substandard accommodation. Usually these are homes that are not set up to burn fuel, they only have wood stoves, Mr. Speaker. If the home is of poor quality with poor insulation, five cords of wood per year is not adequate. Elders in substandard homes are experiencing hardships trying to heat their homes throughout the winter. Because of their living conditions, they need more than five cords of wood simply to be on the same footing as those in better quality homes.

Mr. Speaker, I seek unanimous consent to continue with my statement.

MR. SPEAKER:

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

MR. ZOE:

Mr. Speaker, the Minister must re-evaluate the fuel subsidy program to ensure our elders who are already living in poor conditions are not penalized further. The fuel subsidy program must take into account the quality of the home which the elder lives in so the amount of wood provided to each elder gives the same benefit.

Mr. Speaker, these are the people who have sacrificed to raise us. They gave us our values, our tradition and our future. They deserve better treatment by our government. Mahsi.

MR. SPEAKER:

Thank you, Mr. Zoe. Item 3, Member's statements. Mr. Gargan.

Member's Statement Re Apology From Canadian Armed Forces For Slaughter Of Caribou

MR. GARGAN:

Thank you, Mr. Speaker. I rise today to comment on the failure of the federal government to apologize for an incident which occurred during the Canadian Armed Forces exercise known as project Nordic Reliance. Mr. Speaker, honourable Members will

recall a group of armed forces personnel, engaged in so-called survival training, came onto traditional hunting grounds within the Northwest Territories and slaughtered a number of caribou. They had not obtained proper licenses or approval. There was much evidence that they had used automatic weapons and assault style ammunition. They killed our caribou cruelly and illegally.

Mr. Speaker, aboriginal northerners have a special relationship with the animals and our land. They have nurtured the land for thousands of years and in return we value them and keep them safe. That is why the Creator put them on this earth and that is also why we are here. It offends our values and spiritual beliefs when we see such careless and unnecessary slaughter. It is an offence against what we believe in.

Unfortunately, the justice system which has been imposed upon us does not recognize the significance of that offence. In this case, Judge Bourassa gave each of the federal poachers a very light slap on the wrist when they pleaded guilty in territorial court. The federal Minister, the Honourable Kim Campbell, apparently does not understand the seriousness of the action committed by these representatives of the Canadian Armed Forces.

I was quite annoyed yesterday to learn that even though the Premier has written letters and met with the federal Minister, there has been no formal response from the Department of National Defence or the Canadian Armed Forces.

We should continue to pursue this matter, Mr. Speaker, and I accept nothing short of a complete and formal apology from Ms. Campbell and the regimental commander involved. I urge the Premier to take a forceful stand in her dealings with the federal government on this issue. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 3, Members' statements. Mr. Patterson.

Member's Statement On Re-Establishment Of Young Offenders' Wilderness Program

MR. PATTERSON:

Thank you, Mr. Speaker. I have spoken before in this Legislature about the very successful young offenders' wilderness program which operated for several years at Mingotuk, near Iqaluit, before it was closed by the Department of Social Services.

I am pleased to inform the House that a new company, owned by Inuit, is being formed, called Atamie Family Enterprises, which proposes to re-establish this very successful program under the leadership of Lucassie and Inookie Nowdluk, camp leaders at Mingotuk.

Lucassie, Inookie and their nephew, Adamie Itorcheak, have put a great deal of effort into planning the re-establishment of this program. The prime objective will be to instill renewed interest and self-confidence in young people whose situations with their families in communities has led to deviant behaviour. They believe the best place to start this rehabilitation is back on the land in a community setting which has not been destroyed by town living. They propose to put the young people in touch with basic life-skills which their grandparents most likely needed when they camped on the land in spring and summer. They aim to slowly increase their sense of responsibility and feeling of confidence in their own ability to provide and hunt for the camp and neighbouring family. They plan on using a whole family approach to authority so they will experience the subtle traditional chain of command which has likely been missing for some time. Under

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supervision they will come to understand all aspects of camp life. Each component of traditional life will be explained and demonstrated including hunting, igloo building, fishing, trapping and dog team handling. Each member of the staff has a life time of experience with dogs, machines and maintenance, snowmobile repair, boat handling, hunter safety and first aid. The young people will also acquire new skills in such areas as carpentry and plumbing through regular maintenance of the camp's facilities and contribute to their own safety and well-being by maintaining and improving the camp's aircraft runway, et cetera. It is hoped that as their levels of responsibilities increase the resident young offenders in the camp will realize they are the authors of their own opportunities and their own limitations.

Mr. Speaker, I would seek unanimous consent to conclude my statement.

MR. SPEAKER:

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

MR. PATTERSON:

Thank you very much, Mr. Speaker. The Minister of Justice has just received a proposal from the new enterprise. They are proposing to offer the camp program as an option to supplement the in-town institutional programs for young offenders offered at Ullivik and Isumaqsunngittukkuvik open and closed young offender facilities.

I am hopeful, Mr. Speaker, with the assistance of the Minister and his officials that reallocation of existing resources now spent on in-town institutional programs can result in this very worthwhile program being started up again as early as this coming fall. Qujannamiik.

---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Lewis.

Member's Statement On Prospecting In The NWT

MR. LEWIS:

Thank you, Mr. Speaker. Mr. Speaker, you, Mr. Dent and myself were accosted last night by a grizzled prospector with that strange glint in his eye that often exists among those people who search for gold and diamonds. When a local person seeks out people who have a voice, they expect that voice to be expressed. We heard some concerns. If, over the next year, someone suddenly appears off the tundra having found three diamonds, three in a sense that they are floating there in the debris, that would set off a kind of movement and every drifter around the world would suddenly arrive in Yellowknife, expecting to become very rich.

This sounds a little far out and far-fetched until you think about it, because that was exactly the problem that existed in the Yukon during the gold rush. People from all over the world suddenly appeared and went into the wilderness and many of them never came back. We have such a problem with adventurers who come here, get lost and cost this government a great deal of money.

My suggestion to the government, on behalf of this grizzled prospector, is that we should do some thinking about what could happen and what kinds of requirements prospectors should have before they venture out into a very inhospitable

and difficult place for the tenderfoot to survive for any length of time. Thank you.

MR. SPEAKER:

Item 3, Members' statements. Mr. Koe.

Member's Statement On Development Of Justice Committees In The Delta Communities

MR. KOE:

Mahsi. I rise today to speak about the development of justice committees and corrections in the Delta communities. The Gwich'in Tribal Council, which includes the communities of Arctic Red River, Aklavik, Fort McPherson and Inuvik, has submitted a proposal to develop community-based justice systems. These justice committees will, over the next three years, assume the role as advisors, councillors and sometimes social workers. Specifically, some of the duties which these committees may take on are: pre-sentencing and predisposition reports; recommendations on sentencing including diversion from the court systems; and, assisting the development of correction and incarceration methods including, but not limited to, on-the-land programs. The committees will try to seek a reconciliation of the offender with the community by making the community aware of the offender's problem, but not just limited to the crime that was committed.

To reconcile the offender's problem, offenders, victims and various community organizations must be involved prior to court proceedings. During court, the justice committee's presence will assist the judge or justice of the peace in dispensing justice in a manner that is suited to the circumstances, environment and customs of the individual and the community. If alternative methods of incarceration are ordered by the courts, the committee can also seek to organize and ensure that the offender receives proper care and counselling to ensure that a healing process starts.

The proposal submitted by the Gwich'in is a progressive one and, if implemented, will begin the process of healing the communities rather than ignoring the troubles within a community. This government has provided support for the community-based justice system by providing funding and staff assistance and by hiring personnel to assist in the development of the committee. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER:

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

MR. KOE:

Mahsi. I would hope this government can continue the support and try to alter a system of justice which does not seem to be suited to our northern communities. Recently, the Gwich'in Tribal Council received an informal decision that the federal government's aboriginal justice program is unable to contribute any more funds to the Gwich'in proposal. This will require this government and the Gwich'in to rework the plans for justice committees and corrections, and there will also be a greater need for this government's continuing support. I hope this government is still committed to the concept of community-based justice and corrections, and will assist the communities in the north as much as possible to develop and implement their initiatives. Mahsi.

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---Applause

MR. SPEAKER:

Item 3, Members' statements. Mr. Arngna'naaq.

Member's Statement On Keewatin Divisional Board of Education's Ten Year Plan

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. Mr. Speaker, I would like to take this opportunity to commend the Keewatin divisional board of education in the completion of their ten year educational plan for the Keewatin region. The plan is thorough and lays out clear goals and objectives as well as plans of action. They have laid out what the current situation is for each of the communities and gives clear direction as to where they would like to see the schools go. It can be seen from the plan that consultation was made with each of the communities and all relevant personnel, which means there are bound to be differences between the department and the divisional board's ten year plan, simply because it comes from the people who will be directly affected by it and the fact that it will set the government back a few dollars.

As stated in the preamble of the document, the cost of education is not as high as the cost of ignorance. However, I cannot see how the department would

disagree with its major thrust which I believe is to increase the standard of education in the Keewatin region. The direction which the Keewatin schools have already started in the area of community grade extensions has already increased the number of students attending the high school program in the community of Arviat. In these classes are students who have not otherwise received their grade 12 diplomas. At the present time, there are schools in the Keewatin which are overcrowded because it was left up to the government to build these schools. In this plan it shows when and why each school should be expanded. In fact, I think if a divisional board of education in the Keewatin continues in the direction that they have started, the numbers which they show in the plan may be too conservative.

At this time, I would only ask that the Minister take this plan seriously and begin to take appropriate steps to ensure the plan will be given the consideration I think it is due, the first of which should be to extend the grades in Baker Lake to grade 11. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 3, Member's statements. Item 4, returns to oral questions. Item 5, oral questions. Mr. Zoe.

ITEM 5: ORAL QUESTIONS

Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

MR. ZOE:

Mahsi, Mr. Speaker. My question is to the Minister of Social Services. Mr. Speaker, earlier this afternoon I spoke about some of the problems with the delivery of the fuel subsidy program for our elders. I am concerned that the situation of elders, who live in substandard accommodations, is not being taken into consideration when they are given their subsidy. Is the Minister willing to re-evaluate the fuel subsidy program for seniors, taking into consideration the substandard accommodations many of our elders find themselves living in?

MR. SPEAKER:

Minister of Social Services.

Return To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

HON. REBECCA MIKE:

Thank you, Mr. Speaker. Regarding Mr. Zoe's concern, a decision paper has been drafted to modify the policy on gas and wood fuel for senior citizens. Thank you.

MR. SPEAKER:

Supplementary, Mr. Zoe.

Supplementary To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

MR. ZOE:

Mr. Speaker, I have asked the Minister a specific question with regard to the subsidy program. Would she consider re-evaluating this program and take into consideration the substandard accommodation which elders live in? I understand the policy has been re-evaluated, but she did not indicate if this type of consideration was incorporated into that evaluation. Have they taken into consideration the concern which I raised today?

MR. SPEAKER:

Minister of Social Services, Ms. Mike.

Further Return To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

HON. REBECCA MIKE:

Thank you, Mr. Speaker. It is recommended that cash be granted to seniors, who own their own home, which will allow them to purchase whatever fuel they utilize. Yes, those kinds of things have been considered in modifying this policy. Thank you.

MR. SPEAKER:

Supplementary, Mr. Zoe.

Supplementary To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

MR. ZOE:

Mr. Speaker, from hearing Madam Minister indicating there will be some cash payments in lieu of the actual wood being provided, would the amount of cash also reflect the substandard units? For instance, I understand they are trying to give out cash instead of the actual wood subsidy so the individual can purchase on his or her own. Is it going to be a set amount per household, or are standard and

substandard accommodations going to be incorporated into the amount of cash which these individuals receive?

MR. SPEAKER:

Ms. Mike.

Further Return To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

HON. REBECCA MIKE:

Thank you, Mr. Speaker. The decision paper also contains a recommendation that an income ceiling be established for this program. Thank you.

MR. SPEAKER:

Your last supplementary, Mr. Zoe.

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Supplementary To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

MR. ZOE:

Mr. Speaker, I do not quite understand what the income ceiling would do. We are talking about standard and substandard units which our elders are living in. The amount of wood these individuals are receiving is not adequate because their units are substandard and they burn more fuel than a regular, normal house would which has standard insulation, et cetera. Most of the elders in my communities have substandard units. The current policy with this government is that they provide fuel subsidy equally across the board. These substandard units are not being treated equally because they burn more fuel and they are not treating individual elders equally across the board. That is why I am suggesting the government review their policy so they can enhance the lives of elders who live in substandard accommodation. I am not sure if the Minister understands what I am trying to say. Is she going to change the policy to reflect the substandard units that many of our elders are living in? Thank you.

