



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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## **HANSARD**

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The Honourable **Samuel Gargan**, Speaker

**TUESDAY, APRIL 4, 1995**

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**MEMBERS PRESENT**

Mr. Allooloo, Mr. Antoine, Hon. Silas Arngna'naaq, Mr. Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Hon. Samuel Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Hon. Richard Nerysoo, Hon. Kelvin Ng, Mr. Ningark, Mr. Patterson, Mr. Pudlat, Mr. Pudluk, Hon. John Todd, Mr. Whitford, Mr. Zoe

**ITEM 1: PRAYER**

---Prayer

**SPEAKER (Hon. Samuel Gargan):**

Thank you, Mr. Pudlat. Good afternoon. Orders of the day. Item 2, Ministers' statements. Mr. Morin.

**ITEM 2: MINISTERS' STATEMENTS**

Minister's Statement 57-12(7): Air Tankers

**HON. DON MORIN:**

Mr. Speaker, I am pleased to inform the Legislative Assembly that on Friday, March 31, 1995, Transport Canada issued dry leases to Buffalo Airways Limited for the four federally-owned CL-215 water bomber air tankers.

Buffalo Airways Limited will staff, operate and maintain these aircraft under a separate contract with the Government of the Northwest Territories for a period of five years. Buffalo Airways took possession in Abbotsford, BC, and the first aircraft was ferried to Red Deer, Alberta, on Sunday afternoon.

The three remaining air tankers are presently being prepared. The transfer process is expected to be completed by next weekend. The CL-215s will then be positioned at their bases during the third week in April. They will be ready for the May 1st availability date as required by the contract.

Mr. Speaker, I am also pleased to inform the House that Buffalo Airways intends to subcontract Bird Dog support services jointly between Landa Aviation of Hay River and Northwestern Air Lease of Fort Smith. Thank you, Mr. Speaker.

---Applause

**MR. SPEAKER:**

Thank you. Item 2, Ministers' statements. Item 3, Members' statements. Mr. Antoine.

**ITEM 3: MEMBERS' STATEMENTS**

Member's Statement On Nahanni Ram Tourism Association Funding Cutbacks

**MR. ANTOINE:**

Thank you, Mr. Speaker. Today, I would like to talk about tourism in the Nahendeh region. Mr. Speaker, the general consensus of the tourism industry in the north is no secret. This industry is fast becoming one of the areas targeted as a revenue generating vehicle for the Government of the Northwest Territories. In the Nahendeh region, the tourism industry has seen its share of activity. People have

identified the opportunities that are in our backyard and that are worth marketing to the rest of the world.

As a result of zone contribution cutbacks, NRTA and its objectives are in jeopardy. With a reduction of \$200,000 in zone contributions this year, the NRTA will have this year's proposed contribution, or 60 per cent of its budget, slashed by almost \$23,000, or almost 48 per cent of this year's total contribution. Of the eight tourism zones affected by contribution reductions, the NRTA will see the biggest cuts.

Mr. Speaker, I'm running out of time. I seek unanimous consent to finish my statement. Mahsi.

**MR. SPEAKER:**

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

**MR. ANTOINE:**

Mahsi, Mr. Speaker. The NRTA has made great strides in the last few years and, as a result, the industry is growing, the economy is benefitting, and the whole region is beginning to realize the significance of the Nahanni Ram Tourism Association. I would like to take this time to mention some important accomplishments.

For the first time, the board of directors of the Nahanni Ram Tourism Association is an all-native board. The NRTA has its first native outfitter, North

Nahanni Naturalist Lodge, which is owned by Loyal and Rea Letcher. Development of tourism

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infrastructure by the communities reflects a new era of cooperation of community involvement. NRTA has started networking with other native organizations across Canada to integrate plans with proven and established resources.

The NRTA cooperative marketing initiative for the fiscal year 1994-95 is the highest in history, reflecting an increase in membership. NRTA's focus on cultural interactive tours reflects cultural enhancement as a viable product and marketing strategy. Mr. Speaker, this last point is a key point and the benefits are twofold; these traditional skills can be passed on to the younger generation and, at the same time, contribute to providing a product for this emerging industry in the Deh Cho region.

With even more initiatives in the works, Mr. Speaker, and a positive revenue-generating potential clearly identified, it does not make any sense to reduce core funding to this particular zone. In line with NRTA's directive, the federal government places tourism as a high priority item for increased funding. Mr. Speaker, in Prime Minister Jean Chretien's speech to the tourism industry association in Vancouver last October, he recognized the industry. Last year, the federal government committed \$15 million to tourism promotion and realized its potential plans to increase tourism funding to \$50 million this year.

---Applause

**MR. SPEAKER:**

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

Member's Statement On Negotiations To Amend The Migratory Birds Convention

**MR. ZOE:**

Mahsi, Mr. Speaker. As most Members are aware, in 1916 a conservation agreement called "The Migratory Birds Convention" was developed to protect and manage, on a sustainable basis, those birds that migrate between Canada and the United States. Under the convention, both countries enacted laws and regulated the hunting of migratory birds by aboriginal people and sports hunters.

As I understand it, Mr. Speaker, the Canadian Wildlife Services of Environment Canada led a series of consultations across the country and the Northwest Territories between 1991 and 1993 to amend the Migratory Birds Convention Act. The act was then amended in 1994 to include a non-derogation provision to secure aboriginal and treaty rights with respect to migratory birds. Now, in 1995, the convention is in the process of being changed to recognize these treaty and aboriginal rights, consistent with section 35(1) of the Constitution Act of 1982 of Canada.

The federal government is presently set to begin the final negotiations with the United States to amend the convention. I've been communicating directly with one of the aboriginal representatives on the Canadian negotiating team on this important issue, Mr. Speaker, in an attempt to put forth the concern and represent the issues of my constituents. I won't go into the details at this time, but I will say that the Dogrib Treaty 11 Council and the people of the North Slave region generally have a number of concerns with the federal government's latest proposal for change.

The point I would like to make, Mr. Speaker, is that if our government, namely the Department of Renewable Resources, has a position on the proposed amendments and the impending negotiation, we, in the North Slave, are not aware of it. While I recognize and acknowledge the role and contribution of the department representing the views of all territorial residents in providing input into the revision of the act, I'm at a loss to determine their role in representing those same interests in the negotiations to amend the convention, itself.

The people of the North Slave and the Dogrib Treaty 11 Council need to be assured that their aboriginal and treaty rights are protected and that, in an effort to remove barriers to harvesting, new ones are not being created that could impact on future generations.

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

**MR. SPEAKER:**

The Member for North Slave is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed, Mr. Zoe.

**MR. ZOE:**

Mahsi, Mr. Speaker. As I indicated, the federal government is presently set to make these changes and the people of the North Slave and the Dogrib Treaty 11 Council need to be assured that their aboriginal and treaty rights are protected and that, in an effort to remove barriers to harvesting, new ones are not being created that could impact on future generations.

These are important developments, Mr. Speaker, and I will be following up with some questions for the Minister of Renewable Resources on this issue later during question period. Mahsi.

**MR. SPEAKER:**

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

Member's Statement On Concerns With The Labour Standards Act

**MR. DENT:**

Thank you, Mr. Speaker. Mr. Speaker, I was recently talking to the president of the Chamber of Commerce who told me of some concerns held by the business community about our Labour Standards Act. He suggested that labour standards should be easy to understand, equally applied and vigorously enforced. Right now, the feeling is that our labour legislation is complex, unsuited for many business sectors and is not monitored at all.

Following that conversation, Mr. Speaker, I called the president of the Federation of Labour and found labour concerns to be remarkably similar. The federation's position is that our current act is outdated and in urgent need of being updated. In fact,

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they tell me they have met twice this year with the Minister to press for action on our current legislation.

Mr. Speaker, it is not every day that business and labour groups agree so wholeheartedly on an issue. Not that there won't be differing opinions among business and labour about some of the changes needed, but it is noteworthy that they both feel the urgent need to address our current labour standards legislation.

Mr. Speaker, both groups are also disappointed that there has not been more action resulting from the recommendation of the report of the labour standards

law review panel into employment standards in the NWT, which was commissioned by the Government of the Northwest Territories and tabled in the Legislature in October of 1990.

Mr. Speaker, neither group is, at this time, recommending a \$1 million plus commission, like the Northern Workplace Commission earlier proposed by this government. Whether or not this government should take over labour relations from the federal government is something that can be considered later. What is needed now is some action on labour standards, an area which is already within this government's jurisdiction.

Mr. Speaker, given the time left before an election and our current fiscal situation, we need a relatively quick and inexpensive solution. I note that the Minister has already committed to review the minimum wage; this is just one small part of the labour standards issue. Why not approach business and labour asking them to each put a representative forward to work on a bipartite committee with an impartial chair, and use the report, which was tabled in 1990 in the Legislature, as a starting point?

Mr. Speaker, I see that I am going to run out of time. I would like to seek unanimous consent to conclude my statement.

**MR. SPEAKER:**

Thank you. The Member for Yellowknife Frame Lake is requesting unanimous consent. Are there any nays? There are no nays. Conclude your statement, Mr. Dent.

**MR. DENT:**

Thank you, Mr. Speaker, honourable Members. Mr. Speaker, such a panel could review that report and further review standards across Canada and then make recommendations for immediate action to change our current Labour Standards Act. Such a panel could also advise on what further action might be necessary.

With the proper terms of reference, such an approach could ensure that essential amendments to our Labour Standards Act could be ready for consideration, perhaps by our June session; at the latest, by the new Legislative Assembly before the end of this calendar year.

Mr. Speaker, the panel which reported on the Labour Standards Act in 1990 found much of our existing act

too ambiguous and open to varied interpretation and inconsistent with current practise in other jurisdictions. As they said in their report, an employment standards act must be clear, concise and simply written, and must fulfil the expectations and requirements necessary for the decade of development that appears to be coming in the 1990s.

Mr. Speaker, we are now more than half way through this decade and nothing has been done to update our labour standards. It is time to get on with the job. Thank you, Mr. Speaker.

---Applause

**MR. SPEAKER:**

Thank you. Item 3, Members' statements. Mr. Koe.

Member's Statement On Canadian Space Agency Tour

**MR. KOE:**

Mahsi, Mr. Speaker. Mr. Speaker, today marks the start of the Canadian Space Agency tour in the western Arctic. This is a voluntary event sponsored by Canadian North, Aklak Air and the Northern Air Transport Association, plus contributions from other corporate sources. One of our Canadian astronauts, Julie Payette, will be touring Yellowknife plus the communities of Aklavik, Inuvik, Fort McPherson, Tsiigehtchic, Tuktoyaktuk and Norman Wells. She will be visiting most of the educational institutions in these communities.

This tour will be promoting that children and adults stay in school and also encourage them to study science. I wish Astronaut Payette all the best on her tour and encourage all school children and members of the public to attend and participate in the events scheduled in each community. I also wish to thank all the organizers, the volunteers and the corporate sponsors of this tour. Mahsi.

---Applause

**MR. SPEAKER:**

Thank you. Item 3, Members' statements. Mr. Patterson.

Member's Statement On Implementation Of Custom Adoption Recognition Act

**MR. PATTERSON:**

Thank you, Mr. Speaker. Mr. Speaker, the Custom Adoption Recognition Act was assented to on November 10, 1994. Hundreds, if not thousands of people of all ages are waiting for a mechanism to be put in place to implement this act. They are waiting for birth certificates, they are waiting for social insurance numbers. I know some young people in my riding who were adopted by custom, who haven't been able to go through the terribly convoluted procedures required by the courts to get their adoption recognized. They feel that they won't be able to work until they have a social insurance number. And some people feel even more strongly that their very identity is in question until they have a birth certificate.

Now, Mr. Speaker, the act is very simple, it's elegantly simple. All we need to do is appoint native custom adoption Commissioners in every one of our communities. Their role would be simply to confirm that adoptions which have taken place conform with customary adoption law. The Commissioner would receive a fee for each certificate they issue. The certificate is then filed with the courts; it automatically becomes a Supreme Court order. Then vital statistics automatically issues a birth certificate.

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As I said, Mr. Speaker, the bill was passed last November. However, the act has not yet been proclaimed in force. As of this date, no Commissioners have been appointed. As of this date, the proposed new forms for adoption commissioners have not yet been finalized.

Mr. Speaker, many, many people in all our ridings are waiting for this bill to be implemented. All we need to take are some very simple steps. For heaven's sake, Mr. Speaker, let's get on with the priority and next simple steps required to implement the Custom Adoption Recognition Act already passed by this House. Thank you, Mr. Speaker.

---Applause

**MR. SPEAKER:**

Thank you. Item 3, Members' statements. Mrs. Marie-Jewell.

Member's Statement On Mercy Killings

**MRS. MARIE-JEWELL:**

Thank you, Mr. Speaker. Mr. Speaker, today I would like to comment on an issue that has been brought to my attention by the Fort Smith Society for Disabled Persons. The issue is "Mercy Killing." As you know, Mr. Speaker, the society is highly respected by the residents of my constituency, as it's volunteers contribute countless hours towards helping those who must struggle with physical and mental illness and disabilities.

The society has been active in encouraging improved wheelchair accessibility to local buildings and business places. Board members and volunteers have worked hard to enhance the quality of life for the disabled by providing personal support and fostering community acceptance.

Mr. Speaker, the Society for Disabled Persons is also respected as a voice for those individuals whose physical limitations have made it difficult to speak out. From time to time, the board offers comments on issues of importance to disabled people, not only at the local or territorial level, but nationally.

Mr. Speaker, recently I have received correspondence from Sister Sutherland who is the president of the society. On behalf of the entire board she raised their serious concerns about apparent trends for its mass approval of what had been described as mercy killing of the severely disabled.

Mr. Speaker, I would like to share her words with my colleagues in this House, and I quote from her letter, "This society believes that persons with a disability should not have to live at the mercy of anyone who does not respect them and support them as they are. Disabled persons have much to offer family, friends and care givers and deserve their love and respect at all times. We believe that life is sacred for all and is a gift of God which no one has the right to take away. The Great Creator and Father of all will come for each one of us when he decides it is the right time. We ask you, as our MLA, to speak out and ask all northerners for their compassion, their love and their respect for all, before it is too late for someone in the Northwest Territories who lives with a disability."

Those thoughts were communicated to me in a letter from the Fort Smith Society for Disabled Persons, dated March 15th. Mr. Speaker, I think we are all aware that recent instances surrounding the termination of life for disabled persons does evoke powerful legal, political, and particularly moral questions.

I seek unanimous consent to continue with my statement.

**MR. SPEAKER:**

The Member for Thebacha is requesting unanimous consent to conclude her statement. Are there any nays? There are no nays. Mrs. Marie-Jewell, conclude your statement.

**MRS. MARIE-JEWELL:**

Thank you. Mr. Speaker, like many Canadians, I know that I've found myself drawn to contemplate the circumstances of Susan Rodriguez, who chose to end her life with her physician's assistance, and may God bless her soul. More recently, similar questions have arisen from the trial of Robert Latimer, a Saskatchewan grain farmer convicted of killing his 12-year-old daughter who suffered from severe cerebral palsy. The court's decision to find Mr. Latimer guilty of second-degree murder is now under appeal.

Mr. Speaker, those are not remote, irrelevant issues for northerners. They confront us as we talk, think and pray about the sort of society we want to have. Indeed, I recall that a similar matter came before the Bourque commission for constitutional development, and the commission's first report, Working Towards a Common Future, even recommended, and I quote, "A new western territory constitution should establish the right of a competent person of majority age to refuse medical treatment to prolong life for themselves or their minor children." Ideas about entrenching such rights bring us face to face with questions about the sacredness of life, Mr. Speaker, and will require careful thought and open discussions in our homes, in our communities and the forums from which our draft constitution will emerge.

I'd like to thank Sister Sutherland and the board of the Fort Smith Society for Disabled Persons for bringing this important subject to our attention, and I applaud their continuing commitment to improving and safeguarding the dignity in life and the quality of life among the disabled. Thank you.

---Applause

**MR. SPEAKER:**

Thank you, Mrs. Marie-Jewell. Item 3, Members' statements. Ms. Mike.

Member's Statement Re Government's In action In Fulfilling Requirements Of Official Languages Act

**MS. MIKE:**

(Translation) Thank you, Mr. Speaker. With the Northwest Territories 1984 languages legislation, and with significant amendments in the 1990s, speakers of aboriginal languages across the Northwest Territories had high hopes that they would be able to use their own languages in more of their communications with government offices, but I'm afraid these high hopes have not been realized.

Here is an example: section 14 of the Official Languages Act covers communication to the public by the government and its offices and institutions. Subsection 14(1) refers to services in English and French, and came into force on December 31, 1990. Subsection 14(2) refers to services in all other official languages and came into force on December 31, 1992. Both

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sections say any member of the public has the right to communicate with and to receive available services from the government or any of its offices or institutions where there's a significant demand or due to the nature of the office. It is reasonable that communications with and services from that office be available in the relevant language.

The First Annual Report of the Commissioner of Official Languages was tabled in this House on December 14, 1993. In chapter three, the Languages Commissioner notes that the government did not make any public announcement of the coming into force of subsection 14(2) at the end of 1992. A brochure...

**MR. SPEAKER:**

Your time has run out, Ms. Mike.

**MS. MIKE:**

(Translation) I seek unanimous consent to conclude my Member's statement.

**MR. SPEAKER:**

The Member for Baffin Central is requesting unanimous consent. Are there any nays? There are no nays. Conclude your statement, Ms. Mike.

**MS. MIKE:**

Thank you, Mr. Speaker, and colleagues. A brochure which was to describe the act and the rights of NWT residents under the act was referred to in that report, but the brochure itself was not ready until December 1994. Most importantly, the government has not yet produced any specific regulations, policies, directives or guidelines to assist the departments and other government institutions in the delivery of services under section 14.

During the review of 1994-95 main estimates in the House in February 1994, the honourable Premier said that the drafting of such directives would be a priority for the official languages unit of the Executive. On April 6, 1994, the Premier answered the question regarding those directives by saying I believe the work is almost complete. The planned directives eventually became known as the official languages handbook. When the Standing Committee on Agencies, Boards and Commissions reviewed the first annual report, they recommended that the government publish its official languages handbook by December 31, 1994.

This recommendation was adopted by the House on November 4, 1994, Mr. Speaker. I understand that the draft handbook has been developed and has gone to the departments for their comments. However, it is now more than three months after the deadline set by the Standing Committee on Agencies, Boards and Commissions and almost exactly a year after the Premier believed the work was almost complete. Meanwhile, residents of the NWT, government departments and institutions still have no specific guidelines concerning how the government will meet its obligations under the Official Languages Act.

Mr. Speaker, I find this state of affairs unacceptable. Speakers of aboriginal languages in the Northwest Territories have the right to communicate with the government in their languages, but these rights are not being met because of the government's inaction. I intend to pursue this matter further by questioning the Premier on this issue later today. Thank you.

---Applause

**MR. SPEAKER:**

Thank you, Ms. Mike. Item 3, Members' statements. Mr. Lewis.

Member's Statement On Source Of Authority Of Elected Officials

**MR. LEWIS:**

Thank you, Mr. Speaker. For many hundreds of years, Mr. Speaker, throughout Europe, Africa and Asia, leaders emerged who governed people and it was expected that they would govern wisely and that people would be happy under their rules.

The very reason for that was because it was a tradition that the leader got his power from the Creator. It was the divine right of this person to rule. Therefore, for hundreds and hundreds of years, we had rules that convinced millions of people throughout the world that they got their power from God. Therefore, they were completely invulnerable. You couldn't touch them. It happened with the emperor of Japan, the empress of China, leaders in Africa and the crowned kings of Europe. They and their public believed that they got their power from God.

One of the things that happened in the development of parliamentary democracy was that the people said no, you get your power from us. You don't get it from God. I would like Members to remember that as we debate in these dying months of our Assembly. Power comes from the people and not from God. In the four years that we sit in this House, we should be always mindful of that. In a representative parliamentary democracy, we are here to speak because we represent people and the real power is with the people. They should have certain powers which, over the next while, we'll have a chance to debate. Thank you, Mr. Speaker.

---Applause

**MR. SPEAKER:**

Item 3, Members' statements. Item 4, returns to oral questions. Ms. Cournoyea.

**ITEM 4: RETURNS TO ORAL QUESTIONS**

Further Return To Question 366-12(7): Legal Opinion On Contracting Summer Students

**HON. NELLIE COURNOYEA:**

Thank you, Mr. Speaker. I have a return to an oral question asked of the Honourable John Pollard, chairman of the Financial Management Board, by Mr. Alloo on March 30, 1995. It is regarding the legal opinion on contracting summer students.

Mr. Speaker, pursuant to its collective agreement with the Union of Northern Workers, the Government of

the Northwest Territories is required to seek the views of the Union of Northern Workers before finalizing any plans to contract out work which would result in employees becoming redundant.

From a legal perspective, consulting with the union on contracting out is only one consideration related to employing summer students through outside agencies. Another matter of substance in this regard is whether the students would still be

deemed employees of the government, even if they were employed through a third party

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Notwithstanding the existence of a "contract for services," an independent contractor may be deemed to be an employee if an employer/employee relationship exists. If an individual is deemed to be an employee of the Government of the Northwest Territories, the provisions of the Public Service Act and the Union of Northern Workers Act would apply, and the government would have to pay wages agreed upon in the collective agreement.

There is no clear test that is used to determine if an individual is a contractor or an employee, although Revenue Canada provides guidelines and criteria to assist in this determination which are published in the government's financial administration manual and in the human resource manual. Contractors generally have control over how and when they do work, they use their own tools and equipment and they have an opportunity for profit or loss from the work. If summer students were hired to do government work in government premises, using government equipment, supervised by government employees, they would be deemed government employees.

There is also a principle of labour and employment law which provides that an employer may contract out work, if the contracts are made in good faith and for bona fide business purposes. If the government contracted work out solely to avoid the imposition of the terms of the collective agreement, this would clearly breach this principle. Thank you.

**MR. SPEAKER:**

Item 4, returns to oral questions. Mr. Kakfwi.

Further Return To Question 298-12(7): Status Of Maximum Secure Facility For NWT



**HON. STEPHEN KAKFWI:**

Mr. Speaker, I have two returns. One is a response to a question asked by Mr. Whitford on March 9th regarding the status of a maximum secure facility for the Northwest Territories.

The Joint Committee on Repatriation of Federal Offenders to the Northwest Territories has concluded that the most appropriate action is to consider the transfer of minimum security federal inmates, who can be safely held in existing territorial facilities. Discussions now ongoing with the federal government do not include the possibility of constructing a maximum secure facility in the north.

A number of federal inmates are presently in northern custody under an exchange of services agreement, signed in 1986 for a period of 10 years. There was a substantial capital contribution when that agreement was signed, that allowed the construction of an additional 20 beds for federal use in Yellowknife and in Hay River. The discussions now occurring are based on the renewal of that exchange of services agreement, and must be concluded by March 31, 1996 when the existing agreement expires. A new capital contribution will be part of the agreement if there is any increase in the number of federal inmates to be transferred.

The new agreement will last for three years, instead of 10. Renewal of the agreement will reoccur in 1999, at which time separate agreements can be made with the western Arctic and with Nunavut.

Further Return To Question 293-12(7): Acquiring Responsibility For Processing Security Clearances

**HON. STEPHEN KAKFWI:**

Mr. Speaker, my second return is in response to a question asked by Mrs. Marie-Jewell on March 9th regarding the responsibility for processing security clearances.

Mrs. Marie-Jewell asked a question of whether or not it was possible to acquire the responsibility for doing security clearances for northern people in the Northwest Territories. Presently, a criminal record check is required for security clearance for individuals applying for positions such as, but not limited to: social worker, nurse, teacher or Department of Justice positions. This requirement is stated in the advertisement for each particular position.

The legal requirements of the Canadian police information system are such that it is not possible for the Department of Justice to acquire the responsibility for doing security clearances for northern people. Even if it were possible, it is reasonable to believe that the process would, in fact, be slower, resulting in unnecessary prejudice to those seeking employment with this government. Thank you.

**MR. SPEAKER:**

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

Further Return To Question 363-12(7): NWT Arts And Crafts At CNE

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I have a return to an oral question asked by Ms. Mike on March 30th regarding possible NWT Development Corporation participation at the CNE.

to the supply of Arctic Foods and participation in the proposed daily fashion show.

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There have been some initial discussions between NWT Development Corporation representatives and ITC concerning this proposal, and further meetings are tentatively scheduled later this month. Through these discussions, a range of options for participation will be explored. Each of the Development Corporation subsidiaries that are associated with Inuit arts, crafts, garment production, and Arctic Foods will be advised of the results of discussions with ITC representatives.

Participation will be contingent on the outcome of discussions with ITC representatives, consultations with the interested Development Corporation subsidiaries, and projections of costs and benefits. Thank you.

**MR. SPEAKER:**

Thank you. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Mr. Ng.

ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

**HON. KELVIN NG:**

Thank you, Mr. Speaker. I would like to recognize two of my constituents from Cambridge Bay in the gallery, Mr. Ken Wessell and Mr. David Avakana.

---Applause

**MR. SPEAKER:**

Item 5, recognition of visitors in the gallery. Item 6, oral questions. Ms. Mike.