MR. SPEAKER:

Ms. Mike.

Further Return To Question 390-12(3): Re-evaluation Of Fuel Subsidy Program

HON. REBECCA MIKE:

Thank you, Mr. Speaker. As I said earlier, the wood fuel policy for seniors is in the process of being modified, which is in the draft form now. Hopefully, those changes that Mr. Zoe is bringing to this House will be addressed. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Ningark.

Question 391-12(3): Status Of Review Of Social Assistance System

MR. NINGARK:

Thank you, Mr. Speaker. My question is to the Minister of Social Services. Mr. Speaker, one of the major problems with the delivery of social assistance benefits is there are too many barriers discouraging clients from seeking other sources of income that may be available from time to time. A person who makes extra money by carving or hunting is penalized by the social assistance system. I raised this issue with the former Minister on November 18, 1992. I am not asking the former Minister. Mr. Speaker, the Minister said this matter was under review and that he was hopeful of reform the system. Could the Minister advise us as to the status of the review of the social assistance system, which was to look into ways of removing barriers to other sources of income? Thank you.

MR. SPEAKER:

Minister of Social Services.

HON. REBECCA MIKE:

Thank you, Mr. Speaker. I will take the question as notice and get back to the Member.

MR. SPEAKER:

Question has been taken as notice. Item 5, oral questions. Mr. Pudluk.

Question 392-12(3): Action To Adjust Social Assistance Rates

MR. PUDLUK:

Thank you, Mr. Speaker. My question is to the Minister of Social Services. The Minister is well aware of the concern that I share with other

honourable Members about social assistance rates. On February 25, 1993, the Minister informed the House that the most recent increase to the social assistance rates was increased by five per cent in 1990. Mr. Speaker, it is now 1993. Our people are having great difficulty surviving on what they receive from the Department of Social Services. The Minister said she was waiting for the report from the Special Committee on Health and Social Services, but this committee has already completed two interim reports which state clearly that social assistance rates are too low. Could the Minister explain why the Department of Social Services has not taken action to review and adjust the social assistance rates? Thank you.

MR. SPEAKER:

Minister of Social Services.

Return To Question 392-12(3): Action To Adjust Social Assistance Rates

HON. REBECCA MIKE:

Thank you, Mr. Speaker. At the time, when I made my response, I said there was an increase of five per cent in October 1, 1992, not 1990. On your second question, I will consult with my department and get back to the Member with the information he is requesting. Thank you.

MR. SPEAKER:

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

Supplementary To Question 392-12(3): Action To Adjust Social Assistance Rates

MR. PUDLUK:

Mr. Speaker, sometimes I have a difficult time when the Minister is taking the question as notice. Sometimes it takes more than a month to get a response. My question is quite urgent. The second interim report from the Special Committee on Health and Social Services points out the social assistance now received is not enough for them to buy healthy food. The allowance averages 60 per cent of the cost of healthy food supplied. It is rated by a 1991 food price survey. Is the Minister prepared to make a commitment to this House to increase social assistance rates that will allow clients to meet their food needs?

MR. SPEAKER:

Minister of Social Services.

Further Return To Question 392-12(3): Action To Adjust Social Assistance Rates

HON. REBECCA MIKE:

Thank you, Mr. Speaker. For this fiscal year, no. I may consider it for next fiscal year. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Pudlat.

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of Education. Three communities want to add more grades. How could we add more grades to the communities? Can the Minister of Education respond to my question?

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MR. SPEAKER:

Minister of Education, Mr. Nerysoo.

HON. RICHARD NERYSOO:

Mr. Speaker, I was not clear on the question. Could the honourable Member repeat the question?

MR. SPEAKER:

Mr. Pudlat, would you please clarify the question?

Question 393-12(3): Policy On Grade Extensions

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. I would like to make myself clear. Cape Dorset, Lake Harbour and Hall Beach would like to extend their grades. How could we look into this further?

MR. SPEAKER:

Mr. Nerysoo.

Return To Question 393-12(3): Policy On Grade Extensions

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I appreciate the clarification by the honourable Member. The normal process is to work with the board of education from the Baffin

region, who will identify those particular communities requiring extensions to their grades. As such, we will respond to it through the normal budget process and ensure that we provide the financial resources for the appropriate school year.

MR. SPEAKER:

Supplementary, Mr. Pudlat.

Supplementary To Question 393-12(3): Policy On Grade Extensions

MR. PUDLAT:

(Translation) Thank you, Mr. Speaker. In 1985, they started extending grades in the communities and the communities had to request extensions. In 1993, are they behind in putting in their request? Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Minister.

Further Return To Question 393-12(3): Policy On Grade Extensions

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I am not sure whether the board has reviewed the request for extension of grades in the communities the honourable Member has identified. I can indicate to the honourable Member that, in those communities, where the numbers of students have been identified, we are responding positively to those communities. I can say this Cabinet will respond positively and this Minister will respond where the appropriate numbers are identified, particularly if the request and support is given by the board of education from the Baffin region. You can be assured we will respond positively.

MR. SPEAKER:

Item 5, oral questions. Mr. Patterson.

Question 394-12(3): Food Allowance Rates For Social Services Recipients

MR. PATTERSON:

Thank you, Mr. Speaker. I was very pleased to hear the Minister of Social Services state, in response to the Member for High Arctic, that she is prepared to

consider dealing with the shortfall in the food rates for social assistance recipients and that, in fact, she is prepared to consider doing so for the coming fiscal year. Mr. Speaker, does this mean we can expect when the Minister presents the estimates for her department during this session that the matter of the shortfall in food allowance rates for social assistance clients will be addressed?

MR. SPEAKER:

Minister of Social Services.

Further Return To Question 394-12(3): Food Allowance Rates For Social Services Recipients

HON. REBECCA MIKE:

Thank you, Mr. Speaker. Perhaps I should have elaborated further. This five per cent increase was applied across the NWT, whether in Yellowknife or in Grise Fiord. There are some inequities in this regard. This five per cent increase should not have been applied to all the communities where there are differences in food prices. The department and myself will be looking into how we can apply this better and try and use the available resources. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 394-12(3): Food Allowance Rates For Social Services Recipients

MR. PATTERSON:

Mr. Speaker, I am pleased to hear the Minister is looking at dealing with the discrepancies in the cost of living in the communities rather than by an across the board approach. Will this new approach, which should begin to deal with some of the issues raised by the Special Committee on Health and Social Services in their interim report, be reflected in the main estimates for the Department of Social Services which the Minister will be presenting to this House this session? Thank you.

MR. SPEAKER:

Ms. Mike.

Further Return To Question 394-12(3): Food Allowance Rates For Social Services Recipients

HON. REBECCA MIKE:

Thank you, Mr. Speaker. Had I been the Minister responsible in October, at the time the increase was placed, perhaps things would have been handled a little differently.

---Applause

I am going to try and stay within the means. The five per cent increase, which was placed in October, applies to all the communities in the NWT, which causes inequities. I will not be looking at additional resources. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 394-12(3): Food Allowance Rates For Social Services Recipients

MR. PATTERSON:

Mr. Speaker, I will try for the third time to get a straight answer from the honourable Minister. She has told my colleague from the High Arctic that she will consider dealing with the food allowance shortfall issue this coming fiscal year. She implied she would look at the shortfall. Now,

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she has said in her response that she is going to look at dealing with it by a more equitable allocation of the five per cent increase between communities. Does this mean we will see this issue dealt with when the Minister presents her main estimates before this House this session? That is the third time I have asked this question, Mr. Speaker. Thank you.

MR. SPEAKER:

Ms. Mike.

Further Return To Question 394-12(3): Food Allowance Rates For Social Services Recipients

HON. REBECCA MIKE:

Thank you, Mr. Speaker. I did not say I am prepared, as the honourable Member is stating. I said I may consider. I will get back to the Member after I review what I said in the Hansard. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Patterson, last supplementary.

Supplementary To Question 394-12(3): Food Allowance Rates For Social Services Recipients

MR. PATTERSON:

Mr. Speaker, with the greatest respect to the honourable Minister, she should be cautious about raising expectations of a Member of this House. Either she is going to deal with this issue for the coming fiscal year or she is not. I do not want an answer such as, "I will get back to the honourable Member after I have reviewed Hansard." I would like to know, here and now, is the Member going to deal with this issue for the coming fiscal year in the main estimates, or not? Thank you.

MR. SPEAKER:

Ms. Mike.

HON. REBECCA MIKE:

Thank you, Mr. Speaker. I will take the question as notice.

MR. SPEAKER:

The question has been taken as notice. Item 5, oral questions. Mr. Koe.

Question 395-12(3): Transport Of Housing Materials

MR. KOE:

Mahsi, Mr. Speaker. Recently the Northwest Territories Housing Corporation advertised an invitation to tender for the 1993 access water delivery program. One component of this tender was for the materials for 51 housing units to be delivered to Northern Transportation Company Limited, NTCL, in Hay River. Mr. Speaker, as the tender title indicates the means of transport for these housing materials is by barge. There is no consideration given for the use of truck transportation to communities with road access, both year round and winter roads. The communities of Inuvik, Aklavik, Arctic Red River, Fort McPherson and Tuktoyaktuk are all accessible by roads. My question to the Minister of Housing is why are all of these housing packages being shipped by barge and not have the opportunity of using truck transportation?

MR. SPEAKER:

Minister for the NWT Housing Corporation, Mr. Morin.

Return To Question 395-12(3): Transport Of Housing Materials

HON. DON MORIN:

Thank you, Mr. Speaker. It is my understanding there is a policy which requires us to ship by NTCL to any place north of Norman Wells. This was worked out with the purchasing of NTCL. I have already stated to the Member for Nahendeh that I will look at the policy, revise it and take it to Cabinet. Thank you.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 395-12(3): Transport Of Housing Materials

MR. KOE:

I am the Member for Inuvik and not Nahendeh. I am not aware of your discussions with him. You have mentioned there is a policy whereby this government is required to do all of their shipping by NTCL. How many years is the arrangement with NTCL in place for?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 395-12(3): Transport Of Housing Materials

HON. DON MORIN:

Thank you, Mr. Speaker. I have discussed this issue with the Member for Nahendeh in this House. I had answered some questions and I thought the Member was present.

When NTCL was a federal Crown corporation, the GNWT was committed to using their services. Following the sale of the company to the Inuvialuit Development Corporation and Nunasi Corporation the government of the day, in 1986, reaffirmed that NTCL would be the carrier of choice. About the same time, Cooper Barging Service applied for operating south of Fort Good Hope, but it excluded Hay River. That means both carriers can operate in the Fort Simpson, Jean Marie River, Wrigley, Fort Norman and Norman Wells areas and any point in between. The Cooper

Barging Service also has the rights to service the Liard River.

The Member for Inuvik has raised this issue and also the mayor of Fort Simpson and the Member for Nahendeh. To address their concerns the department is in the process of preparing a decision paper for Cabinet's consideration to see if a process should be taken so all barge companies have the opportunity to carry GNWT cargo with a designation for the upper Mackenzie and whether we can ship materials to Inuvik and the other communities by truck. Thank you.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 395-12(3): Transport Of Housing Materials

MR. KOE:

Mr. Speaker, this invitation to tender requires material to construct 51 housing units in the western Arctic. In previous statements which the Minister made, I thought he indicated he would ensure tender packages will be broken down into smaller units to enable some of our northern businesses to compete for the tender of this business. My supplementary is, why is this tender so large?

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MR. SPEAKER:

Mr. Morin.

Further Return To Question 395-12(3): Transport Of Housing Materials

HON. DON MORIN:

Thank you, Mr. Speaker. The NWT Housing Corporation is breaking out portions of the houses, for example, the foundations, windows, cabinets and other portions of the tender, in order for people to bid on it. My understanding is that so far this year most of the tenders have been awarded to northern outfits. Thank you.

MR. SPEAKER:

Supplementary, Mr. Koe.

Supplementary To Question 395-12(3): Transport Of Housing Materials

MR. KOE:

I think the Minister should read his own tenders. Is it the Minister's intention to break down future invitations to tender so smaller northern businesses can compete for a fair share of the business?

MR. SPEAKER:

Mr. Morin.

Further Return To Question 395-12(3): Transport Of Housing Materials

HON. DON MORIN:

Thank you, Mr. Speaker. Yes.

MR. SPEAKER:

Item 5, oral questions. Mr. Dent.