ITEM 6: ORAL QUESTIONS

Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**MS. MIKE:**

Thank you, Mr. Speaker. My question is for the Premier. For many years now, all acts passed by this Assembly have been published in both English and French but subsection 10(2) of the Official Languages Act also says that the Commissioner may prescribe that the translation of any act shall be made in one or more of the official languages. Can the Premier tell me if any acts have been translated into languages other than English and French?

**MR. SPEAKER:**

Thank you. Madam Speaker.

Return To Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I'm not aware that the Commissioner has advocated that any specific act or legislation be translated into anything but English or French. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Supplementary, Ms. Mike.

Supplementary To Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**MS. MIKE:**

Thank you, Mr. Speaker. If the Premier is not aware if she has made any request to have any acts translated into any of the official languages, what guidelines or regulations exist to determine when an act should be translated into one of the official languages?

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**HON. NELLIE COURNOYEA:**

Mr. Speaker, it is my understanding that the determination would be made by any request or serious need as it was requested before any of the acts would be translated.

**MR. SPEAKER:**

Thank you. Supplementary, Ms. Mike.

Supplementary To Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**MS. MIKE:**

Thank you, Mr. Speaker. I am not certain who would make the request; either the individual MLAs or the office of the Official Languages Commissioner. The act was enacted December 31, 1990. That was more than four years ago, Mr. Speaker. I would like to know why the official languages unit or perhaps the Department of Justice haven't developed guidelines or policies to determine when an act should be translated into official languages, other than French or English.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 389-12(7): Translation Of Legislation Into Aboriginal Languages

**HON. NELLIE COURNOYEA:**

Mr. Speaker, it is my understanding that the requirement for translation isn't an automatic occurrence. Where it makes sense, where it is needed and where it is requested, it will be translated. Primarily, most of the requests for translations have been for summaries of legislation, rather than for specific legislation, Mr. Speaker.

**MR. SPEAKER:**

Item 6, oral questions. Mr. Alloofoo.

Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**MR. ALLOOLOO:**

Thank you, Mr. Speaker. I would like to ask the Premier a question. Section 11 of the Official Languages Act says "Public notice issued by the government shall be promulgated in both official languages..." presumably meaning English and French, "...and in such other official languages as may be prescribed by regulation." I wonder if the Premier could tell the House what regulations exist relating to this section? Thank you.

**MR. SPEAKER:**

Madam Premier.

Return To Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**HON. NELLIE COURNOYEA:**

Mr. Speaker, the draft policy and guidelines that would affirm this are still in the process of being developed. However, what has guided the government in the posting of signs, particularly DPW and other signs, is if there is a sign put up in a particular area, the English language plus the aboriginal language of that specific area is incorporated in the signage, as well as public notices. That is the general guideline that we operate under. Those are the

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principles that are guiding the government in terms of public notices and signage. Thank you.

**MR. SPEAKER:**

Supplementary, Mr. Allooloo.

Supplementary To Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**MR. ALLOOLOO:**

Thank you, Mr. Speaker. Since there seems to be no regulation, even though the act has been in force since December 31, 1990 -- more than four years -- why has the government not prepared regulations as required by this legislation? Thank you.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**HON. NELLIE COURNOYEA:**

Mr. Speaker, as the Member is aware, each language component in the Northwest Territories has a different status and a different requirement for that specific region. Rather than writing up regulations for the sake of regulations or guidelines, we are trying to be careful so that when we do put in place the guidelines, they reflect things that we can do. As well, it needs to reflect the fact that there are different demands in the Northwest Territories for the various languages that are spoken. Some languages are intact and we can move ahead much easier in Inuktitut, for example, because it is used. Other areas need growth. It has been suggested that some of the work be done more verbally rather than written. These languages are in various stages of development and, therefore, the government has tried to be as flexible and cooperative as possible in supporting programs and initiatives that reflect the various language areas. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Supplementary, Mr. Allooloo.

Supplementary To Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**MR. ALLOOLOO:**

Thank you, Mr. Speaker. The whole idea of having an Official Languages Act is to allow speakers of the official languages of the NWT to communicate with the government in their own language. Public notices published by government are an important means of communication. This is recognized by section 11 of the act. This section is meaningless if regulations do not exist to direct government departments and institutions regarding the translation of public notices into official languages. It seems to me that the government has not developed regulations. I would like to know, when will the government enact such regulations to adhere to section 11 of the act? Thank you.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 390-12(7): Regulations Re Section 11 Of Official Languages Act

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I don't want to object to the statement, but without the guidelines that are presently being processed...In terms of signage and posted notices, without regulations, that are taking place, so the Official Languages Act has been developed and these measures have taken place. However, I realize the importance of trying to get the policies and guidelines completed. We haven't done that. As was stated earlier, when the guidelines were concluded and when we were officially negotiating with the federal government on the new funding arrangements and the possibility of more flexibility, we knew we could do better on the guidelines. So that work is being done. The guidelines are now circulated once again and we will try to get them done. We could have put out any ad hoc policy and they may not have been the type of guidelines that would work in the first place. So we are attempting to work with the practical nature of the dollars we have and with a more flexible government approach on language expenditure. Thank you.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Pudlat.

Question 391-12(7): Elimination Of Funding For Legal Interpreting Services

**MR. PUDLAT:**

(Translation) Thank you, Mr. Speaker. My question is to the same person, the Premier. Mr. Speaker, section 12 of the Official Languages Act governs the use of official languages in the courts of the Northwest Territories. This is one area where I understand some success has been achieved. We now have a number of trained interpreters who can provide these involved judicial proceedings with appropriate interpretation. Much of the credit for this should go to the legal interpreting section of the Department of Justice.

In the 1995-96 main estimates, funding for legal interpreting was cut completely. I don't understand why such a successful office is subject to such a measure. Can the Premier explain why this office was eliminated? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Madam Premier.

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I believe the specific item the Member is asking a question on is in the budget being deliberated in this House and will be answered when the budget appears before the House.

**MR. SPEAKER:**

I want to remind the Minister that Members are allowed to ask questions, whether the subject is in committee of the whole or not, on the budget.

**AN HON. MEMBER:**

Hear! Hear!

**MR. SPEAKER:**

Mr. Pudlat.

Question 392-12(7): Elimination Of Funding For Legal Interpreting Services

**MR. PUDLAT:**

(Translation) Mr. Speaker, as per your comments, I would like a response to the same question that I put forth before.

**MR. SPEAKER:**

Thank you. The question to the Premier asked again by Mr. Pudlat is why they have eliminated the legal interpretation budget. Madam Premier.

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Return To Question 392-12(7): Elimination Of Funding For Legal Interpreting Services

**HON. NELLIE COURNOYEA:**

Mr. Speaker, the Minister of Justice has legal interpretation in his budget and I was only referring to the fact that the budget would be coming up immediately after Housing, which will be momentarily. The question would be better responded to by the Minister of Justice.

**MR. SPEAKER:**

Supplementary, Mr. Pudlat.

Supplementary To Question 392-12(7): Elimination Of Funding For Legal Interpreting Services

**MR. PUDLAT:**

(Translation) Thank you, Mr. Speaker. Supplementary to the same Minister, I guess. How will the elimination of this office affect the ongoing use of interpreters in the NWT court system? This is my brief supplementary to the same Minister. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Pudlat, I believe the Premier has indicated that perhaps the two questions that you have asked of the Premier are better answered by the Minister of Justice. So, Mr. Pudlat, do you still want to ask the Premier the question or do you want to ask the Minister of Justice the same questions? Mr. Pudlat.

**MR. PUDLAT:**

(Translation) Thank you, Mr. Speaker. I'm not willing to let this issue go, but I'll pose the question at another time.

**MR. PATTERSON:**

Point of order.

**MR. SPEAKER:**

Mr. Patterson, your point of order.

Point Of Order

**MR. PATTERSON:**

Mr. Speaker, I understand that in response to the question posed to the Premier, the Premier said the question should be referred to another Minister. Would it not be appropriate for you, Mr. Speaker, to refer that question to the Minister designated by the Premier?

**MR. SPEAKER:**

Thank you, Mr. Patterson. I will follow up on the Premier's suggestion to refer to the question to the Minister of Justice. There were two questions asked by Mr. Pudlat. Perhaps you would like to respond, Mr. Kakfwi.

Further Return To Question 392-12(7): Elimination Of Funding For Legal Interpreting Services

**HON. STEPHEN KAKFWI:**

Mr. Speaker, there is some possibility of major reductions in the aboriginal languages program as a result of a change in funding levels from the federal

government. At this time, the Member will note that in the proposed budget of Justice, there is a reduction of about a half person year in the Department of Justice for training legal interpreters, plus some reductions in the O and M requirements for the coming year.

This basically means that there is going to be a reduction in the support and training levels we've been able to maintain in previous years. The degree to which changes in funding will change the proposed budget of the Department of Justice is not clearly defined yet. The details will come out when the opportunity arises in committee of the whole for me to present the proposed budget for 1995-96 for the Department of Justice. Thank you.

**MR. SPEAKER:**

Is that okay, Mr. Pudlat? Thank you. Item 6, oral questions. Mr. Ningark.

Question 393-12(7): Provision Of Funding For Services In French

**MR. NINGARK:**

Thank you, Mr. Speaker. My question is to the Premier. Mr. Speaker, I have no problem in having services done in the French language. I think every language, either Inuktitut, other aboriginal languages, English, French and others are God-given languages. Each and every person has the right to that in Canada. Mr. Speaker, my problem is, in my community there are about 300 people who use Inuktitut as a first language; there are about 10 people in that community who use English as a first language; and, about two people in that community who use French as a first language, Mr. Speaker.

As I indicated earlier, I have no problem. But this seems to be a little odd to me. Especially when this government, through the Premier, lays off the government liaison officers, executive service officers who, in my community, in most cases, are used by the Inuktitut-speaking people who are not able to find interpreters and translators. My question to the Premier, Mr. Speaker, is who pays for the provision of French services for offices which have no French speaking employees? Thank you.

**MR. SPEAKER:**

Madam Premier.

Return To Question 393-12(7): Provision Of Funding For Services In French

**HON. NELLIE COURNOYEA:**

Mr. Speaker, the question is who pays for the provision of French services to offices where no one speaks French? Mr. Speaker, it would be my understanding that because there are no French-speaking people in that office or in that area, there would be no requirements for the provision of a person or people to do that work in that area. Thank you.

**MR. SPEAKER:**

Thank you. Mr. Ningark, supplementary.

Supplementary To Question 393-12(7): Provision Of Funding For Services In French

**MR. NINGARK:**

Thank you, Mr. Speaker. To the same Minister. In the act we talk where there is a significant demand or due to the nature of the office it is reasonable that communication with, and services from that office be available in both English and French. Can the Premier tell me what guidelines or regulations exist to determine exactly what is significant demand, what is reasonable, according to this part of the act? Thank you.

**MR. SPEAKER:**

Madam Premier.

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Further Return To Question 393-12(7): Provision Of Funding For Services In French

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I just want to bring to the attention of individuals and Members that within the expenditure for languages, although we refer to the agreement on aboriginal languages between the federal government and the Northwest Territories government, the Government of the Northwest Territories also provides significant other dollars for language enhancement, such as in the Department of Education where language is taught in the schools. And certainly in a lot of other areas where there is a significant requirement. So there are other dollars that the Government of the Northwest Territories makes available for those expenditures.

The Department of Education, Culture and Employment, in cooperation with the departments of the Executive, Justice, Health and Social Services, and the public colleges, are looking at and conducting a review of the interpreter translation training programs delivered or used by these departments. They do say that:

"The purpose of their review is to assess the delivery structure of the existing training programs and to recommend any changes that will maximize the utilization of human and financial resources. An interim report containing the findings of the review will be submitted to the interdepartmental steering committee by the end of February..." which is there, "...and the final report containing recommendations will be submitted by March 15th."

So, Mr. Speaker, in trying to lend services to the various levels of government and due to our requirement to meet people's needs, we are trying to do everything possible. Not only with the dollars that are available through the aboriginal language agreement with the federal government, but also through resources available through the budget of the Northwest Territories. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Supplementary, Mr. Ningark.

Supplementary To Question 393-12(7): Provision Of Funding For Services In French

**MR. NINGARK:**

Thank you, Mr. Speaker. Supplementary to the same Minister. I would like to ask the Premier, is there a guideline or regulation that exists to determine exactly what is a significant demand? What is reasonable? Thank you.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 393-12(7): Provision Of Funding For Services In French

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I believe that we have been very flexible on what significant demand has been. Where it makes sense, we try to offer the services and the support. So, I guess it is determined on the basis of

how important it is and what we can do to accommodate the request. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Patterson.

Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**MR. PATTERSON:**

Thank you, Mr. Speaker. To the Premier about subsection 14(2) of the Official Languages Act which provides that regional, area, or community offices of government institutions shall provide services in official languages other than English or French, where there is "a significant demand or due to the nature of the office, it is reasonable that communications with and services from that office be available in the appropriate official language." I would like to ask the Premier, what guidelines or regulations exist to determine what is a significant demand, or what is reasonable according to this part of the act? Thank you.

**MR. SPEAKER:**

Madam Premier.

Return To Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**HON. NELLIE COURNOYEA:**

Mr. Speaker, I believe that I have already answered that question. Thank you.

**MR. SPEAKER:**

Mr. Patterson.

Supplementary To Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**MR. PATTERSON:**

Mr. Speaker, the Premier's answers were quite unsatisfactory, that is why I am asking this question. The Premier earlier told Mr. Alloo, well we could have put together ad hoc guidelines, but we wanted to do a proper job. Then she told Mr. Ningark that they wanted to have flexibility. About a year ago, she told this House that the work on these guidelines was almost complete. So, I would like to ask the Premier, which one is it? Are they going to be flexible? Are

they going to finish the work? Mr. Speaker, what is the status of these guidelines she committed to completing over a year ago? Thank you.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**HON. NELLIE COURNOYEA:**

I guess I will have to be repetitious. Over a year ago, we had committed to do these guidelines and policies. We were working very hard to get them completed, and the languages unit had put a lot of effort into getting those guidelines and policies completed. As we were moving along and getting these policies and guidelines in place, we were attempting to enhance or take into consideration the agreement between the federal government and the territorial government and aboriginal languages.

Subsequently, during the negotiations of the new agreement, we became aware that there would be some problems that would exist because of cutbacks or there would not be the amounts that we had become accustomed to. As a result, we took out the guidelines to see if the direction we were going made the best of the possible resources we would have. As

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well, we are well aware that some of the initiatives taken by aboriginal organizations and workshops show that some expenditures were requested to have a more community-based type of delivery. That affected the guidelines. When the federal government began moving closer to the agreement, they were inclined to be more flexible. Therefore, the guidelines would take that approach, which would meet two objectives. One, what people have said they would like to see, more community involvement and more community-based language development. Now we can incorporate that and see where it can best fit in. We are trying to work that into the guidelines, Mr. Speaker.

I guess it is all of the three. The only problem is, we can't move as quickly as we had anticipated in the beginning to get those guidelines in place. We're trying our very best to do that. I said we should have them done earlier but we didn't. Other things came into play, like a new agreement and what people had

recommended from the various workshops. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Supplementary, Mr. Patterson.

Supplementary To Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**MR. PATTERSON:**

Thank you, Mr. Speaker. It is very informative to know of all of this work that is going on and why progress has not been made but I guess the problems remain, Mr. Speaker, for members of the public. We're dealing with an act that was passed five years ago by Members of this Assembly, a legal obligation on the part of the Government of the Northwest Territories, with amendments, and we still today don't have any concrete guidelines explaining how it is to be implemented.

As a result, government departments have no direction on how they should conduct themselves under the act. Members of the public have no idea of their specific rights to deal with government offices in their own languages. I would like to ask the Premier, will she commit to publishing specific concrete guidelines and regulations immediately so that government departments and members of the public will know where they stand? Thank you.

**MR. SPEAKER:**

Madam Premier.

Further Return To Question 394-12(7): Guidelines For Provision Of Services In Official Languages

**HON. NELLIE COURNOYEA:**

Mr. Speaker, as I outlined earlier, the guidelines are presently being reviewed once again so we don't overlook any issues or make priorities different than what people are recommending. The booklets on the Official Languages Act have been produced. That was an earlier question. I know it is not definitive, but it does give general guidelines about what individuals can expect.

The language brochure is in all written languages and is widely circulated. Along with that, we realize we have to provide those guidelines and we'll do them as quickly as we can. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Koe.

Question 395-12(7): Status Of Community Futures Program

**MR. KOE:**

Mahsi, Mr. Speaker. Mr. Speaker, yesterday in response to a question, the Premier indicated that the community futures program may be on the block and we may lose it. I believe there are four areas which host community futures program: Iqaluit, Rankin Inlet, Hay River and Inuvik. I would like to ask the Minister of Economic Development and Tourism, what is the status of the community futures program in the Northwest Territories?

**MR. SPEAKER:**

Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 395-12(7): Status Of Community Futures Program

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I was recently in Ottawa meeting with Mr. Axworthy and our MP for Nunavut, Jack Anawak, on this issue. The community futures program was and is, I believe, at the national level, going to be transferred to the western diversification organization. We have asked Mr. Axworthy if he would consider transferring the current community futures program in the four areas Mr. Koe spoke about to the GNWT, and at this time he's agreed to initiate some discussions to see if there is a possibility that this transfer could take place. Thank you.

**MR. SPEAKER:**

Thank you. Supplementary, Mr. Koe.

Supplementary To Question 395-12(7): Status Of Community Futures Program

**MR. KOE:**

Thank you. The current community futures program, I believe, are all managed and directed by boards of directors. These boards are made up of people from the surrounding communities that the program services. If the programs are taken over by this government, will the existing boards be reappointed



or will they be in place to continue to direct these programs?

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 395-12(7): Status Of Community Futures Program

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I know this program very well. I initiated it in the Keewatin a number of years ago. It's not our intent to change anything in this program. It is my understanding, at least from my experience, that it is highly successful in the NWT. It certainly is in the Baffin and Keewatin and I believe it is also in Inuvik and Hay River. While the discussions are somewhat preliminary at this time, I'm reasonably confident that as we move forward, we will have to do so in consultation with the community futures program groups in those four areas. The transfer, if and when it takes place, will be done in a manner that would keep the boards, their lending and administration, as independent as they currently are. Thank you.

**MR. SPEAKER:**

Supplementary, Mr. Koe.

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Supplementary To Question 395-12(7): Status Of Community Futures Program

**MR. KOE:**

I also believe the current managers of these programs are federal public servants. Will there be discussions, for the ones who wish, for them to transfer to the GNWT if that happens? Will they be allowed to do that?

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 395-12(7): Status Of Community Futures Program

**HON. JOHN TODD:**

Thank you, Mr. Speaker. In my preliminary discussions with Mr. Axworthy, we talked about the possibility of transferring some of the jobs that are directly related to service in community futures

program. That will all be on the table in our discussions with the federal Minister. Thank you.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Antoine.

Question 396-12(7): Funding Increase For Tourism In Deh Cho

**MR. ANTOINE:**

Thank you, Mr. Speaker. Earlier today, I made a statement on the tourism industry in the Nahendeh area. I would like to follow up that statement with questions directed to the Minister of Economic Development and Tourism.

As I said in my statement earlier, there is a legitimate need for tourism enhancement in the Deh Cho. Can the Minister look into the current contribution for the Nahanni Ram Tourism Association and explore the possibility of increasing this year's contribution? Thank you.

**MR. SPEAKER:**

Minister of Economic Development and Tourism, Mr. Todd.

Return To Question 396-12(7): Funding Increase For Tourism In Deh Cho

**HON. JOHN TODD:**

Thank you, Mr. Speaker. Well, nobody will deny that Mr. Nahendeh...

---Laughter

Mr. Antoine's riding, the Nahanni area -- in my opinion, anyway -- is certainly one of the premier attractions in the Northwest Territories for tourists.

**AN HON. MEMBER:**

Hear! Hear!

**HON. JOHN TODD:**

But in the OPPLAN review for cuts we had to make some decisions and we made those. We tried to cut in as fair and equitable a way as possible. What I would say to the honourable Member is I understand there is going to be a meeting very soon of all the zones in the west, in an effort to determine an appropriate arrangement for a western tourist

association. Should an appropriate accommodation be made with the different groups, I have stated to them, and I'll state again today, that we would be prepared, in consultation with the department, to transfer marketing dollars that are currently in the hands of the civil servants in the department into the hands of those associations.

I know there's no money right now for financing the zones with the zone budget allocations but there may be, subject to a satisfactory arrangement being made both in the east and west with the tourist associations, a possibility of additional marketing dollars being there that we would be prepared to transfer over to a representative group of associations both in the western Arctic and in the Nunavut area. Thank you.

**MR. SPEAKER:**

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 396-12(7): Funding Increase For Tourism In Deh Cho

**MR. ANTOINE:**

Thank you, Mr. Speaker. Can the Minister tell the House if he would make commitments on behalf of the zone associations to take advantage of any type of federal government tourism marketing funding that I mentioned earlier in my statement? Thank you.

**MR. SPEAKER:**

Mr. Todd.

Further Return To Question 396-12(7): Funding Increase For Tourism In Deh Cho

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I know we are looking at how we can lever additional federal dollars and federal dollar programs. We are currently having discussions with Mr. Irwin, in terms of a replacement for the EDA, which gets sunsetted in April 1, 1996. We have certainly been pursuing an alternative to that because we know it is going very aggressively. So I would say that we are going to make whatever effort we can to find new sources of funds outside of the current base funding that is provided to the territorial government and my department, as it relates to tourism.

I would stress again that if we can reach a satisfactory arrangement, with both east and west, in terms of the

development of a tourist industry association, that clearly reflects the concerns of both those areas, we would be prepared to transfer existing dollars that we have in the department for marketing into those zones to assist them in making sure that the marketing is reflective of their needs and contributing to some of their administrative costs. Thank you.

**MR. SPEAKER:**

Thank you. Supplementary, Mr. Antoine.

Supplementary To Question 396-12(7): Funding Increase For Tourism In Deh Cho

**MR. ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, there are associations out there. The one I am familiar with is the Nahanni Ram Tourism Association. They are taking the initiative to become self-sufficient in developing a market in their area. Could the Minister secure additional funding for these associations that are taking these initiatives to be self-sufficient? Could he try to assist them in developing strategic plans for achieving their eventual financial independence? Thank you.

**MR. SPEAKER:**

Mr. Todd.

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Further Return To Question 396-12(7): Funding Increase For Tourism In Deh Cho

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I already said I am extremely pleased that we now have an association in Mr. Antoine's riding that is more reflective of the population and should be more reflective of the industry. I would be prepared to instruct the department to sit down with the Nahanni Ram Association and see if there is some way, over and above what we are currently doing, we can assist them. From my own personal visit there two years ago, at the invitation of the Member, it is an area we should let the rest of Canada know about.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Zoe.

Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**MR. ZOE:**

Mahsi. Mr. Speaker, my question would be directed to the Minister of Renewable Resources. It is regarding the upcoming negotiations between Canada and the United States to amend the Migratory Birds Convention. As I mentioned in my statement, my constituents have some concern with the present Canadian position. In order for these concerns to be addressed, Mr. Speaker, we must have some means to participate and provide our input, with the understanding that the Department of Renewable Resources represented the interest of the Northwest Territories residents in the consultation to amend the Canadian Migratory Birds Convention Act. I would like to ask the Minister, is the Department of Renewable Resources involved in the process to negotiate the amendments to the Migratory Birds Convention Act by soliciting input from territorial residents and presenting the views to the Canadian negotiating team?

**MR. SPEAKER:**

The Minister of Renewable Resources, Mr. Arngna'naaq.

Return To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**HON. SILAS ARNGNA'NAAQ:**

Thank you, Mr. Speaker. I know that the department has been involved in discussions along with the federal government. In consulting with the US government, we've had some officials who have made presentations to various organizations in the United States. I also know that the Department of Renewable Resources has involved such organizations as the Wildlife Management Advisory Council which was formed under the Inuvialuit settlement agreement, and I also understand that the Nunavut Wildlife Management Board will also become actively involved in the discussions on the Migratory Birds Convention Act. As far as I know, the department will be involving all other aboriginal groups in the Northwest Territories in trying to get an understanding of what the aboriginal groups would like to see in this act. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Supplementary, Mr. Zoe.

Supplementary To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**MR. ZOE:**

I and my constituents were not aware of the department's role in this particular matter. Given that my information is that the negotiation is set to begin in less than three weeks, when did the department expect to consult with the aboriginal people affected by these negotiations? I understand, Mr. Speaker, that there was some sort of consultation earlier on in the process. The Minister mentioned the Inuvialuit management board of something. I'm wondering if they're going to continue to consult other aboriginal groups that will be affected by these negotiations. Thank you.

**MR. SPEAKER:**

Mr. Arngna'naaq.

Further Return To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**HON. SILAS ARNGNA'NAAQ:**

Thank you, Mr. Speaker. The department has made every effort to try to represent the views of aboriginal and non-aboriginal people in the Northwest Territories but by the agreement that the Inuvialuit have had with the federal government, the Inuvialuit have been very actively involved with the migratory bird discussions. I also believe that the department makes every effort to try to consult with all aboriginal groups across the Northwest Territories on any issues that will involve aboriginal people. Definitely all aboriginal groups in all regions of the Northwest Territories will be consulted and should have been consulted in the discussions on the Migratory Birds Convention. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Supplementary, Mr. Zoe.