Question 396-12(3): Status Of Day Care Policy Review

MR. DENT:

Thank you, Mr. Speaker. My question is for the Minister of Social Services. Mr. Speaker, honourable Members will recall that in June, 1992, concerns were raised in this House regarding the discrepancy between the demand and availability of licensed day care spaces. The Minister responded to these concerns by saying we are reviewing the policy with the intention of taking it to Cabinet shortly. He further indicated he would be discussing it in the House as time allowed and that public input would be sought through a public consultation process. Since that time a decision has been made to transfer responsibility for the day care program to the Department of Education, Culture and Employment Programs, effective April 1, 1993. Mr. Speaker, what progress has been made to date in the review and development of a day care policy?

MR. SPEAKER:

Minister of Social Services, Ms. Mike.

Return To Question 396-12(3): Status Of Day Care Policy Review

HON. REBECCA MIKE:

Thank you, Mr. Speaker. There has been progress on the policy. In light of that, the program is being transferred to Education. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Ningark.

Question 397-12(3): Funding For Native Television Programming

MR. NINGARK:

Thank you, Mr. Speaker. My question is directed to the Minister of Education, Culture and Employment Programs. Mr. Speaker, communication is very important. It enhances culture and language, and promotes other important elements in our culture. There are speculations that funding for the Inuktitut TV programs are to be cut by the federal government. Mr. Speaker, many people in the NWT, of all ages, enjoy the television programs in their own native language. The significance of this cannot be over-emphasized. Could the Minister advise the House that the funding for the native television programming will not be cut during the upcoming fiscal year? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Return To Question 397-12(3): Funding For Native Television Programming

HON. RICHARD NERYSOO:

Mr. Speaker, that particular assurance really cannot be given by myself as Minister because most funding which is presently received by the aboriginal organizations for northern television, TVNC, is provided by the federal government. They have made the decision to make some cuts. I can indicate to the honourable Member that any funding which this government provides will not be cut and has been approved in terms of our obligations. On the federal funding, the concern we have had and are expressing to the Government of Canada is that we are concerned about the cuts which have been suggested by the federal government to TVNC and also to the northern native communications society, with regard to the Press Independent. I can indicate to the honourable Member that we support the continuation of the funding. I have already, through the Government Leader, articulated and sent a message

to the Government of Canada with regard to our support for the continuation of that funding.

MR. SPEAKER:

Item 5, oral questions. Mr. Arngna'naaq.

Question 398-12(3): Funding For Development Of Divisional Exams

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I would like to ask a question to the Minister of Education. I would like to know if there are funds available from the department to develop divisional examinations to upgrade or raise the standards of divisional exams in the Keewatin? Thank you.

MR. SPEAKER:

Mr. Nerysoo.

Return To Question 398-12(3): Funding For Development Of Divisional Exams

HON. RICHARD NERYSOO:

Thank you. I would like to indicate, Mr. Speaker, to the honourable Member, there are a number of considerations which are now being given to the matter of testing. Across the country we have developed what we consider is a testing assessment which the Ministers of Education have agreed to, one to be implemented on April 1, or at least beginning April 1, 1993, a math test which would give us an idea of the level of abilities our students have with

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regard to math across the country and also within the Northwest Territories.

Secondly, in 1994, it is also our intention to introduce a language arts testing program. It has been indicated, Mr. Speaker, a number of times in this House, the lack of standardization of exams that exists to allow us to judge the level of education of the students from region to region, from community to community. As a result of that, we are embarking upon this national testing program. I am hoping it will give us some indication of the level of education in those two crucial areas for the students who we are responsible for educating throughout the Northwest Territories.

MR. SPEAKER:

Supplementary, Mr. Arngna'naaq.

Supplementary To Question 398-12(3): Funding For Development Of Divisional Exams

MR. ARNGNA'NAAQ:

Supplementary, Mr. Speaker. Thank you. I wonder if the department or Minister would be open to the regional divisional boards wanting to standardize their own testing. Thank you, Mr. Speaker.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 398-12(3): Funding For Development Of Divisional Exams

HON. RICHARD NERYSOO:

Mr. Speaker, I would like to indicate to the honourable Member, my only major concern with the idea of each particular region developing their own standard exam is the inconsistencies which might arise from region to region. Particularly, if we are providing education under the Alberta curriculum, I think it would be in our interest and in the interest of each region to ensure there was some consistency among testing so we could transfer students from one school to the other. We could then expect the level of education or teaching which is being provided in the schools is consistent across the Northwest Territories.

Mr. Speaker, some of the programs are an extension for high school students. Arviat is a good example for the honourable Members. The students who graduated from grade 12 last year, based on the Alberta curriculum were more successful than any other students to date in that particular program. It was based on the fact that they were given the same education and wrote the same departmental exams so we knew what level of education and what qualifications they had.

Despite the fact that I am not opposed to the idea of regional examinations, my concern would be the regional examinations may not allow us to make those judgements on the level of education or teaching we are providing to the students. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Arngna'naaq.

Supplementary To Question 398-12(3): Funding For Development Of Divisional Exams

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I would like to know then if the exams which the Minister is referring to will

be consistent with or equal to the exams of southern high schools.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 398-12(3): Funding For Development Of Divisional Exams

HON. RICHARD NERYSOO:

Mr. Speaker, yes, they will be consistent and equal to those exams which are being written by grade 12 students across Alberta. We base the present educational program according to the Alberta curriculum. Thank you, Mr. Speaker.

MR. SPEAKER:

Supplementary, Mr. Arngna'naaq.

Supplementary To Question 398-12(3): Funding For Development Of Divisional Exams

MR. ARNGNA'NAAQ:

One more question, Mr. Speaker. I know that at the present time we base our curriculum on the Alberta education system, but when students come from anywhere in the territories and transfer to a southern school, quite often they will be transferred to a lower class than they were in the Northwest Territories. When these tests are completed, does the Minister or department hope when the students transfer from the north they will be able to go to a southern high school and stay at the same level that they were at in the north? Is that what he is expecting to get out of this?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 398-12(3): Funding For Development Of Divisional Exams

HON. RICHARD NERYSOO:

Mr. Speaker, the intention is we would hope to have students who were equally educated in every community. This would enable students to transfer from high schools, or any school from kindergarten to grade 12 throughout the Northwest Territories, or to other institutions in southern Canada. It is a concern of mine and I must indicate to the honourable Member that it has been raised on a number of occasions in this House and you can be sure that I have responded and will try to ensure that we have equal education in every community throughout the Northwest Territories.

MR. SPEAKER:

Item 5, oral questions. Mr. Gargan.

Question 399-12(3): Action Taken To Express Concerns Re Operation Nordic Reliance

MR. GARGAN:

Thank you, Mr. Speaker. My question is to the Premier. In my Member's statement earlier today, I urged her to take a forceful approach to pursuing a formal apology for the disgraceful incident which occurred during the armed forces project Nordic Reliance. I appreciate that the Premier, by writing letters to the Honourable Kim Campbell and meeting with the Minister of DIAND, has been trying to secure some action in this regard. However, it seems that once again she has had the door shut in her face, particularly when it comes to dealing with Ms. Campbell. Can the Premier indicate what steps she will be taking to communicate our concerns over project Nordic Reliance to the federal Minister of National Defence?

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MR. SPEAKER:

Madam Premier.

Return To Question 399-12(3): Actions Take To Express Concerns Re Operation Nordic Reliance

HON. NELLIE COURNOYEA:

Mr. Speaker, the House is in session now, but we could make a more assertive effort to take an entourage to Ottawa to sit on someone's steps to get something done. I cannot do that right now, however, I will continue to pursue that. It is my understanding that the Minister of Indian and Northern Affairs will be in Yellowknife on the week of March 22. Before that, I

will indicate to him that he did make a commitment to pursue, with Minister Campbell, a suitable apology for the residents of the Northwest Territories for ignoring the basic hunting regulations that everyone has to live under. I will continue to pursue that by telephone and written correspondence. I think we can pursue a more aggressive strategy once the House is out of session. Right now we could say we will make a larger display, but we are committed to this House and it limits our ability to move and be more aggressive at this time. Thank you.

MR. SPEAKER:

Supplementary, Mr. Gargan.

Supplementary To Question 399-12(3): Action Taken To Express Concern Re Operation Nordic Reliance

MR. GARGAN:

Thank you, Mr. Speaker. Recent developments in Ottawa have suggested that Canadians may be seeing Ms. Campbell in the public spotlight much more often between now and June.

---Laughter

Will the Premier agree to use the office of the press secretary to tell the rest of Canada about our dissatisfaction over her lack of response to our concerns about the Nordic Reliance operation?

MR. SPEAKER:

Madam Premier.

Further Return To Question 399-12(3): Action Taken To Express Concern Re Operation Nordic Reliance

HON. NELLIE COURNOYEA:

Mr. Speaker, certainly.

MR. SPEAKER:

Item 5, oral questions. Mr. Dent.

Question 400-12(3): Development Of A Day Care Policy

MR. DENT:

Thank you, Mr. Speaker. I was disappointed to hear that the Department of Social Services has made no moves on developing a day care policy, but since responsibility for day care is moving to Education,

Culture and Employment Programs in less than a month, my question is for the Minister of Education, Culture and Employment Programs. I was wondering if he could tell the House what plans have been made by his department to incorporate day care into the departmental framework and to continue to move towards initiating the development of a day care policy?

MR. SPEAKER:

Mr. Nerysoo.

Return To Question 400-12(3): Development Of A Day Care Policy

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. I would like to indicate to the honourable Member that one of the concerns we have had, or at least I have had, with regard to this particular policy, is the lack of access by communities across the Northwest Territories or, for that matter, individual parents. I have asked the department to review the policies to ensure far more access than what has been the case to date.

I can indicate, as well, that I have written a letter to the Status of Women Council to meet with them to discuss the idea of making some changes in the policy and to seek their advice. I have not, to date, considered a public process other than to meet with that particular group.

I also want to indicate to the honourable Member that I will be listening to the advice of the Special Committee on Health and Social Services in this particular area or any Member who may have advice which they wish to give on improving the ability of this government to allow parents and families to access day care funding more easily.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 400-12(3): Development Of A Day Care Policy

MR. DENT:

Mr. Speaker, since December of 1991, I have been trying to get the government to develop a permanent policy on child day care. Will the Minister make a commitment to this House that this department will place a high priority on completing a comprehensive

review of the day care program and develop day care policies?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 400-12(3): Development Of A Day Care Policy

HON. RICHARD NERYSOO:

Mr. Speaker, yes.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 400-12(3): Development Of A Day Care Policy

MR. DENT:

Mr. Speaker, the Minister just noted that at this point in time no public process has been planned. This was something mentioned by previous Ministers as being part of the process. Could I ask the Minister to outline the consultation process he plans for this review, if it is to cover more than just the Status of Women Council?

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 400-12(3): Development Of A Day Care Policy

HON. RICHARD NERYSOO:

Mr. Speaker, I have not dealt with that particular matter at this time. I want to indicate until I have a fairly decent assessment of the reasons why the program has not been made available to those who require it,

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I believe it would be premature for me to say publicly that I am prepared to proceed to the next stage. I am not clear on some of the problem areas and I have asked my department to identify those areas prior to proceeding to a public process. I say this not to create any impressions out there that there will be substantive public consultation as opposed to getting the advice of the Special Committee on Health and Social Services, presently receiving some very

significant contributions in terms of the concerns which people in the regions have with regard to the present policies as they are being applied. I would suggest to the honourable Member that he give me the opportunity to review the day care policies, as they exist, and to identify those areas which we have problems with. I can assure the honourable Member I will relay those concerns to the honourable Member and to the public once I have them identified.

MR. SPEAKER:

Supplementary, Mr. Dent.

Supplementary To Question 400-12(3): Development Of A Day Care Policy

MR. DENT:

Thank you, Mr. Speaker. I was wondering if the Minister could give me a projected timetable for his internal review.

MR. SPEAKER:

Mr. Nerysoo.

Further Return To Question 400-12(3): Development Of A Day Care Policy

HON. RICHARD NERYSOO:

Thank you, Mr. Speaker. We can probably have the assessments and review completed by June and not only with regard to the policies but also the relationship to the department. Then we can proceed to the next stage which would be public consultation, advice and input on these particular matters. Again, Mr. Speaker, I would ask that if there are any concerns, either through the Special Committee on Health and Social Services or publicly where people have advice, I am most willing to hear this advice immediately so I can consider those changes to respond to needs.

MR. SPEAKER:

Item 5, oral questions. Mr. Patterson.