Supplementary To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**MR. ZOE:**

Mr. Speaker, I'm not quite sure as to what the role of the department is in this respect but could I ask the Minister to advise me whether or not the department of Renewable Resources or this government has a representative on the Canadian negotiating team or if

his staff had any direct contact or involvement with representatives of the Canadian negotiating team in an official capacity or otherwise? Thank you.

**MR. SPEAKER:**

Mr. Arngna'naaq.

Further Return To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**HON. SILAS ARNGNA'NAAQ:**

Thank you, Mr. Speaker. Yes, the role of the Department of Renewable Resources is to represent views held by aboriginal and non-aboriginal residents of the Northwest Territories. I believe I had indicated that earlier. The department officials have attended meetings of renewable resource boards, as well as workshops and meetings organized by the Canadian Wildlife Service, to get an understanding of territorial concerns. Now I also understand that there are some issues that have been raised by the Canadian Wildlife Service that have been helpful, or the input that they have received from the Northwest Territories has been quite helpful in their discussions. However, that has been the

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department's role in representing territorial residents on the Migratory Birds Convention. Thank you.

**MR. SPEAKER:**

Thank you. Final supplementary, Mr. Zoe.

Supplementary To Question 397-12(7): Consultation Re Amendments To Migratory Birds Convention

**MR. ZOE:**

Thank you, Mr. Speaker. I'm wasting a lot of my supplementaries as the Minister didn't quite respond to my previous supplementary; and I hate to repeat myself in an extra supplementary. So, if I could kindly ask, Mr. Speaker, if the Minister would respond to my previous supplementary where I asked if our government or the Department of Renewable Resources had a representative on the Canadian negotiating team, or if the staff of the department had direct contact or involvement with the representative of the Canadian negotiating team in official capacity or otherwise? As the Minister did not answer my previous supplementary, could I kindly ask the

Minister to answer my previous supplementary, Mr. Speaker.

**MR. SPEAKER:**

Mr. Arngna'naaq.

**HON. SILAS ARNGNA'NAAQ:**

Thank you, Mr. Speaker. I don't know that the Department of Renewable Resources from the Northwest Territories is a part of the negotiating team. But I know that the Department of Renewable Resources has been in workshops and meetings organized by the Canadian Wildlife Service.

Perhaps, Mr. Speaker, to the specific question on whether the Department of Renewable Resources is actively involved in the negotiations, I would have to take that as notice. I had indicated that the Canadian wildlife service had arranged or organized meetings and workshops that the Department of Renewable Resources had been involved in. I don't know whether I am answering the question, but that is as much as I know, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Item 6, oral questions. Mr. Dent.

Question 398-12(7): Establishment Of Bipartite Committee On Employment Standards Legislation

**MR. DENT:**

Thank you, Mr. Speaker. Mr. Speaker, to follow up on my Member's statement earlier today, I would like to ask the Minister of Safety and Public Services if he will establish a bipartite committee to review the 1990 panel report and legislation in other jurisdictions and report on changes needed in our employment standards legislation?

**MR. SPEAKER:**

Minister of Education, Culture and Employment, Mr. Nerysoo.

Return To Question 398-12(7): Establishment Of Bipartite Committee On Employment Standards Legislation

**HON. RICHARD NERYSOO:**

Thank you, Mr. Speaker. All I can say to the honourable Member is that was one of the

components that was proposed for consideration under the workplace commission for review. Unfortunately, we got to a point where there was a rejection of that particular direction. As such, we have no fiscal resources in order for us to pursue

the recommendation or the suggestion being made by the honourable Member.

I do want to reiterate, as I have indicated before, that this particular matter has to be dealt with at some time and it is a very significant task, as has been pointed out by the honourable Member.

**MR. SPEAKER:**

Thank you. Supplementary, Mr. Dent.

Supplementary To Question 398-12(7):  
Establishment Of Bipartite Committee On  
Employment Standards Legislation

**MR. DENT:**

Thank you, Mr. Speaker. Supplementary to the same Minister. Mr. Speaker, I have reviewed the proposal for the northern workplace commission and would advise the Minister that one of the reasons that this was rejected was that it was proposed with a budget of \$1.8 million. The panel report that was tabled in this House in 1990 cost the government about \$60,000. Mr. Speaker, what I recommended is that that panel report be reviewed by a bipartite committee and that they report back further. Mr. Speaker, that would not cost, I wouldn't think, even \$60,000. Would the Minister consider this kind of economic approach to having a review of the employment standards act?

**MR. SPEAKER:**

Mr. Nerysoo.

Further Return To Question 398-12(7): Establishment Of Bipartite Committee On Employment Standards Legislation

**HON. RICHARD NERYSOO:**

Thank you, Mr. Speaker. I don't think that anybody here would, nor would I, reject any economic process that would review these particular issues, but the problem with trying to address one issue at a time is that there is a bigger picture and a bigger issue that has to be addressed. I will consider the comments that have been made by the honourable Member. I also want to advise the honourable Member that I did

have discussions, on several occasions, with the president of the Federation of Labour, Mr. Jim Evoy, on this particular matter. His advice was very similar to the honourable Member's, and I am aware of the suggestion. Either way, Mr. Speaker, it requires financial resources and I will take seriously the comments that have been made by the honourable Member.

**MR. SPEAKER:**

Thank you. Question period is over. Item 7, written questions. Mr. Patterson.

**ITEM 7: WRITTEN QUESTIONS**

Written Question 19-12(7): Northern Preference Commitments With Nova Construction Limited

**MR. PATTERSON:**

Thank you, Mr. Speaker. Would the Minister of Public Works and Services provide the following information:

Was Nova Construction given northern preference for their tender on the rent supplement housing contract in Clyde River built during 1994?

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What commitments did Nova make to the NWT Housing Corporation to employ local residents in the Clyde River supplement contract?

To what extent did Nova Construction deliver on its commitments to employ local residents in the Clyde River job?

What penalties, hold-backs or other actions were taken by the NWT Housing Corporation against Nova Construction as a result of any unfulfilled commitments on the Clyde River job? Thank you.

**MR. SPEAKER:**

Item 7, written questions. Mrs. Marie-Jewell.

Written Question 20-12(7): Summary Of International Travel

**MRS. MARIE-JEWELL:**

Thank you, Mr. Speaker. Would the Premier please table the following:

A summary of all international travel undertaken by GNWT expense since December 1, 1993 by:

- 1) Cabinet Ministers;
- 2) deputy ministers and assistant deputy ministers of all departments;
- 3) ministerial executive assistants and other Cabinet staff;

and include the following information:

- 1) the destination, purpose and dates of this international travel;
- 2) travel and accommodation expenditures associated with each trip;
- 3) the amount of airline travel points awarded associated with each trip.

**MR. SPEAKER:**

Thank you. Item 7, written questions. Mr. Zoe.

Written Question 21-12(7): Proposed Amendment To The Migratory Birds Convention

**MR. ZOE:**

Thank you. My question is directed to the Minister responsible for Renewable Resources.

Could the Minister of Renewable Resources advise me if the government has developed a position on the proposed amendments to the Migratory Birds Convention and, if so, what is it?

If there is a GNWT position, could the Minister then advise how this position was developed? Were there consultations or discussions with aboriginal stakeholders in particular that I am not aware of?

Has this position been communicated to the Canadian negotiating team and, if so, through what process?

Given that the Dogrib Treaty 11 people have a number of vital concerns with the Canadian position as it stands now, could the Minister ensure that the necessary steps are taken to bring these concerns to the attention of the Canadian negotiating team?  
Thank you.

**MR. SPEAKER:**

Thank you. Item 7, written questions. Ms. Mike.

Written Question 22-12(7): Health Concerns Regarding Seal Meat

**MS. MIKE:**

Thank you, Mr. Speaker. The Department of Health create a real scare to the residents of Broughton Island when the Health officials announced the high levels of PCBs in seal meat. As a result, younger people consume a lot less seal meat.

In yesterday's Globe and Mail, there is a report about some surprising findings, and I quote, "The greatest source of Omega 3 for northern peoples is seal meat, which contains several contaminants and, at the same time, their antidotes." Will the Minister commit to promote seal meat and, based on this finding reported in the Globe and Mail, perhaps get the department to produce brochures for Inuit coastal communities?

**MR. SPEAKER:**

Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening 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. Todd.

**ITEM 13: TABLING OF DOCUMENTS**

**HON. JOHN TODD:**

Thank you, Mr. Speaker. I wish to table Tabled Document 81-12(7), Report to the Legislative Assembly for 1994 on the Transportation of Dangerous Goods Act (1990). Thank you.

**MR. SPEAKER:**

Thank you. Item 13, tabling of documents. Item 14, notices of motion. 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: Bill 1, Appropriation Act, No. 2, 1995-96; Bill 13, An Act to Amend the Fair Practices Act; Bill 18, Northwest Territories Energy Corporation Limited Loan Guarantee Act; Bill 19, An Act to Amend the Elections Act, No. 2; Bill 24, Community Employees' Benefits Act; Bill 27, An Act to Amend the Land Titles Act; Committee Report 2-12(7), Report on the Legislative Action Paper on the Office of Ombudsman for the Northwest Territories; Committee Report 3-12(7), Report on the Review of the Legislative Action Paper Proposing New Heritage Legislation for the Northwest Territories; Committee Report 4-12(7), Report on the Review of the 1995-96

Main Estimates; Committee Report 5-12(7), Report on the Review of Rewriting the Liquor Laws of the Northwest Territories: A Legislative Action Paper; and, Committee Report 6-12(7), Report on the Review of the Legislative Discussion Paper on the Draft of the New Education Act, with...

**HON. RICHARD NERYSOO:**

Point of order.

**MR. SPEAKER:**

Point of order, Mr. Nerysoo.

Point Of Order

**HON. RICHARD NERYSOO:**

Mr. Speaker, I believe that you read Bill 18 rather than Bill 16 into the record.

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**MR. SPEAKER:**

I'm sorry. You're correct, Mr. Nerysoo. I can't see too well.

---Laughter

A correction: Bill 16, An Act to Amend the Retirement Plan Beneficiaries Act, will be considered instead of Bill 18, with Mr. Whitford in the chair.

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

**CHAIRMAN (Mr. Whitford):**

The committee will now come to order. What is the wish of the committee? The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

**MR. DENT:**

Thank you, Mr. Chairman. I would like to recommend that the committee resume consideration of Bill 1 and Committee Report 4-12(7), specifically to try to conclude the budget of the NWT Housing Corporation and then get into the budget of the Department of Justice.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Dent. Does the committee agree?

**SOME HON. MEMBERS:**

Agreed.

---Agreed

Bill 1: Appropriation Act, No. 2, 1995-96

Committee Report 4-12(7): Report On The Review Of The 1995-96 Main Estimates

Northwest Territories Housing Corporation

**CHAIRMAN (Mr. Whitford):**

The committee agrees. We shall begin right after the break. We shall take a short break at the call of the chair.

---SHORT RECESS

**CHAIRMAN (Mr. Whitford):**

Would the Minister responsible for Housing like to take the witness chair and invite witnesses to assist you?

**HON. DON MORIN:**

Thank you, Mr. Chairman, yes.

**CHAIRMAN (Mr. Whitford):**

Does the committee agree?

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Thank you. Mr. Sergeant-at-Arms, please escort the witnesses.

There's too much sunlight out there, my eyes are starting to get sore. Welcome, Mr. Minister, to committee of the whole. Would you be so kind as to introduce your witnesses to the committee.

**HON. DON MORIN:**

Thank you, Mr. Chairman. To my right is Mr. Al Menard, president of the Housing Corporation and to my left is Mr. Jim Nelson, vice-president of finance. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you. Good afternoon, gentlemen. When we concluded with the Housing Corporation yesterday, I think we were into detail. We were almost there.

Line By Line

I think we were on page 03-12, Housing Corporation. That's where we can begin. NWT Housing Corporation, total O and M, \$62.035 million.

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Thank you. Details of grants and contributions, total contributions, \$62.035 million.

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Thank you. Grants and contributions, \$62.035 million.

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Pages 03-14 and 03-15, information items, pro forma income statement and distribution of budget. We're back to 03-11, program summary. Total O and M, \$62.035 million.

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Thank you. That concludes the Northwest Territories Housing Corporation's budget. Does everybody agree?

**SOME HON. MEMBERS:**

Agreed.

---Agreed

**CHAIRMAN (Mr. Whitford):**

Thank you. Mr. Minister.

**HON. DON MORIN:**

Thank you, Mr. Chairman. I'd like to thank the Members of the Legislative Assembly for passing the budget and I would like to thank the Housing Corporation staff for putting the budget together. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister and thank you, witnesses, for assisting the committee in this matter.

Department Of Justice

Now we shall move to the Department of Justice. Is the honourable Minister Kakfwi prepared to make some opening comments?

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**HON. STEPHEN KAKFWI:** Yes, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Proceed.

Minister's Introductory Remarks

**HON. STEPHEN KAKFWI:**

Mr. Chairman, I am pleased to present the Department of Justice budget for consideration by the committee. Members will note that there is an overall increase of \$5.211 million from the original 1994-95 main estimates. Almost all of the increase relates to forced growth, particularly within the areas of policing and corrections. The pressure has not allowed for the inclusion of any new initiatives within the Department of Justice.

This budget has been a most challenging one to develop as significant demands continue to be placed on the justice system. At the same time, there are few resources available to support rising costs. The major emphasis recently has been placed on exploring new ways to develop services that will have



a positive impact on society. An example of this is the creation of the envelope committee process.

The social envelope committee, as has been discussed with Members, has allowed for an opportunity to improve communication and working together on areas of common interest. This harmonization should not only improve efficiencies and economies, but also improve the level of service in meeting the needs and expectations of the residents of the Northwest Territories. We need to work more effectively with what we have collectively. There are strong indications we may have less to collectively work with in the not-too-distant future.

With respect to forced growth, the restoration of appropriate funding levels to the RCMP is a priority. Events over the last years have demonstrated the limitations of the existing ability of the RCMP to respond to current operational demands. This was an area of significant concern to Members in the fall of last year. Members will recall the RCMP presentation that was given to members on RCMP health and safety issues. The need to restore RCMP resource levels to the "base level" contemplated in the RCMP contract is clear.

There are other initiatives ongoing which could affect the policing budget and how services are delivered. There are two pilot projects under way, one in Coral Harbour and one in Fort Good Hope. These projects depend on local community members, trained by the RCMP, to assist the RCMP in carrying out their policing duties. A related initiative being negotiated with the federal government is the First Nations community policing initiative. This program requires greater participation at the community level in the expectations of policing services in the community.

In the area of the provision of legal aid, there is growing pressure to open a legal aid clinic in Inuvik to service the Gwich'in area. The legal services board has approved this initiative and it makes good sense, both fiscally and from a service delivery perspective, to open a clinic. At the same time, despite many efforts to control costs, additional resources are needed to cover the costs of legal aid services to clients.

Increased funding is needed to sustain the existing operations with the court system. The needs of the courts are not controllable, at least over the short term. For the medium and longer term, means to streamline the existing court process are being explored. Ways to reduce or eliminate unnecessary

work and control costs generally, are under active discussion with all interested parties, including the police, the judiciary and prosecutions. Also being discussed are the implications of expanding the role of the justices of the peace court. Most importantly, significant partnerships are emerging in relation to community justice initiatives, with linkages to the community wellness initiative. These partnerships could, over the long term, help control the escalation of court-related costs.

Our objective, realistically, is to work towards trying to make sure things don't get worse. There is some potential for reductions, but only if the community significantly buys into a process for change. The funding in corrections is needed to sustain existing conventional correctional facilities at acceptable levels.

Members will recall discussions during the review of capital estimates about the intention to move towards a community-based facility model. This will be the most significant step towards achieving increased aboriginal responsibility for justice administration in the north. Communities have consistently indicated that dealing with offenders is where the most significant community contribution can be made. The government is still very committed to this course. However, institutional responses will remain appropriate for many inmates.

A review of the corrections program has now been initiated to address the most appropriate mix of resources between existing conventional facilities and new community-based initiatives. This will be done simultaneously with preliminary work commencing on establishing the community-based initiatives.

The intent of this approach is that offenders would remain part of the community, and the community would share in the responsibility of teaching them how to learn more appropriate behaviours. Where possible, facilities and programs developed under this initiative will be broadly designed to address the needs of people in conflict with the law, with their communities and with themselves. This, hopefully, will result in a positive approach to respond to communities that have expressed interest in multiple use for facilities and programs.

Expenditure reductions proposed the following total \$224,000.

Under the criminal injuries compensation program, compensation is paid to individuals who have been victims of

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criminal acts. The program was initiated 20 years ago on the instigation of the federal government. It was set up on a cost-shared basis. Three years ago, the federal government unilaterally withdrew its funding from this program right across

the country. Since that time, some other jurisdictions have decided to cancel their programs.

Under the circumstances, I feel I have no option but to recommend this program be cancelled. This cancellation will require an amendment to the Criminal Compensation Act.

Current recipients of periodic payments would continue to be paid. Outstanding applications and applications received up until the effective cancellation of the program would be dealt with in the regular manner.

The funds at issue with respect to the interpreters training program are Vote 1 funds. These have been specifically budgeted in support of the Vote 4 court interpreter training budget that has recently been significantly reduced by the federal government.

With respect to resources for the implementation of the community wellness initiative, there are no new resources specifically labelled "community wellness" in this document. However, there are resources within the department -- in particular, resources devoted to community justice -- directly related to wellness. The approach underlying community justice, that of supporting communities in assuming responsibility and devising their own solutions to problems, is exactly the approach of the wellness initiative.

Further, the proposed community action fund, previously discussed with members of the social envelope committee, would be established to respond to the need to provide resources to community-initiated projects. It is significant that the members of the social envelope committee are proposing the creation of a single fund that could fund projects as diverse as school-linked early intervention services for children on one hand, and family violence specific initiatives on the other. The common characteristic of the projects would be that they are both the result of a

specific community identifying their own specific priorities for their community. This is an approach that I support.

This approach holds the most promise for turning things around. We are satisfied that community action is the key to reducing the numbers of people going through the justice system. Our goal is to develop community partnerships that will reduce the threat of continued forced growth in this area.

The Department of Justice is actively working in concert with other departments within the social envelope and with other organizations, to develop common approaches to dealing with social problems, to eliminate artificial barriers and, as much as possible, move increased responsibility into the hands of communities who demonstrate the desire and capacity to undertake a measure of control that has been, over the years, removed from them.

Mr. Chairman, I invite Members of this committee to examine in detail the 1995-96 budget of the Department of Justice, and I will answer any questions with the support of my staff. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister, for your opening comments. Does the Standing Committee on Finance

have some opening remarks? The chair recognizes the Member for Nahendeh, Mr. Antoine.

Standing Committee On Finance Comments

**MR. ANTOINE:**

Thank you, Mr. Chairman.

Victims And Offenders

The key issue noted by committee Members in the review of this department was the apparent relative priorities of victims of crime and criminal offenders. The total spending on correctional centres and young offenders' facilities in 1995-96 is budgeted to increase more than 10 per cent from the 1994-95. Yet spending to assist victims of crime and those injured by criminal acts is being reduced due to the planned elimination of the criminal injuries compensation program.

The standing committee is concerned that these proposed changes give northerners the wrong message. The implication is that criminals are more

important than victims; an implication strengthened by the observation that the total budgeted for victims' assistance in 1995-96 is less than two per cent of the expenditures budgeted for correctional centres and young offenders' facilities.

Committee Members feel that the Justice department has to re-evaluate its priorities. It is very expensive to imprison offenders; therefore, the department should be making every effort to use alternatives to imprisonment where possible. When the standing committee visited Iqaluit in September 1994, committee Members visited the Isumaqsungittukuvik Young Offenders Facility there, and also visited with local residents who provide on-the-land programs for young offenders. Members noted that the land-based programs were much less expensive on a per-offender basis, yet appeared to be more effective in rehabilitating young offenders and preventing them from offending again. This reinforces the idea that community-based solutions in the justice system are generally preferable to institutional solutions. While there are some offenders who must be imprisoned to protect the public, there are many more who will benefit more from rehabilitative community-based solutions than from southern-style jails. The committee prefers to see initiatives such as the plans for community-based corrections project that should help rehabilitate offenders, in their own communities where possible, and in a less expensive and more effective manner than in traditional correctional centres.

The proposed increase in funding to correctional centres and secure young offenders facilities is particularly upsetting when contrasted with the cuts in funding to assist victims. The committee feels strongly that the department must reassess the relative priorities of victims and offenders in their estimates.

Mr. Chairman, I have a recommendation here and a motion, at this time.

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Committee Motion 34-12(7): To Adopt Recommendation 5, Carried

Mr. Chairman, I move that the committee recommends that the Department of Justice reallocate \$300,000 in expenditures within the community justice and corrections activity, from correctional centres and young offenders facilities to the victims' assistance task; and further, that the

funding for victims' assistance be integrated into the community wellness strategy. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. There is a motion on the floor. The motion is in order. To the motion.

**AN HON. MEMBER:**

Question.

**CHAIRMAN (Mr. Whitford):**

Question has been called. The chair does not recognize a quorum. I shall ring the bell. The chair now recognizes a quorum. We have a motion on the floor. Question has been called. All those in favour of the motion, please signify. All those opposed? The motion is carried.

---Carried

Thank you. Mr. Antoine.

**MR. ANTOINE:**

Thank you, Mr. Chairman. A related issue is the department's recent announcement which suggests that a new facility for violent young offenders -- a subject of a committee recommendation -- will be built in Inuvik. Committee Members were surprised at this announcement. When the standing committee recommended that the department consider such a facility, they assumed that the department would appreciate the need for adequate support services to be available. Violent young offenders often have significant problems, such as: alcohol and drug abuse; sexual, physical or emotional abuse; psychological or psychiatric disorders; or learning disabilities. Effective rehabilitation will not occur without the resources necessary to address these problems being available to those in the facility. If such a facility is to be built, the department has to ensure that the necessary resources will be available in the NWT to assist the clients of that facility.

Committee Motion 35-12(7): To Adopt Recommendation 6, Carried

Mr. Chairman, I have another motion here. I move that the committee recommends the Department of Justice evaluate the availability of psychological, psychiatric, alcohol and drug treatment, and counselling services for any proposed facility for violent young offenders in the NWT; and further, that

the department submit a report on the availability of these services for such a facility to the Standing Committee on Finance of the 13th Legislative Assembly, prior to consideration of the department's capital plan during the review of the 1996-97 capital estimates.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. I have a motion on the floor. The motion is in order. To the motion. The chair recognizes the Member for Inuvik, Mr. Koe.

**MR. KOE:**

The preamble to the motion says that a new facility for violent young offenders will be built in Inuvik and then, the indication in the preamble is that these services are not available within Inuvik, from what I see here. I would just like to comment that for any facility, wherever they go, these things have to be done. So I am going to vote for the motion because it calls for an evaluation; but, for the record, I would like to assure Members that there are alcohol and drug counsellors, there are family violence counsellors, there are very adequate health and social service organizations in Inuvik that would support any correctional facility that would be built in Inuvik. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Koe. To the motion.

**AN HON. MEMBER:**

Question.

**CHAIRMAN (Mr. Whitford):**

Question has been called. All those in favour, please signify. Thank you. All those opposed? The motion is carried.

---Carried

Continue, Mr. Antoine.

**MR. ANTOINE:**

Thank you, Mr. Chairman. Committee Members are also quite concerned that the announcement of this new facility, as well as similar announcements made by this department, have been made without consultation with Members, and before funds to proceed have been approved by the Assembly.

Finally, Members expressed a concern regarding the respective bureaucratic responsibility for victims' programs and for parolees and offenders on probation. Apparently, Social Services' staff still have the responsibility to deal with offenders on parole or probation. Yet the responsibility for handling victims' assistance is with the Department of Justice. The committee urges the Minister to discuss this issue with the Minister of Health and Social Services. Committee Members feel it would be more appropriate for Justice to retain responsibility for offenders in and out of jail, and for Social Services to take over the task of assisting victims of crime.

**Police Services And First Nations Community Policing**

In the meantime, the government should look at ways to enhance community-based policing. Programs such as Crimes Stoppers, Neighbourhood Watch, or police auxiliary organizations would allow citizens to remove some of the less specialized workload from police officers, as well as providing a stronger sense of community pride and protection among northern residents. The government should also consult with the RCMP and municipalities to consider options such as the provision of clerical staff to local RCMP offices, in order to

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permit RCMP officers to focus more of their time and attention on actual police work.

The committee is pleased to see the progress of the First Nations community policing initiative. Pilot projects in Coral Harbour and Fort Good Hope are demonstrating that community-based policing, with assistance from the RCMP, can be a more effective and efficient foundation for providing police services to northerners. Committee Members look forward to seeing the final evaluation of these pilot projects.

That is the Standing Committee on Finance report, Mr. Chairman. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. Mr. Minister would you please take the witness chair so we may deal with your department? Do you require witnesses to assist you? You do, thank you. Sergeant-at-Arms. Mr. Minister, would you be so kind as to introduce your witnesses to the committee.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, on my right the deputy minister of Justice, Don Avison. On my left, Louise Dundas Matthews, director of finance and administration, Department of Justice.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. Welcome, Ms. Matthews and Mr. Avison. General comments. The chair recognizes the Member for Nahendeh, Mr. Antoine.