Question 401-12(3): Continuing Power Outages In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. I think my constituents have been quite understanding over the major power

outage last fall while the new generator was being installed. They were pleased to hear, around February 3, that the new generator would be on line that day. Last week they received explanations that there were continuing problems with the governor and the automatic shut-off and that senior officials would travel to Iqaluit to look at the problems first hand and deal with them. However, yesterday and again today there were more outages. They seem to occur during periods of peak use, at lunch and dinner time. Could I ask the Minister responsible for the NWT Power Corporation, what is going on in the Iqaluit power plant? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Return To Question 401-12(3): Continuing Power Outages In Iqaluit

HON. NELLIE COURNOYEA:

Mr. Speaker, on March 1 at about 18:00 hours, 6:00 pm local time, power was interrupted in Iqaluit. At the time of the power failure the cat and EMD units were in operation. The Member is correct, officials and technicians are, at this point in time, evaluating the unit. The factory technician is also there. They are conducting a number of tests. At the time of the power outage, the cat unit was shut down over a temperature warning. When they did the inspection it was determined the unit was set to an inside air intake rather than an outside air intake. Mr. Speaker, although the cat unit is water cooled, the temperature is affected by the volume and temperature of air feeding the combustion process. With warmer plant air feeding the turbo charger, a greater volume of air is required and cooler outside air is feeding the process. With the volume of air flow fixed and inside air feeding the process, the system was starved. The engine worked harder to meet the load and the system was overheated and thus shut off.

Mr. Speaker, the problem was identified, the setting was corrected and power was restored within approximately 35 minutes. Mr. Speaker, the technical people will stay in Iqaluit until the problems have been resolved, regardless of the origin of the problem. The problems could be a result of human error, technical error or the fault of the plant. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 401-12(3): Continuing Power Outages In Iqaluit

MR. PATTERSON:

Mr. Speaker, I certainly do not purport to be an expert on power plants or mechanics. I do know engines are better cooled if they take air from the outside rather than from the inside of a building. I appreciate all the technical experts who are in Iqaluit examining this problem. However, I would like to ask the honourable Minister, is it possible the problems being experienced in the Iqaluit power plant are of a human origin rather than of a mechanical origin? Are there gremlins loose in the Iqaluit power plant, Mr. Speaker?

MR. SPEAKER:

Minister for gremlins, Ms. Cournoyea.

Further Return To Question 401-12(3): Continuing Power Outages In Iqaluit

HON. NELLIE COURNOYEA:

Mr. Speaker, in my reply I did mention both are in existence. There is human error and there are faults also technically and mechanically. Both types of actions exist. The technical and mechanical people will stay in Iqaluit until they have resolved all issues, both human and mechanical. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 401-12(3): Continuing Power Outages In Iqaluit

MR. PATTERSON:

Thank you, Mr. Speaker. I look forward to hearing the results of these human and mechanical

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investigations. I take it the Minister will report these problems to the House once the mystery is solved? Thank you.

MR. SPEAKER:

Ms. Cournoyea.

Further Return To Question 401-12(3): Continuing Power Outages In Iqaluit

HON. NELLIE COURNOYEA:

Mr. Speaker, it is my intention to do so. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Arnngna'naaq.

Question 402-12(3): All-Weather Road Between Churchill And Rankin Inlet

MR. ARNGNA'NAAQ:

Thank you, Mr. Speaker. I have a question for the Minister of Transportation. On February 24 the Minister gave a Minister's statement, stating, "I believe it is time to consult with our constituents regarding the transportation strategy." During question period yesterday he indicated in an answer to a question asked by Mr. Ningark, "that there will be an all-weather road built from Churchill to Rankin Inlet." I am wondering what consultation was made in that decision?

MR. SPEAKER:

Mr. Todd.

---Laughter

MR. SPEAKER:

Mr. Todd

Return To Question 402-12(3): All-Weather Road Between Churchill And Rankin Inlet

HON. JOHN TODD:

Mr. Speaker, sometimes my sense of humour gets me into trouble, I understand it did a week and a half ago and I suspect it did today. My response was not a serious one, Mr. Speaker.

MR. SPEAKER:

Item 5, oral questions. Mr. Pudluk.

Question 403-12(3): Date Of Increase For Social Assistance Food Rates

MR. PUDLUK:

Mr. Speaker, I need clarification. In the unedited Hansard dated February 26, 1993, on page 1816, the Minister of Social Services indicated to me, "the increase takes place in 1990." Today, the Minister of

Social Services told me, "it was not 1990, it was 1991." Which one is correct?

MR. SPEAKER:

Minister for Social Services.

Return To Question 403-12(3): Date Of Increase For Social Assistance Food Rates

HON. REBECCA MIKE:

Thank you, Mr. Speaker. When I made the response to Mr. Pudluk I read, "there have been increases in the social assistance food rates in the NWT since April 1987, with eight per cent on April 1, 1991, and five per cent on October 1, 1992."

MR. SPEAKER:

Item 5, oral questions. Mr. Pudluk.

Supplementary To Question 403-12(3): Date Of Increase For Social Assistance Food Rates

MR. PUDLUK:

Mr. Speaker, in the unedited Hansard on page 1816, 1990 is incorrect. Is that what she is saying?

MR. SPEAKER:

Ms. Mike.

Further Return To Question 403-12(3): Date Of Increase For Social Assistance Food Rates

HON. REBECCA MIKE:

Thank you, Mr. Speaker. He is correct. Thank you.

MR. SPEAKER:

Item 5, oral questions. Mr. Patterson.

MR. PATTERSON:

Mr. Speaker, may I request unanimous consent to extend question period?

MR. SPEAKER:

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

Question 404-12(3): Indexing Social Assistance Rates To Cost Of Living

MR. PATTERSON:

Thank you, Mr. Speaker. My question is to the Minister of Social Services. Mr. Speaker, I believe the Minister should be well aware of the concern of the people of the Northwest Territories with respect to social assistance rates. Ordinary Members have been saying this issue has been a priority for many years. It has been raised again today in question period. Yet, over and over, the rates are left at the same level while costs continue to rise. Mr. Speaker, in November 1990, a motion was passed in the Legislative Assembly, which should have ended the need for ordinary Members to press for a review of the rates every few years. That motion recommended that the social assistance rates be indexed to the cost of living and then adjusted at least twice a year. Would the Minister advise the House whether she will consider indexing social assistance rates to the cost of living?

MR. SPEAKER:

Minister of Social Services.

Return To Question 404-12(3): Indexing Social Assistance Rates To Cost Of Living

HON. REBECCA MIKE:

Thank you, Mr. Speaker. If he is asking me if I will consider it, yes, I can consider it. Thank you.

MR. SPEAKER:

Supplementary, Mr. Patterson.

Supplementary To Question 404-12(3): Indexing Social Assistance Rates To Cost Of Living

MR. PATTERSON:

Mr. Speaker, in response to a question by Mr. Zoe, in June of 1992, the former Minister of Social Services, not myself, informed the House that a departmental review of the indexing of social assistance rates was to have been completed by last September. We have heard no more about this review. Is she now prepared to follow through on that commitment from her department to review this issue and provide her report to the House by the end of this session?

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MR. SPEAKER:

Minister of Social Services, Ms. Mike.

Further Return To Question 404-12(3): Indexing Social Assistance Rates To Cost Of Living

HON. REBECCA MIKE:

Thank you, Mr. Speaker. First of all, I will check to see what the record states regarding the previous Minister's statement on Social Services and take it from there and report to the House. Thank you.

MR. SPEAKER:

Item 5, oral questions. Item 6, written questions. Item 7, returns to written questions. Item 8, replies to opening address. Item 9, replies to budget address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. Mr. Pudluk.

ITEM 13: TABLING OF DOCUMENTS

MR. PUDLUK:

Thank you, Mr. Speaker. I would like to table Tabled Document 70-12(3), a letter from Johnnie Attagutsiak from the Arctic Bay alcohol and drug committee supporting young people who have problems with drug, solvent and alcohol abuse, the plans to learn and maintain traditional life skills and survival skills at an outpost camp near Iqaluit. Thank you.

MR. SPEAKER:

Item 13, tabling of documents. Mr. Gargan.

MR. GARGAN:

Mr. Speaker, I would like to table two documents. The first one is Tabled Document 71-12(3), and is with regard to correspondence from chief Pat Martel, Hay River Dene band to myself dated March 1, 1993, which deals with the critical housing needs for social housing on the Hay River reserve.

The second is Tabled Document 72-12(3), Mr. Speaker, and is correspondence from Al Marlo, economic development consultant, to the Hay River reserve Dene band addressed to me and dated March 1, 1993, which deals with the proposed First Nations' trust company.

MR. SPEAKER:

Item 13, tabling of documents. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Speaker. I would like to table Tabled Document 73-12(3), an open letter to the Legislative Assembly of the Northwest Territories from the NWT participants in the Inuit round table on social issues, Goose Bay, Labrador, February 26-28. The letter contains important recommendations on housing for Inuit and other aboriginal Canadians in the Northwest Territories and on the GNWT staff housing strategy. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 13, tabling of documents. Ms. Cournoyea.

HON. NELLIE COURNOYEA:

Mr. Speaker, I wish to table Tabled Document 74-12(3), payments to NWT Power Corporation president and board members. Thank you.

MR. SPEAKER:

Item 13, tabling of documents. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Speaker, I have two documents to table. The first one is Tabled Document 75-12(3), Department of Indian Affairs and Northern Development, An Estimate of Costs - Creating and Operating the Government of Nunavut, December, 1992.

The second document is Tabled Document 76-12(3) and is titled, Policy and Directive on Community Transfer Initiative Contributions. Mahsi.

MR. SPEAKER:

Item 13, tabling of documents. Item 14, notices of motion. Mr. Koe.

ITEM 14: NOTICES OF MOTIONS

Motion 18-12(3): Legislative Assembly's Position On The Federal Government Cuts To The Canada-NWT Cooperation Agreement For French And Aboriginal Languages In The NWT

MR. KOE:

Mahsi, Mr. Speaker. I give notice that, on Thursday, March 4, 1993, I will move the following motion.

I move, seconded by the honourable Member for Natilikmiot, that this Legislative Assembly strongly disapproves of the unilateral actions of the Government of Canada cutting contributions under the Canada/Northwest Territories Cooperation Agreement for French and Aboriginal Languages in the Northwest Territories.

Further, that this Legislative Assembly supports the efforts of the Premier and the Government of the Northwest Territories in reinstating the full level of funding committed under the Canada/Northwest Territories agreement.

And furthermore, that the Speaker convey this resolution to the Government of Canada.

---Applause

MR. SPEAKER:

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

ITEM 15: NOTICES OF MOTIONS FOR FIRST READING OF BILLS

Bill 20: Loan Authorization Act, 1993-94

HON. JOHN POLLARD:

Thank you, Mr. Speaker. I give notice that on Thursday, March 4, 1992, I shall move that Bill 20, Loan Authorization Act, 1993-94, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER:

Item 15, notices of motions for first reading of bills. Mr. Kakfwi.

Bill 18: An Act To Amend The Public Printing Act

HON. STEPHEN KAKFWI:

Mr. Speaker, I give notice that on Thursday, March 4, 1993, I shall move that Bill 18, An Act to Amend the Public Printing Act, be read for the first time.

MR. SPEAKER:

Item 15, notices of motions for first reading of bills. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters: Tabled Document 2-12(3),

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The Justice House - Report of the Special Advisor on Gender Equality; Tabled Document 3-12(3), Report of the Commission for Constitutional Development; Tabled Document 49-12(3), Long-Term Staff Housing Strategy; Bill 5, An Act to Amend the Social Assistance Act; Bill 12, An Act to Amend the Mental Health Act; Bill 17, Appropriation Act, No. 2, 1993-94; Minister's Statement 34-12(3), Long-Term Staff Housing Strategy; Committee Report 10-12(3), Report on Tabled Document 21-12(3): Payroll Tax Act; Committee Report 11-12(3), Report on the Review of the 1993-94 Main Estimates; and, appearance by members of commission for constitutional development, with Mr. Pudluk in the chair.

ITEM 19: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Pudluk):

This committee will now come to order. We were dealing with Renewable Resources yesterday. I believe the Minister is not present. What is the wish of this committee? Mr. Ningark.

MR. NINGARK:

Thank you, Mr. Chairman. Since the Minister is not present at this moment, I would like to suggest that we deal with Justice, Transportation and Safety and Public Services, in that order. Thank you.

CHAIRMAN (Mr. Pudluk):

Thank you. Does this committee agree?

SOME HON. MEMBERS:

Agreed.

---Agreed

Bill 17: Appropriation Act, No. 2, 1993-94

CHAIRMAN (Mr. Pudluk):

Thank you. All right. We will deal with Justice when we come back from a 15 minute break.

---SHORT RECESS

CHAIRMAN (Mr. Pudluk):

I would like to call the committee back to order. As I indicated before the break we will be dealing with the

Department of Justice. Does the Minister have any opening remarks?