General Comments

**MR. ANTOINE:**

Thank you, Mr. Chairman. The committee report has been out for some time now and everybody has had a chance to look at the recommendations that are in there. There are two from this department. The first recommendation recommends that the Department of Justice reallocate \$300,000 in expenditures within the community justice and corrections activity from corrections centres and young offenders' facilities to the victims assistance task. And further, that the funding for victims assistance be integrated into the community wellness strategy.

That is the recommendation that the committee made and it was passed here, in committee of the whole, just a little while ago. The social envelope supp budget was \$3.2 million, that was also set aside for this department as well as other departments in that social envelope committee. I would like to ask the Minister if this recommendation was taken by the department and if anything was done to accommodate the intention of this recommendation. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. Minister Kakfwi.

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Chairman. The budget that we have for corrections is very sufficient to meet the needs within the area. It's not possible for me to suggest that I can do that. If the committee is agreeable, the suggestion I have is, once the social envelope committee starts to take more concrete measures in making better use of existing dollars and establishing the community action fund, there would be a lot of money placed before this government and the social action organizations, the women's organizations and other organizations mandated with dealing with these

kinds of issues and they can decide what amount of money should be allocated to victims' services.

We can certainly pass the recommendation on to them and see if these groups would be agreeable to that. Certainly, I would see it as the political direction on my behalf to suggest that they at least put \$300,000 towards victims' services but the whole idea of the community action fund, when we do set it up with a budget, would be to give discretion to the groups to decide how to make best use of money we would allocate to them. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. The chair continues to recognize Mr. Antoine.

**MR. ANTOINE:**

The Minister is indicating that he is not going to follow the recommendation of the Standing Committee on Finance. The preamble is quite clear, we are saying that there has been a real cut into assisting victims of crime. We see a large increase in expenditures in justice and correctional services and a real decrease in assistance to victims. We don't want to delete this amount from the justice and corrections activity, but we would like to see if we could reallocate these funds to another task in the department, the victims' assistance task. This is what we're requesting.

I'd like to get a definitive answer from the Minister if that is at all possible. We're serious about this. We may have to deal with these tasks at a later time until we get some definitive answers. I would like to try one more time to see if the Minister would reconsider, if his department can look at this recommendation seriously to see if they can accommodate the recommendation of the Standing Committee on Finance. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, the recommendation that the committee made was taken seriously. We have been looking at it and discussing it for a number of weeks now, trying to find some way to meet the recommendation. It seems the committee is going around the edge, almost telling us how to manage our respective departments. If the intent is simply to increase the resources allocated to victims' services,

then it is something that I agree totally with. If there was a possible way of finding additional money to do that, we would, but, as Members see, almost all additional, new money has gone to forced growth.

All the additional person years and money allocated to corrections is simply going to help the existing staff. One additional person per shift is being put into existing facilities. There are three shifts per day working in these facilities, like the Yellowknife Correctional Centre, the Iqaluit correctional facility, the Hay River facility, the River Ridge facility, among others. What we've done is responded to a review that suggested we were understaffed. For the well-being of inmates, staff and general safety of everyone concerned, it was recommended that we increase the staff allocation. This is what has been done here.

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To suggest that we could somehow reduce here is just not possible. Again, I suggest that we simply take the recommendation and tell the committee we will do what we can over the next few months to ensure that some resources are allocated to victims' services, and that where it will come from be left to the discretion of this government. As Minister, I don't have the responsibility to do that, but with other Ministers from the social envelope committee, I'm sure we can meet the call of the standing committee.

It's not going to happen and I understand that if they're unhappy with my response, they will stand me down until the end of this session, or whatever. I think we should just have a discussion about it and come to grips with the fact that there is no new money. Reallocating from areas like this which are highly legislated, where we have just started to move towards giving RCMP sufficient money to do their job the way they're contracted to do and where we're moving to more proper staff allocations, as required by legislation, is just not possible.

I think in the matter of a month or two, surely we can take that as the first commandment once we set up the community action fund and, secondly, as a direction to this government and to the Ministers of the social envelope committee as to where we should allocate some of those resources. We can recommend to our partners, the women's groups and other organizations involved in this work with us. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Minister Kakfwi. I have the Premier next on the list. Madam Premier.

**HON. NELLIE COURNOYEA:**

Mr. Chairman, I just wanted to add some of the discussions we had in the social envelope committee meetings. As the Members know, with the new turnover of the social welfare dollars to the Department of Education and a different process there, what we see is the social workers who are not presently available will have significantly more time to do the job that they are trained to do. As a result, what we see is that these social workers could have additional training to counsel and assist victims of crime which, from time to time, they are doing already in certain communities. It would be a much cleaner mandate or job function of the social worker to take on this function. This is one of the ways we thought this can be taken care of; by taking the time that the social workers had been using to evaluate people's income and doing needs assessments to put out welfare cheques. This will not be part of their function any longer so they will have that time allocation, which we discussed as an envelope committee, to be available to do that speciality in terms of assisting victims of crime. This is one of the areas that we feel a significant role being changed or being identified as important.

**CHAIRMAN (Mr. Whitford):**

Thank you, Madam Premier, for that information. The chair recognizes Mr. Antoine.

**MR. ANTOINE:**

Thank you, Mr. Chairman. I just wanted to make a general comment on this recommendation number 5. The idea here is to try to get additional help to the victims' assistance task and this department, by allocating the \$300,000 from the activity of justice and corrections. This funding should be integrated into the community wellness strategy. This is a recommendation that the committee would prefer to see happen but the Minister is indicating that the funding level in the justice and corrections activity is forced growth and cannot be changed. Maybe later on in a few months or so, they might figure out how to accommodate this recommendation but what I would like to see here is a more solid commitment, so that we would know for sure that there's going to be something there to accommodate this recommendation. If we could have something now. I think it looks like there's nothing there right now

except a promise to look at it in the next two or three months. I would certainly like to see something come out of this session to accommodate this recommendation. I don't want to have any surprises here so I think that as we have our discussion and general comments, and as we get into the activities that deal with that, I would like to let the Minister know that the Members of the committee have indicated that they would seriously consider deferring that activity until later on in the process, to see if we could have some time between now and then to get something more concrete out of this recommendation. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. I shall defer to Madam Premier.

**HON. NELLIE COURNOYEA:**

Mr. Chairman, we are fully in concert with the Standing Committee on Finance recommendations and also their explanation. We had thought that we were in concert in getting that assistance to victims of crime. At the beginning of page 28, the Standing Committee on Finance said, "Yet the responsibility for handling victims' assistance is with the Department of Justice. The committee urges the Minister to discuss this issue with the Minister of Health and Social Services. Committee Members feel it would be more appropriate for Justice to retain responsibilities for offenders in and out of jail and for Social Services to take over the task of assisting victims of crime."

Mr. Chairman, we've had that discussion and it was previously on the agenda. We feel that because the social workers under the Department of Social Services will no longer have much of their time taken up on tasks that have been turned over to the Department of Education, we would be able to offer training and support to go along with the recommendation of the Standing Committee on Finance. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Madam Premier. Just for the record, I will indicate that the Minister indicated that I should defer to the Premier. I didn't do this on my own. General comments. The chair recognizes the Member for Yellowknife Frame Lake, Mr. Dent.

**MR. DENT:**

Thank you, Mr. Chairman. Like the chairman of SCOF, I, too, would like to see some certainty come out of our discussions today that we are going to be able to address this issue. I know that the Minister of Justice has said in a Minister's statement that he recognizes the importance of the volunteers who provide the victims' assistance programs. As I pointed out to him, if we can't find some more money for them, there won't be any volunteers to thank. I think that we really do want to see, whether it's from the Minister of Justice or from the Minister of Health and Social Services, a commitment that this issue will be dealt with. It's not enough for us to hear the Minister of Justice say that with other Ministers he hopes that he will be able to come to grips with the recommendations of SCOF. I think we're looking for it to be put much more strongly than that. We can't be satisfied

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that once the community action fund is set up, perhaps a result of the discussions will be that the victims assistance programs will be dealt with.

The Premier's comments give me some concern as well because I don't think we can free up enough people in Social Services to provide the amount of service that is necessary and that we are getting for the dollars that we spend now. I don't know if the Premier is aware that 3,197 hours were donated by volunteers in Yellowknife alone in 1994 to provide victims' assistance. Mr. Chairman, that's more than 3.5 PYs if they were to be taken in full-time equivalents. I'm not sure that by giving the responsibility for distribution of social assistance to Education, Culture and Employment, we're going to free up 3.5 PYs to replace those volunteers who will disappear if we can't find a way to ensure funding for them.

In Fort Smith, at least one full PY was donated in terms of the hours of time donated. Is the Premier saying that in Health and Social Services we're going to be able to, by handing on SA to ECE in Fort Smith, devote one full-time position to assisting the victims of crime? I think it's got to be remembered that more than half of the referrals in all of the programs in operation in the territories now are for either child sexual abuse or adult sexual assault. Those are the areas in which we're not often getting the victims to come forward as competent witnesses because of the trauma. Without adequate support, quite often their cases are not resulting in convictions. I think it's extremely important that we recognize the value of

what this government gets from volunteers. While it is good to say that we may be able to assist these programs by increasing social workers' time, there is no way that this government can afford to replace the amount of volunteer work that it is presently being provided in Fort Smith, Rankin Inlet, Yellowknife and Iqaluit.

We need to find some way to expand the program to other communities; to support it in those communities where it is operating now and to expand it. Volunteers will do the job for far less than what government workers can afford to. They need the support and assistance of government workers, but we have to recognize the true value of the work that is being provided here.

I'm pleased to hear the Premier say that she is totally in concert with our recommendation, but I don't believe it can be addressed simply by the time that the social workers will now have because they're not handing out social assistance. I think what we really want to hear is a very strong statement by one of these two Ministers to indicate that we will find some way to deal with this very serious concern of the committee. Without hearing that sort of commitment, I think it does make it difficult for us to continue on with this consideration. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Dent. Does the Minister want to respond? Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Speaker, we've had meetings with the volunteers and staff who work with victims' services and have told them that the money we have allocated to them is all there is. There is a real sense that the federal government is reducing their commitment in this area as well since most of these centres also receive a portion of their funding from the federal government. We have no idea how much they're being cut.

There is a sense, as well, that a number of other areas are going to be cut. For instance, this government has been served notice by the federal Minister that the cost-sharing agreement for young offenders has been effectively terminated, with a view that we should renegotiate a new funding agreement. It doesn't mean additional federal money, it means the federal government wants to reduce the amount they contribute under the program.

We have said that we would try to find some way, through social envelope committee work, to make better use of existing dollars and to turn over how the existing dollars should be best allocated by getting advice from community-based organizations which Mr. Dent is referring to. Our job now is to bring the recommendations of this committee to the social envelope committee, take it as direction to work with women's groups and victims' services centres and suggest where some of the money from the community action fund should be allocated and, as well, other resources that this government has.

The federal government is not thinking about expanding this program, they're pulling out of it. Mr. Dent has got to realize that it's a huge commitment to even think about funding in part, victims' service centres right across the territories. We're having difficulties just maintaining four and, even there, the federal government is withdrawing services. At a time when the entire budget of the territorial government is being reduced and being picked away, program by program, by the federal government, we can't even think about suggesting expansion of these programs. At best, we're trying to find ways to maintain what we have now. We're trying to do that without demoralizing the volunteers and the people who commit to working in these victims' services centres. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. The chair recognizes Mr. Dent.

**MR. DENT:**

Thank you, Mr. Chairman. Just for the record, I have already said that the federal government is wrong to have walked away from funding these programs and there is no excuse for them having done that. I have also said there is no excuse for us to walk away from them either. I do recognize how difficult it would be to expand the programs. Most of these programs already try to cover areas outside of their principal community so I think it's important to make sure that what we have, which is working right now, is given enough to ensure they can continue to do their work and succeed.

I hear from people in my constituency all the time that they feel that, too often, the victims are forgotten. We always seem to come up with money to live up to our statutory requirements when it comes to dealing with offenders. I guess I would just have to say, like our



adoption of zero tolerance for violence policy, we have to live up to this government's commitment to victims, which it signed in 1988. If we're not going to live up to that, then I think the government should make a statement saying that it's not going to live up to it because it can't afford to.

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The Minister of Justice told me last week that all of our principles are now subject to review because of fiscal pressure. Well, if the principle of the support for victims is one that has had to be reviewed, then let's be up front about it. Let's hear out in the open that it is up for review and that perhaps we've been found wanting for money to ensure the principle can be upheld.