Department of Justice, Introductory Remarks

HON. STEPHEN KAKFWI:

Mr. Chairman, Members will note that there has been an overall increase in the Department of Justice main estimates of approximately \$3 million. A large proportion of that increase relates to RCMP costs, including the new police contract, their PY base deficiency and inflation. For a number of years the RCMP budget has been largely frozen by both the federal and territorial governments. Between inflation and the continued need to place members in small detachments where per member costs are substantially higher, the RCMP was not able to fill all of their approved establishment of 225 members. The increase will allow them to fill vacant positions.

In addition, part of the increase in the 1993-94 Main Estimates is as a result of the transfer of the corrections service division to the Department of Justice.

There has been a net increase of 11 PYs as a result of the corrections transfer. Five are for administrative support, one for an assistant deputy minister, who will be responsible for Solicitor General functions, and the remaining five are for community justice positions.

Amendments made this year to the Department of Justice establishment policy and goals reflect the department's priorities and direction.

The mandate now states that the administration of justice in the Northwest Territories is to be carried out in a manner that respects community and aboriginal values, and encourages communities to assume increasing responsibilities. This is based on the principle that to be effective, the justice system must be accepted and respected by the people it serves. Local involvement will ensure the system meets community needs and goals.

We wish to take a new path. We have a great deal of work ahead of us. Some of the progress will be slow. Initiatives at the local level must be community-driven, but the Department of Justice is there to help. The Standing Committee on Finance has recommended that the department develop a vision and plan of action to implement a home-grown justice and corrections system, which is suitable to the needs of

aboriginal people. This is a good recommendation and consistent with the direction of the department.

The work on community justice has already begun in a number of ways. Since the administrator of the justice of the peace program came to work with the department in August, 1990, he has assisted communities to decide how many JPs they require. He has trained JPs. He has travelled extensively in the Northwest Territories to speak about justice issues and, most recently, has produced two videos which have been aired on TVNC for distance learning. These interactive programs are for teaching JPs, and also for people who are interested in learning about justice issues.

The most recent production is on circle sentencing. This sentencing process has been used with success in the Yukon, and in other places in northern Canada. A group of people, including the offender, the judge and others, such as family members of the offender and the victim, get together to discuss the offence and to decide the sentence that should be imposed.

Three more video programs are planned. These will be on how to deal with offenders who commit assaults, how to handle offenders who abuse alcohol and drugs, and on the role of community-based justice committees in relation to the courts.

Justice officials continue to be involved in consultations. At the invitation of a community, people from the Department of Justice, and other justice agencies, have been happy to attend meetings to participate in discussions on how the community can become involved in justice matters. The department encourages continuing dialogue and is working on new ways to be of help.

The Department of Justice has participated in developmental work for RCMP pilot projects in Coral Harbour and Fort Good Hope to employ residents on a part-time basis to assist with

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policing. The department has also contributed funding along with the federal government for some community justice proposals.

The transfer of the corrections service division to the Department of Justice is an important part of reaching our goals. With the five additional community justice positions mentioned earlier, we will have a total of 11 community justice specialists and workers. The

Department of Justice now has a strong regional presence to assist with the development of justice projects. Responsibility for assisting all the communities in the NWT will be divided up among the positions.

From their review of the 1992-93 Main Estimates, the Standing Committee on Finance recommended that the Department of Justice take the lead role in developing a strategy, by October 1993, to deal with violence in the Northwest Territories. Work is under way on this. Meetings have been held at the ministerial and senior officials level with representatives from Justice, Social Services, Education and the Minister responsible for the women's directorate. Work on terms of reference is progressing. A key element in the development of the strategy will be wide consultation. As we begin to look at violence in this manner, we are finding that other jurisdictions are taking a similar coordinated approach in the development of strategies.

Our work on the recommendations of the Standing Committee on Public Accounts is continuing. A manager of systems started work with the department on February 1. One of his immediate priorities is work on the legal aid management information system. The executive director of the legal services board starts work on March 1. We will be discussing the Standing Committee on Public Accounts recommendations with him.

We have been pleased this year that due to measures taken with the cooperation of the legal services board, we have been able to contain legal aid costs within the budgeted amount. For 1993-94, we have reduced the legal aid budget to reflect the implementation of some of the cost saving measures recommended by departmental officials based on the Strength at Two Levels report.

Important departmental work will continue in other areas, such as gender equality initiatives, family law revision, commercial law development, land based and culturally relevant programming in correctional centres, and other issues of importance to northerners.

Mr. Chairman, these are my remarks. I invite Members to examine, in detail, the main estimates for the Department of Justice.

CHAIRMAN (Mr. Pudluk):

Thank you. Does the Standing Committee on Finance have any opening remarks? Mr. Dent.

Comments By Standing Committee On Finance

MR. DENT:

Thank you, Mr. Chairman. The Standing Committee on Finance is pleased to see the department respond positively to our recommendations with the development of the pro-active strategy on violence and the commencement of negotiations for additional aboriginal RCMP constables and community policing pilot projects. The committee feels there is merit to reviewing the potential benefits of a federal penitentiary and has asked the department to speed up the consideration of this issue.

With respect to community justice initiatives, we cannot wait for the communities. The Department of Justice must provide a vision, support and leadership to coax community development. The committee believes that our present justice system is not entirely suitable for aboriginal people. We must examine ways to improve the system. We should consider having elders involved in the judges' council so that they can introduce aboriginal cultural values to the justice system. The justice system is sometimes insensitive to the needs of the people it should serve.

There are many things which the government allocates resources to, such as legal aid, court parties and travel costs that do not necessarily meet the needs of aboriginal people. There is a clear lack of vision in terms of recognizing and meeting the needs of the people of the north. This deficiency is reflected in this and previous budgets. The Northwest Territories should have a home grown justice system. There are models we can learn from in other jurisdictions. It is our understanding the previous government visited the Navajo Nation and examined their method for running an independent justice system.

Mr. Chairman, there are a couple of recommendations which the committee would like to make at this time.

Committee Motion 76-12(3): To Adopt Recommendation 13

Therefore, Mr. Chairman, I move that this committee recommends that the Department of Justice develop a vision and plan of action to implement a home

grown justice and corrections systems which is suitable to the needs of aboriginal people.

CHAIRMAN (Mr. Pudluk):

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

SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Pudluk):

Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I have one final recommendation from the Standing Committee on Finance.

Committee Motion 77-12(3): To Adopt Recommendation 14

I move, that this committee recommends that the Department of Justice reinstate the budget item for jury duty fees to be given to people not granted civic leave in order to fulfil this duty.

CHAIRMAN (Mr. Pudluk):

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

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SOME HON. MEMBERS:

Question.

CHAIRMAN (Mr. Pudluk):

Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Mr. Dent, do you have any further comments? Thank you. Would the Minister care to invite his officials in at this time?

HON. STEPHEN KAKFWI:

Mr. Chairman, I have with me the deputy minister of Justice, Mr. Geoff Bickert, and the director of corrections, Mr. John Dillon.

CHAIRMAN (Mr. Pudluk):

Thank you. Are there any general comments?

Does the committee agree that we go page by page?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Pudluk):

Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. What page are we on?

CHAIRMAN (Mr. Pudluk):

We are on page 06-9. Mr. Gargan.

General Comments

MR. GARGAN:

Thank you, Mr. Chairman. I have one problem, and the Minister responded during the last session, with regard to judges' training. This Assembly really does not have any say in the way in which money is spent for the training of judges. I would like to ask the Minister, in which item is that addressed? Previously, this item used to be under the delivery of court services, I believe. It is now included as part of the overall budget of the department. Exactly how much are we talking about with regard to the training of judges?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, I understand there was a specific budget item only in 1991-92. Since then it has been allocated under the task for territorial courts. It is allocated regionally for Yellowknife, Inuvik, Baffin and Hay River. The money is a small amount. Money is only provided for territorial court judges, not the supreme court judges. It normally covers

conferences, seminars and training sessions which are normally provided for most judges across the territories, such as the annual association conferences which are attended once or twice, at the most, every year totalling an average of about \$10,000 to \$15,000 per year.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

MR. GARGAN:

We are not talking about a substantial amount. Where are these conferences being held and how much is being spent? Are we talking about \$10,000 or \$15,000 per judge?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. The overall expenditure by territorial court judges is approximately \$10,000 to \$15,000. That is how much is spent in total on average per year by the territorial court judges to attend these conferences and seminars and all of them have been in Canada. I think there may have been one held in Alaska recently, but the next one which is in June, I understand, is in British Columbia.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

MR. GARGAN:

Thank you. Mr. Chairman, are we doing anything with regard to alternatives to jailing? I understand the Dene cultural institute has been offered some money to research alternatives to jailing. It is a federal program, I believe, and there is a requirement for this government to support that initiative in order for them to get their funding. Is the territorial government looking at receiving the money themselves and possibly doing studies in that area as opposed to the Dene cultural institute or the Inuit?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, a vision is developing in the area of justice along the lines that the Member is enquiring about. We accept that the present justice system as it is, is not adequate and not serving the purpose and the people it was set up to serve. There is a need for a new vision to be developed and the vision needs to be developed with people at the community level.

We have begun some work with a number of different communities with a view that communities, judges, RCMP, victims and the offenders all need some alternatives, some new solutions to be brought forward to address the inadequacies of the system. For instance, we would look at circle sentencing. Judges, who are normally non-aboriginal people, will gain the support, advice and input of elders, women, youth and community leaders in deciding what sentence should be placed on people who have committed offenses and how to deal with some of the needs of the community in developing a new justice system.

We have set up justice committees in many communities with a view of helping them look at different types of sentences which could be provided and set up to send people to the Yellowknife correctional centre. We will encourage communities to come up with proposals which would look at ways in which projects could be initiated which would allow communities to assume responsibility for their own adult offenders. As well, communities should make some suggestions about the kinds of programs which can be provided to both young offenders and adult offenders.

There is an interest in looking at other experiences in other parts of the world such as British Columbia, the Yukon and the Navajo justice system to see and show people the real possibilities and to encourage people to assume more responsibility in this area.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

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MR. GARGAN:

Mr. Chairman, I would like to ask why the Minister has chosen to look at different communities and the delivery of aboriginal justice. Why are we taking that direction as opposed to looking at it from a collective point of view? I do not believe the intention is to have little justice systems all over with communities

delivering justice as they see fit. I would hope that the scope is to look at a Dene criminal code, for example. The Navajo have their own volumes of criminal codes which deal with Navajo laws. I wonder if we are looking in that direction or are we looking at "make peace" kinds of initiatives just to keep the communities quiet? As long as they are doing their own little thing and not causing any disturbance to the existing justice system, they will be content. Are we looking at a broader picture?

The Minister mentioned a new vision. One of the things which came out of the report on aboriginal justice is with regard to alternatives to jailing. I refer specifically to that because last week I met with the Dene cultural institute and they are very interested in looking at alternatives to jailing. They have been offered through the federal initiatives, to look at that. I wonder whether the Minister is aware of that and whether he supports that kind of initiative being carried out by the Dene cultural institute. We have to go beyond just what we see in that area. Quite a few elders go to the reserve every month to discuss the entire cultural issue. I believe they are just as knowledgeable with regard to aboriginal law or aboriginal practices as opposed to individual communities doing it themselves. All regions are represented on the Dene cultural board. I am wondering if the Minister is looking at that possibility.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the sense I have is that not all communities share the same level of interest at this time in making justice a priority. Communities where justice committees have been formed, are largely communities where people have taken the initiative. They have indicated they want to get involved and do something, and up until recently, they have been operating on a volunteer basis. The approach we have taken is to work with the communities and not try to take a more programmed approach to this issue. I think it is the healthiest way to approach it. I agree there are some common themes which need to be maintained. We have to look at discussing, with institutions such as the Dene cultural institute, the developing scenario which we see. We need to make sure they attend these conferences to see for themselves what these different justice committees and people who are involved at the community level are feeling, their perspective, the type of information

they require, and the inadequacies of the small bush camp operators in the area of programming and other areas where they would require support.

While there has not been any specific plans to meet with the Dene cultural institute, it is something which is going to happen in the next couple of months. We are of the view that there has to be some consistency in the day to day planning and the kind of programming which communities will want to provide. Once we get a sense of the general parameters of what it is that communities wish to do, particularly through their justice system and community leaders, we will need some group to help us put this together. We are not going to do it with each individual community. I think this is the point the Member is

making. We are in agreement. We have not as of yet initiated this part of the work.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. One of the recommendations which came out of the Standing Committee on Finance is with respect to community justice initiatives and says, "We cannot wait for the communities. The Department of Justice must provide a vision, support and leadership to coax community development." Do you have anyone who is of aboriginal descent who could actually initiate something such as this, besides yourself, Mr. Minister?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the level of information and interest which is in the communities certainly needs to be gauged in the interests of everyone. I have spoken with an elder in Inuvik in the hotel lobby about a year ago. He was sitting there, and I told him there was a great deal of interest in justice in the small communities. I talked with him for about 15 minutes. He said, "I have been doing it on my own for a year and a half now." I did not know this. He went into great detail about all the time and effort he has made in trying to help the judges deal with young offenders, and with helping young offenders before they get into trouble, having young offenders sentenced to his

care. This leads to the work which we are trying to do now, in setting up conferences in different parts of the territories. There is going to be one in Inuvik some time in March, not unlike the justice conference which was held in the Deh Cho in the previous year. This is to bring interested community people together to share their experiences, their work, and what it is that they see themselves doing, so that we can start to flush out the level of work, awareness and knowledge that is there, that we have not had a chance to bring together. We may not be able to encourage the communities who do not have a high level of interest to set up justice committees, as it may be premature. We can certainly encourage and develop the dialogue which is needed to spark the interest so that communities can be encouraged and supported if they wish to get into these type of initiatives.

CHAIRMAN (Mr. Pudluk):

Thank you. Are there any general comments? Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, I would like to say that I think the people of the Northwest Territories are anxious to take responsibility for looking after their young people and anxious to see alternatives to institutions where possible and where appropriate. I know that there are legal requirements and there are security requirements which require that some young people be locked up in buildings. However, I think most of our young offenders are not hard core criminals. They are kids who are crying out for attention, who are committing relatively minor offenses, which appear serious in the eyes of the law. They are crimes such as break and enter which carry very heavy penalties under the criminal code. These, in fact, are not the same kind of break and enters which we see in urban centres in the south. They are break and enters where kids are looking for alcohol. They are not threatening personal security. As I said, in some cases they are crying out for help. They are children of dysfunctional families, alcoholic parents, and they are in need of fulfilment and guidance. I think we have the

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resources in our communities to assist those young people. We have elders and people who are experienced on the land, who are able to take care of those young people and from what I know, they are also willing to take care of those young people.

It is my understanding, of the discussions of community justice which have taken place in the Northwest Territories, very often while people may be hesitant to take responsibility in sophisticated areas such as fine option programs, and dealing with difficult issues such as family violence and spousal assault, if you say we would like you to help take care of the young people from your community who are in difficulty, most people would say this is something which they feel they could do. They know these kids and they know how to help. The way to help them is to teach them traditional ways, ideally in a setting which is outside the community and based on the land.

Mr. Chairman, I just wanted to make those comments. The department has just taken on the responsibility for corrections. I believe the new assistant deputy minister for corrections is still not in place. I believe that person is yet to be recruited. We do not expect miracles immediately. Recognizing that there are limited funds available and that new money is difficult to come by, could the Minister foresee ways in which the existing corrections budget could be reallocated? It is a staggering amount because the fact is operating 24-hour institutions is extremely expensive, particularly institutional care for these children who need help. They should be diverted away from institutions and toward native people taking care of their own children on the land, in bush camps, in appropriate homes, in our communities. I do not think our constituents would mind seeing some of those expensive institutions cut back or even shut down if they were replaced with these on-the-land community-based facilities. I do not think our people would be upset if we had, at the end of the day, fewer young offender institutions. There should be more involvement of elders and those people we know of in every community, who are very capable of providing role models to those children and providing them with fulfilment and guidance they may not have enjoyed in the upbringing that occurred in their particular family.

Recognizing the difficult financial times and the probable impossibility of getting new money, will it be possible, with ingenuity, flexibility, creativity and undoubtedly with the support of Members of this Assembly, for the Minister to find ways to get some young offenders programs up and running using the resources that are already in place in the corrections budget devoted to young offenders, which are now being spent on institutional programs in towns and communities? I would like the Minister's general

comments on that proposition, Mr. Chairman. Thank you.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the answer is, yes. We want to look at initiatives which are coming from communities. We want to look at initiatives which propose to have community-based, land-based programming, but we also know that sending young offenders or adult offenders out on the land with an aboriginal family, is not going to resolve all the problems. Again, we go back to the point that some of the resources have to go toward asking agencies to help us develop some suitable programming that can be available to the operators of some of these community-based institutions to provide for the needs of the people they take in. All the operations we have now for closed custody facilities and the open custody facilities, are being reviewed with a view to move in the direction that the Member has indicated.

CHAIRMAN (Mr. Pudluk):

Thank you. Are there any general comments? Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I was certainly very pleased with the Minister's response. I have no disagreement with the need to make sure there is a thoughtful program developed. It is not enough just to say, "The children are going to go out on the land." There has to be a plan and a program. There has to be structure and a result-oriented approach. Do I take it from the Minister's response that perhaps the route that can be taken is to incorporate these on-the-land programs into the programs of the institutional facilities, so that the on-the-land programs will be connected to existing institutions with the professional resources that are available, and will be established, not as an alternative, but as part of the institutional programs? Is that a possible route that could be looked at?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Yes, Mr. Chairman, the department is looking at ways in which to take a coordinated approach to the needs of the existing institutions, the type of programming and support that is required there, the requirements of the open custody facilities that we have, as well as linking that with the more land-based, community-based initiatives that we hope to be supporting in the next year. We are looking at how we can use the scarce resources to support the different levels we are required to and interested in working on.

CHAIRMAN (Mr. Pudluk):

Thank you. Are there any general comments? Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I am also pleased to hear that response. Mr. Chairman, I do not want to monopolize this discussion, but I have one further question for the Minister. It is my sense from my community and region that taking care of young offenders, and particularly having aboriginal people look after their own children, seems to be a priority with the community justice meetings and initiatives that I have heard about. Am I correct that this seems to be a theme that is emerging throughout the territories? I know he has participated in many more meetings and consultations than I have. Am I correct when I say looking after youth is a pattern that is appearing as a priority in many parts of the territories? If so, can we expect this to be a priority of the department in its community justice initiatives? Will youth be a focus? Thank you.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, it seems to be a general sentiment as most communities have expressed an interest in getting involved in trying to do something meaningful with the justice system by initiating change or trying to provide some real alternatives for young offenders. The general sentiment is that we should do something centred around

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providing support and alternatives for young offenders, with an extension to adult offenders. It is a general sentiment that all solutions and proposals should be community-based. The present justice

system is not adequate and does not meet the needs. The communities feel also the challenge of trying to come up with some real alternatives and real proposals to deal with that predicament.

CHAIRMAN (Mr. Pudluk):

Are there any further general comments from the committee? Will we go page by page?

SOME HON. MEMBERS:

Agreed.

---Agreed

Directorate

CHAIRMAN (Mr. Pudluk):

Thank you. Page 06-10 of the Justice directorate, total O and M, \$3.017 million. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, could I ask another witness to join me and let Mr. Dillon be excused?

CHAIRMAN (Mr. Ningark):

Is the committee agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Sergeant-at-Arms, escort the witness please.

Thank you. Honourable Minister, would you introduce the witness please, for the record.

HON. STEPHEN KAKFWI:

Thank you, Mr. Chairman. Mr. Mike Rudolph is the director of finance and administration for the Department of Justice.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Patterson.

MR. PATTERSON:

Mr. Chairman, in this area without asking for too much detail, could the Minister let me know how the department is progressing on recruiting an assistant deputy minister who will be in charge of corrections? Could the committee have an idea when this person might be in place? I recognize that the department has recently lost a very capable ADM to the Workers' Compensation Board, but it is the ADM of corrections which I am particularly interested in. Is recruitment under way for that position?

CHAIRMAN (Mr. Ningark):

Qujannamiik. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, I will hopefully be able to make an announcement about the two assistant deputy minister positions within one week, perhaps sooner. I will be making some recommendations to Cabinet perhaps as early as this week.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Patterson.

MR. PATTERSON:

That is good news, Mr. Chairman. Do I take it that one of those ADMs will be responsible for corrections? Will that person, therefore, be the focal point of community justice initiatives around young offenders' projects and related initiatives as we were discussing earlier in general comments? Will that be a priority of the new ADM of corrections?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

The answer is, yes.

CHAIRMAN (Mr. Ningark):

Thank you. Page 06-10, directorate of the Justice department. Total operations and maintenance, \$3.017 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

Police Services

CHAIRMAN (Mr. Ningark):

Thank you. Police services, total O and M, \$26.533 million. Mr. Dent.

MR. DENT:

Sorry, Mr. Chairman. I was wondering if I could ask a question on page 06-10, directorate?

CHAIRMAN (Mr. Ningark):

Thank you. Proceed, Mr. Dent.

Directorate

MR. DENT:

Could the Minister advise us as to the victims' assistant position which was under negotiations last time I asked, with the YWCA? Is that position still going to be funded or has it been cut?

CHAIRMAN (Mr. Ningark):

Qujannamiik. Mr. Minister.

HON. STEPHEN KAKFWI:

Yes, the position will be funded and we are supporting that through the YWCA.

CHAIRMAN (Mr. Ningark):

Mr. Dent.

MR. DENT:

Thank you, Mr. Chairman. I think I said YMCA, I meant YWCA.

---Laughter

MR. KOE:

Same thing.

MR. DENT:

The final report of the study of Dene law, which was being undertaken in Lac La Martre, is due in the very near future, I believe. I wonder if we could get a timetable from the Minister as to when the final report might be expected?

CHAIRMAN (Mr. Ningark):

The honourable Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, I understand it is in draft form right now and will be finalized in two months time. The final report will be available in two months.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Dent.

MR. DENT:

Those are all the questions I had, Mr. Chairman.

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Police Services

CHAIRMAN (Mr. Ningark):

Thank you. Page 06-11, police services. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, several months ago I heard on the radio about these new initiatives which the RCMP were planning. Those are with regard to the establishment of volunteer RCMP or auxiliary reserves in the communities in the Northwest Territories. We are looking at studies being done on that, but I wonder how soon this new initiative will be implemented?

CHAIRMAN (Mr. Ningark):

Minister Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Chairman, the Commissioner of the RCMP, Mr. Inkster, and I had a meeting in Ottawa in January or February. He was very interested in getting on with this proposal. We have agreed we would go with two pilot projects in the Northwest Territories. It is going to be largely done by the RCMP. We hope they will be in a position to start these two pilot projects by early fall. They need to work out some technical details and get their planning finalized so they can get into it in their usual professional way.

CHAIRMAN (Mr. Ningark):

Mahsi. Mr. Gargan.

MR. GARGAN:

Thank you. This question is for the purpose of other departments, but how much patrol does the RCMP do on the highway system?

CHAIRMAN (Mr. Ningark):

Mr. Kakfwi.

HON. STEPHEN KAKFWI:

We do not have that information available. We can request the information and provide it to the Member.

CHAIRMAN (Mr. Ningark):

Member for Deh Cho.

MR. GARGAN:

Maybe I did not make myself clear. In the agreement for services by the RCMP, are they required to do highway patrols as part of that agreement?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, it is not specified in the policing agreement, but they have traditionally provided that service and it is done in coordination with the Department of Transportation.

CHAIRMAN (Mr. Ningark):

Mr. Gargan.

MR. GARGAN:

Why is it not part of the agreement? Is there a reason why it is not?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Kakfwi.

HON. STEPHEN KAKFWI:

Mr. Chairman, as I understand it, the agreements which are negotiated tend to be standardized across the country. This particular service which they provide to us has never been specified in the agreements, although they do it on our behalf. Why it is not articulated in the agreement, I will try to establish why that is and provide that to the Member.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, unlike other jurisdictions, we do not have provincial police in the Northwest Territories. I would think because the RCMP is the only police force in the NWT, that would be one of the requirements.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the agreement states they are going to provide certain general police services to us. It is not written in a way to specifically say they are going to provide a particular service to us. It is understood that if we make this a priority and indicate this by letter, by saying we expect them to provide a particular service, and if they are properly resourced, they would have no difficulty in providing this.

CHAIRMAN (Mr. Ningark):

Thank you. Member for Deh Cho.

MR. GARGAN:

Thank you, Mr. Chairman. The other area I wanted to touch on is with regard to the RCMP complaints commission. You received the report on this. What is the department's position with regard to the recommendation of the report? I do not have a copy of the report. I have been looking for a copy, Mr. Chairman. Perhaps the Minister might be able to inform us of the status of the report.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the Member had made some recommendations with regard to finding ways to make the process for making complaints about policing more accessible, simpler and less intimidating for the general public. We are reviewing this.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

For the record, Mr. Chairman, my only concern with regard to the RCMP complaints commission is that the victim has been put on trial again. She has gone through an ordeal trying to answer questions from seven lawyers on the side of the police. This is ridiculous. I did not think the woman would have to go through this.

I have a complaint about the whole justice system. Under this item I have a concern. What is the government's position? Have they addressed this when the agreement was negotiated with regard to the way they handle people who are being subpoenaed to appear as witnesses in the future? Has this been addressed when you were negotiating? The only reason an apology came out was because of the parliamentary hearing with regard to the report itself, in order for the RCMP complaints commission to make it look good. This is my impression of it. Can I have a response from the Minister?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, there are recommendations which are directed toward the federal prosecutors to have them use more common sense and be more diligent about how they carry out their duties and the policies they follow. The same applies to the RCMP. There are recommendations to direct them to be more diligent in the way

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in which they carry out their duties and to be more sensitive and use more common sense. We will be monitoring that situation to make sure there is diligence in the future.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. I have one final comment. We are looking for alternatives to the jailing system. Are we also looking at alternatives for the RCMP police services? We should be.

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, there is interest at the community level. There were a number of communities interested in working out a better understanding and working relationship with the local police, in our case the RCMP. The RCMP have indicated an interest in negotiating a memorandum of understanding with the interested communities regarding new members who come into the community, and what working and living relationship is going to be between the corporal and the rest of the community. So, that is an important development. There is the pilot project we mentioned where a couple of communities will hopefully be able to provide an individual from the community to work with the local RCMP on a volunteer, or part-time basis, to help the community and the RCMP carry out the necessary work together. As of yet, there has not been any suggestions that a whole different police force should be looked at.

We do not rule it out, but again, communities have not made those types of suggestions in any measurable terms yet, so we will see if those types of sentiments develop in the next year or so.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, the political climate is changing and eventually there will be the creation of Nunavut. I do not know if they are looking at their own police force. Certainly, I want to see a Dene police academy in the western Arctic which could train aboriginal people. I appreciate the Minister's suggestion in regard to people in the communities working with the RCMP, but I am thinking beyond that. If you are suggesting a vision, as you stated in your statement, my vision is that we also should have a separate police system for the Dene people. I am sure the Inuit people are thinking the same way. If you are going to apply justice separate from the existing system, you also have to be able to apply a whole new kind of police force that could apply the new justice system. You cannot expect to change the justice system and have the same police force apply the new system, when they were trained in the other system. Thank you.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the normal role of the police has been to enforce and make sure the laws of the system are respected and not broken, and that law and good order are maintained. It is being recognized that the system, the laws and sentencing are not adequate. Once the communities start to develop sufficient momentum and we develop the support to get them to carry on in assuming more responsibility and jurisdiction in the area of justice, the idea of developing alternative forms of policing, or peacekeeping, will be looked at. I think it will be a natural development flowing from this type of approach.

CHAIRMAN (Mr. Pudluk):

Thank you. Police services. Mr. Gargan.

MR. GARGAN:

Thank you. I appreciate the Minister's response with regard to our development. My concern is that we have not decided to look at an alternative police force. I am suggesting that you have to start developing alternatives now. You cannot wait five years down the line to say, "Now, this community is ready for their own police force." You have to develop it now, so when it does happen the interaction is not a shock.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, my view is that it is not something that would take a great deal of planning to initiate. It has been initiated in other parts of the world. It has been done in and worked on in parts of the United States and certainly in Canada. The federal government has indicated, through the Solicitor General, that it is open to work in this area if that is what we want to do. All we are indicating at this time, with the amount of money, time and energy that we have, that this is not an area we have been directed by any communities or organizations to focus on. If we are, then it is not going to be as work-intensive as the work we are trying to do now, which is to help communities assume responsibility for the work that is being done largely for them by the courts, RCMP and judges. Communities are saying, "We want to develop community alternatives to what is happening to young and adult offenders by developing community-based institutions for sentencing and open custody."

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, in many areas in Canada aboriginal communities have taken on their own responsibilities of policing and training people in academies, but they still operate under the band or regional councils. I am not suggesting that the Department of Justice should be the prime player in regard to an alternative to the RCMP. We do have aboriginal organizations that are just as capable. In order for us to look at that new initiative, we cannot always involve the Department of Justice as the lead role because they have their own vision of what they see as the application of justice, and I am sure the communities have a different vision all together. If we hope to start that process, we cannot just keep stone-walling and pretending that it is not going to happen. It will eventually happen, but perhaps it is not going to be this government that will be burdened with initiating it. Perhaps it should be the Dene Nation or the Inuvialuit, but certainly the aboriginal people could carry out that type of initiative as well. I do not think we should be stopping them from doing that. In fact, we should be supporting them with regard to Kim Campbell's report that came out on that. The directions are quite specific with regard to who should be carrying out that new initiative, and it is not the Department of Justice. It has not suggested that at all.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

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HON. STEPHEN KAKFWI:

Mr. Chairman, we have not received any suggestions from the Dene Nation, the Metis Association, the Dene Cultural Institute, the Inuvialuit, the TFN or any organization to look at the idea of an aboriginal police force. If they do, we would be interested in sitting down and talking about it. That is the trouble with the vision idea. If the government makes a vision statement, then we are attacked for having the audacity to tell people what we think is best for them. If we take the other view that it should be all community-based and community-driven, then we sorely suffer for lack of vision. We are trying to take a partnership approach to it. That seems to be the best solution.

CHAIRMAN (Mr. Pudluk):

Thank you. Police services, total O and M, \$26.533 million. Mr. Patterson.

MR. PATTERSON:

Thank you, Mr. Chairman. I have a more mundane question than my colleague from Deh Cho about policing. Do we have a giant black cloud hanging over our heads on this police services agreement as a result of the unresolved issue of the dispute for the tactical squad costs from the Giant Mine strike, and also the bill for the extra policemen who have been working on the mine blast fatal explosion investigation? Could I get a status report from the Minister on both those issues, what the price tag looks like and whether we will be successful in persuading the federal government that this is their responsibility? Thank you.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the deputy minister, Mr. Bickert, will answer the question.

CHAIRMAN (Mr. Pudluk):

Deputy minister.

MR. BICKERT:

Thank you, Mr. Chairman. The claims by the RCMP with respect to the tactical unit and the emergency response team which dealt initially with the strike situation is still a disputed claim by our government and by our department. The costs of the actual murder investigation are not in quite the same category, although we have taken the position that these additional costs are extraordinary and we reserve the right, depending on an analysis of them, to deny liability for some of them, at least, if not all of them, although they fit more within the normal range of criminal investigation than the disputed sums for the tactical unit and the 58-person emergency response team. The bottom line is that they have not given us any final invoice for any of those things. Our cheque is not in the mail. We have made it clear that we dispute liability for them. That is where it stands at the moment. There has been a suggestion by the Solicitor General that we submit the dispute to

arbitration, but we have not responded to that at this point.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Patterson.

MR. PATTERSON:

So, Mr. Chairman, the good news is we have not received the bill yet. Does this mean they might not send the bill?

CHAIRMAN (Mr. Pudluk):

Deputy minister. Mr. Minister.

HON. STEPHEN KAKFWI:

The final bill for the costs of the additional RCMP services regarding the strike, the technical squad, has been submitted to us but we have not given any indication that we are intending to pay it and it is still under dispute.

CHAIRMAN (Mr. Pudluk):

Thank you. Police services. Total O and M, \$26.533 million. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. I would like to know if there is a formula used to establish the numbers of RCMP in the north. We have a total population of 57,000. We have 65 communities spread across this vast area. Some communities have a very small population, some with 1,000 or 2,000. Some have one RCMP and some have two, but is there a formula that is commonly used in other jurisdictions to establish the number of RCMP that would be required to enforce laws and to carry out whatever duties RCMP carry out as part of their mandate on behalf of the province or territory which contracts them?

In Yellowknife we have an estimated 16,000 people. How many RCMP do we have here on active RCMP duty? Is Yellowknife serviced to the degree it should be, given the nature and complexity of the city? Is there a formula? If there is, what is it?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, there is no formula that is used across the country or here. It has all been done through negotiations based on what we think is a fair allocation of money for the policing needs we have. We have said the total number of members should be approximately 225, and we try to budget to meet that. In Yellowknife there are 27 positions allocated, of which 24 of those positions are staffed. This provides services to Dettah and includes eight aboriginal members and five female members.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Whitford.

MR. WHITFORD:

Yellowknife has assigned to it 24 active members. You said 27 of which 24 are active, so there are only three doing other things. I was under the impression that there were far fewer active RCMP on the beat for this city. Perhaps, I have received incorrect information. Obviously, you have more current and more accurate information than I have, but I was under the impression there were far fewer active RCMP in the city, than there would be in communities. For example, in Hay River where there is a much smaller population. Even if you include the surrounding areas, I believe the have 17. Fort Smith has six or seven. They have much smaller populations and the geographical areas that they serve are not much larger. How do they come up with a formula such as this?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, it is my understanding there are 24 actual staff which are policing Yellowknife. They also have the support of the drug enforcement section which is headquarters based. On the average, on a per capita basis, there is the same ratio as in most parts of the territories. It is roughly the same in relation to population. It is better in Hay River. It is roughly twice as

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CHAIRMAN (Mr. Pudluk):

Thank you. Police services, total O & M, \$26.533 million. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. I wanted to go back to an area which I was asking about in the House yesterday. It dealt with the services which the RCMP provide when it comes to administering the firearm acquisition certificate program. There seems to be an unwritten policy which the RCMP dictate to our government, or to the population, that we must not pay for these firearm acquisition certificates with cash, they must pay with cheque or money order. Although I asked the question yesterday, when I reflect back on it, I still have not received an answer which would stop me from wondering why they are doing this in this one program. As I said yesterday, is this the thin tip of the wedge which escalates into only having cash in the banks. You will not be able to carry it around and use it to buy products or services. Some of us do not like to use cheques or money orders. Some of us still want to pay in cash. If I wanted to go and get my firearms acquisition certificate and I have a nice crisp \$50 bill, I want to use that. However, I would be told that I could not do it and that I would have to get a certified cheque, which would cost me \$2.50, or as high as \$7 in some cases, or a money order. I have to trudge down and get the bank draft. Who are we serving here? Is this a policy which was established in the north only because, as the Minister had pointed out yesterday, the RCMP do not like to have cash in the detachment? Is this practised in other provinces and territory, or is this something which was established here for some reasons other than the fact that they do not like have cash in the detachment?

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the policy which we have initiated has been adopted nationally by governments with regard to this particular program we are accepting responsibility for. We accept a fee for the service we are providing in the Northwest Territories for the federal government, carrying out the program of the firearms acquisition certificates. I understand what the Member is saying. Relatively speaking, you apply once and it is good for five years. It is not like having to run around after registration and insurance, which you have to do every year. It is not like many of the other inconveniences. This is once every five years. The RCMP has said across the country that they are not interested in handling cash or in doing the leg

work for people who submit cash with their applications. The RCMP has to handle this money. No one likes to send cash through the mail. The RCMP has to run around and convert these cash payments into more acceptable forms such as bank drafts or money orders. It is down right inconvenient. We have supported them and said our policy will be the same as everywhere else in the country. We will take payments only in the form of certified cheques, postal money orders, or Northern store money drafts.

CHAIRMAN (Mr. Pudluk):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. It is just this particular program for the time being. Let us say I have to pay a small fine for something minor and I go up to the counter and haul out my wallet and I want to pay for this small fine, plus the victims' assistance tax. Can I still use cash, or next week can I expect to have someone look at me and say, "Sorry, we do not accept cash, it is only cheque or money order." Are there other programs you would be introducing to this system to only accept cheques and/or money orders? There is no other program in your department which only accepts cheques and/or money orders.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, there is no intention to extend this to other areas. There is no problem in accepting cash for fines and other transactions which are carried on at this time. It is limited to the applications for firearms certificates.

CHAIRMAN (Mr. Ningark):

Thank you. Police services, total O and M, \$26.533. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. During the Christmas holidays this past year, the community of Fort Providence ran into a situation where they were going to be short two RCMP. I expressed my concern to the Minister, which I am sure he will recall. In his response, he indicated they could not provide the community with any extra policing. So, we ended up

during the holidays with one RCMP member being stationed in Providence. We did not encounter any difficulties during the Christmas or new year holidays, but I suppose many communities run into that type of situation in which the detachment members choose to plan their holidays around that time of year. I wonder whether your department is involved with the coordinating of when police should be here and when they should not be, or is it the detachment that does that? What are the rules for RCMP taking their holidays? They deserve their holidays, but I would like to see it done in a more timely manner so it does not leave the community in a difficult situation. Perhaps an alternative police force is the answer.

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the proposed budget we have here also has an allocation to address the base deficiency which has been plaguing the RCMP in the past few years. By addressing that and filling in the deficiency they have suffered, it gives them much more flexibility in not only meeting the needs of the communities which have been denied police services, but also the possible flexibility to respond to situations such as Fort Providence. I cannot say for certain it will be done, but I know this budget will give the RCMP that necessary flexibility to respond, if that is the direction we give them.

CHAIRMAN (Mr. Ningark):

Police services, total O and M, \$26.533 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

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Legal Aid

CHAIRMAN (Mr. Ningark):

Thank you. Next page is legal aid. Total O and M, \$4.619 million. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, what is the present situation with regard to the delivery of legal aid? Have you put a cap on it so that there are only a certain number of hours allotted for certain cases? What is the situation? Is that flexibility still there or are we looking at putting some time limits or values on certain cases as they apply? I know that lawyers are interested and I am concerned about it. I would like to find out what the situation is with regard to legal aid.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, what we have done with the legal aid is put a cap on the total amount of hours which lawyers can spend on each individual case. To make sure it is a workable arrangement, there are negotiations currently going on with the law society to figure out what is an acceptable arrangement in regard to fee schedules, the payments which are made for the type of services and capping would be acceptable in different areas.

CHAIRMAN (Mr. Ningark):

Thank you. Legal aid. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. I wanted to express my concern, for the record, with regard to that whole issue. I believe that while we are not tampering with judges' training, we are tampering with the application of justice for aboriginal people where we are assisting them if they get into trouble. If you start putting caps on certain cases based on a negotiated level, that does not mean the application of justice is being applied equally. There are cases which would require more work than others. The Minister, on countless occasions, has responded by saying that the circumstances are different, and for that reason you cannot treat every case the same. I am hearing you say that if you steal, this is the cap. This is the level you will be paid for this individual and I disagree with that. If the Minister is suggesting all circumstances are different, then it should apply.

Several years ago, a member of my constituency died as a result of an accident at the workplace. Through legal aid, she was able to get a lawyer to work on her case, but when the final results of the case came up with regard to her options, in one of the cases it specified that this government has been negligent by

not checking out the standards of the equipment present and the result is that they had equipment which was not up to safety standards, but it was still being used. By the lack of monitoring by this government, a young man lost his life. For this case, legal aid stopped their services. It was the opinion of the lawyer that he should go after the government for negligence. I would like to know where this government draws the line for who they provide that aid to? If a native person cannot afford to take the government to task, then is that where it stops? I am interested in that, Mr. Chairman, because I believe that the mother was wrong and I could do nothing about it because she was not provided the necessary legal fees to pursue this further. Perhaps she could have been compensated or maybe it means having the government go to court for negligence or whatever the case may be. After the work was finished, it did look promising, but it was stopped right there and that was it for that woman. She never went beyond what was given to her with regard to the kind of action she could take.

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the Legislature is interested in how we spend and budget money. It is my understanding that it was widely supported for this government to look at the area of legal aid and try to establish some limitations on how we would negotiate a reasonable budget which we would give to the legal aid services board for them to provide the services. That is what we have done. The legal aid services board itself develops its own criteria on how it will provide and extend its services to provide legal aid to people in the public. The government has never been in a position to deny support to people who want to take legal action, even against the government. We have never been in a position to do this.

CHAIRMAN (Mr. Ningark):

Thank you. Legal aid, Mr. Gargan.

MR. GARGAN:

For the record, Mr. Chairman, why was a woman who lost her son and husband recently denied legal aid? Her name is Louisa Denetre. I want the Minister to provide the reasons why she was refused legal aid to pursue further action. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, it is my understanding this is confidential information. If the individual the Member is referring to agrees to let us have access to the information, we can assist and find out why the applications for legal aid were denied. Thank you.

CHAIRMAN (Mr. Ningark):

Thank you. Legal aid, total O and M, \$4.619 million. Agreed?

SOME HON. MEMBERS:

Agreed.

---Agreed

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. Legal aid, as I understand it, is provided by this government, and the department, to persons who otherwise would not be legally represented in court. I do not know what the exact guidelines are. Every time someone goes in front of the justice of the peace or a judge for a minor offence, they are not automatically entitled to legal aid. I wonder if, in fact, my interpretation of this is correct? Is a person required to apply and show that they are unable to secure counsel within their means to defend themselves against a serious charges? Is this correct? Is this a service where there are lawyers sitting in court, telling people they represent them, and subsequently billing the government. Is it something as simple as this or is it more complicated?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

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HON. STEPHEN KAKFWI:

The Member is correct on the financial side of the criteria. For instance, if you come from a high income society and it is established that you are unable to secure legal counsel, legal aid could be extended to

you. If you are in danger of going to jail or of losing your job, this also makes you eligible for legal aid along with the financial criteria which the Member has outlined. There may be a requirement to pay it back, especially if you are a good consistent wage earner.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. It is understandable that a person can earn a high income, but still require legal aid. It was interesting that the Minister said, "where there is a danger of going to prison." This is fairly serious. However, is legal aid provided for civil matters, such as a divorce? Would there be instances where a couple cannot agree to live together and there is a legal battle over children and other things, would legal aid be provided to either party to defend themselves in court over civil matters more than criminal?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Those situations are covered by legal aid's eligibility requirements. They are general enough to accommodate those. They are laid out in legislation and regulations.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. Would divorces and child custody situations be in that category?

CHAIRMAN (Mr. Ningark):

Mr. Minister.

HON. STEPHEN KAKFWI:

Yes.

CHAIRMAN (Mr. Ningark):

Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. In situations such as this there is a pay back requirement. Does this pay back requirement stay on the books for a long period of time? When the people who were provided legal aid find themselves in a better financial situation, after the legal proceedings are concluded, is there a statute of limitations or a period of time in which the government writes this off, or do they keep this going for a longer period of time?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, because it is public money, there is a requirement to be diligent about what is provided in the form of assistance in areas where we feel there is some possibility of repayment. They try to encourage some agreement whereby small payments can be made. Where it is possible and where the person makes an income, it stays on the books for some time, largely because it is public money.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. Because legal aid is public money there are many people who need legal help to assist them through bad times. As the Minister pointed out, if the money is recoverable the department should hopefully, over a period of time, recover a large percentage of what is paid out. Is there a ceiling to the amount which an individual or individuals can become eligible for under legal aid? I realize legal services are expensive, but is there a ceiling which prevents the using up of all this money fairly quickly on one or two issues?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the notion that the legal services board has some collecting agency is not fact. I do not want to create that sense. By and large, if you are considered eligible it is because you do not have the capacity at that time, temporarily or permanently, to have legal services made available to you through your own means. In large part, the numbers of clients

who are asked or expected to make some repayments are very small. In any case, I think it has been said by the Auditor General, that it is no use to make measurable resources available to collect this money. The eligibility itself largely makes the collecting part of it not necessary or even worthwhile. If there is a ceiling placed on a particular case, then I understand the executive director has some flexibility in making sure it is not cut off in the middle of a case because a ceiling has been hit. There is some discretion there by the legal services board.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Whitford.

MR. WHITFORD:

Thank you, Mr. Chairman. I fully support this program, but perhaps \$4 million is not enough at times to meet all the needs in the territories that people find themselves in. What I wanted to conclude with, Mr. Chairman, is that as much as I support the program adamantly, I am very concerned that although there is a payback requirement, I do not know whether the department is diligent enough in pursuing these clients. The department should put the money back into this fund where it would help people who really need it.

I have had two examples on my files. One was a young man who was assisted in the amount of \$65. For months after, that person was hounded by the department to pay this money back. I saw the letters and eventually it was paid back. It probably took more than \$65 to chase it. On the other hand, I have letters from concerned constituents who claimed that up to \$30,000 in legal fees were paid on behalf of individuals and very little effort was made to collect that money. Yet, the person finds themselves in better financial position than they were at the time. I thought there was a bit of a discrepancy there between one situation and the other. I will not disclose any more than that. I just wanted to point out that, in my opinion, the department is not diligent enough about recovering monies and making sure that the people who need the aid are receiving it, rather than the people who are not. I would like to leave it at that because I think the Minister has answered the questions which I was concerned with. Again, as I said, I support the principle. I wish that there would be more money to help the people who really need it and less to help those who, in some cases, do not really need it.

CHAIRMAN (Mr. Ningark):

Thank you. Legal aid. Total O and M, \$4,619 million. Agreed?

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SOME HON. MEMBERS:

Agreed.

--Agreed

Lawyer Support Services

CHAIRMAN (Mr. Ningark):

Thank you. Lawyer support services. Total O and M, \$1.992 million. Agreed?

SOME HON. MEMBERS:

Agreed.

--Agreed

Registries And Court Services

CHAIRMAN (Mr. Ningark):

Thank you. On page 06-14. Mr. Dent.

MR. DENT:

Mr. Chairman, I would like to declare a conflict of interest and withdraw from the House while the activity registries and court services is being considered as I own shares in CJCD which has, in the past, entered into advertising contracts with the sheriff. Accordingly, there is potential for my business to benefit in future from funds appropriated under this activity, and I am declaring a conflict and withdrawing.

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Dent. Do Members agree?

SOME HON. MEMBERS:

Agreed.

--Agreed

CHAIRMAN (Mr. Ningark):

Registries and court services. Total O and M, \$7.845 million. Mr. Gargan.

MR. GARGAN:

Thank you, Mr. Chairman. I just want to find out what is happening with regard to the legal interpreters and whether those people also travel with the court party as do court workers? When there is a requirement for legal interpreters in any of the courts in process, is that when those people are there or do they actually travel with the court party?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, the legal interpreters sometimes travel with the court parties. In some places, where we have locally trained legal interpreters, they are residing in the communities so there are the two different situations which currently exists.

CHAIRMAN (Mr. Ningark):

Thank you. Registries and court services. Total O and M, \$7.845 million. Mr. Gargan.

MR. GARGAN:

Thank you. With regard to the legal interpreters, can you tell me whether we currently have legal interpreters within the Department of Justice or with the Department of Culture and Communications?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, there is one on staff in Iqaluit and we are negotiating with the federal government to see if we can make one available in this part of the territory to work on the terminology for Dene languages with the courts. In the communities themselves, we do not have any on staff with the government. What we have is people who have expressed an interest. We have trained over 100 people so far in the communities across the territories who provide their service as needed for the court parties.

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Gargan.

MR. GARGAN:

Mr. Chairman, we have 100 legally trained interpreters throughout the communities. They are not on salary but they are available. When they are needed, are they called upon to provide that service?

CHAIRMAN (Mr. Ningark):

Thank you. Mr. Minister.

HON. STEPHEN KAKFWI:

Mr. Chairman, I should clarify that there are about 111 people across the territories who have started the training to become legal interpreters. There are about four different modules they have to complete. To date there have been 36 who have successfully completed the four modules. I did not state that accurately in the beginning. There are not already 110 people trained. There are 36 who have completed the program and the rest of the people are in different stages of the training program.

CHAIRMAN (Mr. Ningark):

Thank you. Registries and court services. Total O and M, \$7.845 million. Agreed?

SOME HON. MEMBERS:

Agreed.

CHAIRMAN (Mr. Ningark):

Mr. Koe.

MR. KOE:

I cannot agree on this, Mr. Chairman, until we have a fully constituted quorum so I move we report progress.

CHAIRMAN (Mr. Ningark):

Thank you. There is a motion on the floor to report progress and the motion is not debatable. Would you ring the bell, please?

We now have a quorum. There is a motion on the floor to report progress and it is not debatable. All those in favour of the motion? All those opposed? Thank you. The motion is carried.

---Carried

I will rise and report progress.

MR. SPEAKER:

Item 20, report of committee of the whole, Mr. Chairman.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

CHAIRMAN (Mr. Ningark):

Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 17 and Committee Report 11-12(3) and wishes to report progress with two motions being adopted. Mr. Speaker, I move that the report of the committee of the whole be concurred with. Thank you.

MR. SPEAKER:

Thank you, Mr. Ningark. Seconder to the motion, Mr. Pudluk. The motion is in order. All those in favour? All those opposed? Motion is carried.

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---Carried

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

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton):

Mr. Speaker, there will be a meeting of the caucus at 9:00 am, tomorrow morning, and a meeting of the Ordinary Members' Caucus at 10:30 am, tomorrow. Orders of the day for Wednesday, March 3, 1993.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Orders of the Day

MR. SPEAKER:

Thank you, Mr. Clerk. This House stands adjourned until 1:30 pm, Wednesday, March 3, 1993.

---ADJOURNMENT