Mr. Chairman, I think that the amount of money that the Standing Committee on Finance is recommending be put into these programs is not a tremendous amount, given the size of the territorial budget and given the size of the budgets of even the social envelope departments. I still maintain that there should be some way for us to get a stronger commitment than what we have so far today from the government to work with victims' assistance programs, to ensure they get adequate funding and support to continue to do their valuable work through the next year. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Dent. General comments. I'm sorry, did you wish to respond, Mr. Minister? Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, again, I say that I cannot do what has been specifically recommended by the Standing Committee on Finance; that is, I cannot take it from corrections. I will commit that I will do what I can, as a Minister, to see an amount of money in the neighbourhood of \$300,000 be allocated to victims' services over the next few months, within the next month or next week. It depends on the work of the social envelope. It isn't an insignificant amount of money, since we are spending a great deal of time debating it.

Just to illustrate the point, we could take it from policing for Yellowknife. That means three RCMP positions. So it isn't an insignificant amount.

**MR. BALLANTYNE:**

(Microphone turned off)

**HON. STEPHEN KAKFWI:**

I think \$300,000 is a sizable amount of money at this time. It illustrates the point that there are increasingly diminishing resources. The best approach is the one to do it in concert with the organizations that we have gone in partnership with and recommend to them. There is no doubt that we will, as a government, suggest to them that some of the community action fund should be allocated to victims' services. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. Mr. Dent.

**MR. DENT:**

Thank you, Mr. Chairman. I am a little bit offended by the Minister making a cheap shot and suggesting that he could perhaps move the funding out of policing for Yellowknife in order to pay for this. I don't think that at any time I have indicated that I don't understand that in order to put money in one area, you may have to cut in another. It is unseemly to start putting it into a constituency-versus-constituency manner the way the Minister just has. I think that it is the Minister's responsibility to work with his budget to ensure that adequate services are provided throughout the territories. I just wanted to point out that it is not necessary for us to have to listen to an implied threat that if a Member asks questions about an issue, that something may be withdrawn from their constituency. Mr. Chairman, I just wanted to put that on the record.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Dent. I would caution Members to carefully tailor their comments to each other, so that we don't misunderstand each other. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, I intended no offence to the good Members for Yellowknife. I was trying to illustrate a point. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. I had Mr. Ballantyne and then Mr. Patterson.

**MR. BALLANTYNE:**

Thank you, Mr. Chairman. I wonder if the Minister could tell us how many reported incidents there were in the last two years of child sexual abuse.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Ballantyne. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, I don't have that information in front of me.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. Mr. Ballantyne.

**MR. BALLANTYNE:**

Would the Minister make that information available to this committee?

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Ballantyne. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Yes, Mr. Chairman, if it is available to me, I will make it available to the Member.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. Mr. Ballantyne.

**MR. BALLANTYNE:**

How many reported incidents to the RCMP of spousal assault were there in the last two years?

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Ballantyne. Mr. Minister.

**HON. STEPHEN KAKFWI:**

I understand the Member is asking us for records that the RCMP keep of how many spousal assaults were reported to them in the last two years. If they have those records and they are willing to share with me, I shall pass it on to the Member.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. Mr. Ballantyne.

**MR. BALLANTYNE:**

Perhaps the Minister could take us back a bit and perhaps explain again to this Assembly and to the public why he was and is such a strong advocate of zero tolerance for violence.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Ballantyne. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Mr. Chairman, I am from Fort Good Hope and it has been a part of my life since I was a small child

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that violence was an everyday occurrence. I have seen a lot of violence in my day; violence inflicted on grandparents; on the elderly; on children; on myself; and, on my family members. I see it continuing today. So it isn't in some passing fashion that I have made the commitment. I have always been violently sick to see this type of incident occur and to have it continue.

It has always been my view that if there is some way to put a stop to it, to arrest the occurrence of it, then it should be done. It is an unacceptable part of my life and the life of many people. It still occurs on a regular basis in the lives of most of us in our communities and amongst our people. That is a very short answer to the Member's question.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. The chair continues to recognize Mr. Ballantyne.

**MR. BALLANTYNE:**

What I understand the Minister to say is that the Minister, from his own personal experience through things that he has seen and witnessed through his life, has tremendous empathy for the victims of violence. He has sympathy and empathy for young children who are terrorized and brutalized by loutish deviants. He has empathy and sympathy for women who are beaten by their cowardly spouses, husbands or boyfriends. I take it that the major driving force behind the Minister's strong belief in zero tolerance for violence is that sympathy for the victims of violence. We are stopping violence, to stop it being inflicted on those victims. So when the Minister talks about the needs and the rights of people who are in the correctional institutions, no one disagrees. We are talking about shifting part of our responsibility in a real way to the most innocent people in our society. I

support many things that the Minister has done. I think he has been a fine Minister of Justice. But I think the Minister has missed the point here. The point is not a point about who is trying to manage the budget, but about how necessary the funds are for the correctional institute system. The point is not whether or not you can pull \$300,000 out of the Yellowknife police detachment, that has nothing to do with anything. The point is that we, as a government, have made a commitment to victims. We have said that we think victims should deserve a goodly portion of our support.

And up until now -- it is not a matter of diminishing federal dollars or diminishing territorial dollars -- we haven't done very much. We are talking about \$300,000 out of \$6.9 million. All we are talking about here is an extra \$300,000. It really is two or three of your staff, your Iqaluit centre that has 25 staff and when we were there, it had five inmates.

We are not talking about totally disrupting the corrections system. I heard the Minister, in response to something that Mr. Dent said, say that there is a philosophical debate that must take place as to whether or not society has a responsibility for victims. I think the Minister, much to his credit, has strongly demonstrated that he believes that society does have a responsibility to victims.

I, for one, have applauded the Minister for some of the courageous steps he has taken in this area. So, we are not in disagreement here. I don't think that we are in any kind of a philosophical battle. What we are looking at is, is there a bureaucratic way to find some funds for victims. That is all that we are looking at.

I don't want to have an argument with the Minister. I am not here to argue with the Minister about his beliefs. I know his beliefs are strongly held and strongly felt. But the committee, and I am sure other Members of the Legislative Assembly, would like to have a specific commitment from the Minister in this budget for victims. I don't think that is too much to ask. We have given you full support in your endeavours in the whole area of zero tolerance. I don't think that the Minister has to be uptight or upset with any Members. I think the Minister can say yes, I agree. It is a very small amount that we are asking for in the big picture and if any group in society deserve it, it's victims. We are just asking the Minister to come up with a mechanism to do that. We suggested one, which I think can work. But if it can't work, by all means, give us a definitive mechanism. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Ballantyne. Mr. Minister.

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Chairman. I am glad that none of us disagree with each other. I like the suggestion that the committee is making, which is to give more resources to victims' services. The problem is with the nature of my response. I cannot say definitively that I will take \$300,000 out of corrections. I have already said that I cannot do it.

What we need is a little bit of time, for myself as Minister, to work with other Ministers -- the Minister of Education, Culture and Employment, the Minister of Health and Social Services -- with the Minister of Finance, to see how we can meet the recommendation that the Standing Committee on Finance has made. That is what we need to do. I would say give us to the end of the session, which is next week. If they want to stand on the budget of this department, then that is what they need to do. I don't know if I can do it before the end of next week. The point is that there is a session in June. This committee feels so strongly about it, they can do what they want with me and other Ministers if we don't comply with their recommendations by then. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Kakfwi. The chair recognizes the Member for Iqaluit, Mr. Patterson.

**MR. PATTERSON:**

Mr. Chairman, I am sorry that it has to come to this, where the Minister is feeling that he is forced to stand on his budget. I want to echo that a lot of what Mr. Ballantyne said is that there has been a lot of great initiatives that come from this Minister and this department, and there is a lot of support in this side of the House for what is being done. The Minister is right, Members of this committee do feel very strongly about this issue. I have a sense that we are very close to resolving it.

Mr. Chairman, I don't know why this debate is necessary this afternoon. We have almost a \$17 million budget for this department, \$300,000 -- if my math is correct -- is way less than half of one per cent of this total budget. It is less than one per cent of the budget that we are proposing to spend on law enforcement, which is almost \$29 million. It's is

considerably less than one per cent of the budget we are

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proposing to spend on community justice and corrections, which is almost \$22 million.

Mr. Chairman, I seem to hear the Minister saying, I am not quite sure how we will do it, I want to talk to my colleague in Education, I want to talk to the Minister of Finance, I want to talk to the Minister, perhaps, of Health and Social Services. Go ahead, we don't care how you do it. And we don't care how you resolve it. As Mr. Ballantyne said, the suggestion about taking it out of corrections seemed the obvious one to the Standing Committee on Finance because we were noting the growth in PYS in the corrections area.

Mr. Chairman, I don't know if things have changed since I was in Cabinet, but I believe that a Minister who believes in an issue, as this Minister obviously does, and who has clear support from the Standing Committee on Finance, all the Minister needs to say is, I will do it, it will be done, you have my commitment, we will find \$300,000 additional money for victims' services. Whether you take it by cutting out turkeys for inmates at Christmas or by recovering it from the social envelope committee funds, the \$3 million that I fully appreciate has yet to be allocated within the Cabinet, or indeed whether it is taken out of a midnight shift at the corrections facility in Iqaluit.

This committee is not concerned about how it is done. I think all the Minister needs to do is to make a commitment here that it will be done and that you will find a way, even if the way is not before this committee today. I thought that with the notice given on this issue from the Standing Committee on Finance, that by today we would have an answer about how it could be done. I know that it is not easy, I know there are all kinds of pressures on the Minister. But clearly the proportion of money that we are spending on police and on jails -- and we haven't mentioned courts or legal aid today but I could add those big numbers, too -- is staggering beside what we are spending on victims. The committee wants it rebalanced, the Minister agrees, the role is there. All I think we need is a commitment that it will be done, and that we can get on and approve the budget and deal with the other matters before this committee. I think the Minister has the authority to direct his deputy to do it, find a way. And the finance director has to sweat additional blood and tears and find a way. This

happens all the time. I guess I'm challenging the Minister here on the floor of this Assembly. Tell us it will be done. Whisper to your deputy minister. Do it and get on with the business of approving your budget. I'm sure you'll find a way, especially after all the fuss we've made this afternoon. Let's fix it up and carry on with approving this department. I don't think it's necessary to delay the approval of this department for even a week. Just make the commitment and this will all go away and we wish you well. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Patterson. Mr. Minister, do you wish to respond?

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Chairman. I thank the Member for his good advice. It's always been my view that whenever we spend money and we make commitments, we have to keep the big picture in mind all the time. It's important to me that Members know that we're not only getting a reduction in the overall grant that the government gives us to operate but that specific programs are being reduced and we're being given notice by letter, weekly, of the different programs. The EDA, as I said, the young offenders, these are some of the ones that are being reduced at this time. The interpreter program was reduced by a little over a million dollars just recently. All these are going to have some staggering implications for this government and our respective constituents and our ministries.

I understand what the Member's saying. It's simple enough to say I will do that, that I will support the recommendation that the committee has made to find \$300,000. I won't take it from corrections but I will be supporting the suggestion that at least \$300,000 be allocated from the resources of this government, perhaps through the community action fund, for victims' services. It has to be remembered that it's in the context that, at this time, we know what our funding sources are and the amounts we're being funded. In a month, the picture might change substantially. We have to be very cautious about the commitments. We have said from the beginning that we have to stop, as a government, trying to Band-Aid social needs in the communities. That we have to empower communities to tell us how existing resources should be allocated and reallocated. That's what the social envelope committee does. The whole rationale behind the community action fund, is to let communities themselves directly tell us how the

resources should be reallocated and if there's specific budget for the community action fund then how should that be divvied out.

I don't know if that's close enough to what the Member was asking for but I will be supporting it. Whether or not I am able to deliver \$300,000 is another matter. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. The chair recognizes the Member for Thebacha, Mrs. Marie-Jewell.

**MRS. MARIE-JEWELL:**

Thank you, Mr. Chairman. I just wanted to make a couple of comments on the overall budget of Justice. First of all, I want to indicate that in our community, we do have a very active victims' assistance program and we've appreciated the work that the friendship centre has done with regard to victims' assistance. Over the past year, I've written to the Minister to ask for support of continual funding for this particular program. What appears to be the concern, and I think that's it's basically the concern of many Members, is that we fund without question, because of the Charter, the areas of legal aid to assist individuals who have broken the law who can't afford to represent themselves or to get a lawyer to represent them. We basically allow this type of funding for individuals who possibly have broken the law through either illegal activity with drugs and sometimes child sexual assaults or whatever the case may be, whatever criminal activity may have taken place.

On the other hand, we're basically looking for a method to assist victims and we don't seem to have the funding or the funding is limited or is difficult to obtain. It just seems that even though we have the Charter, as a government, we try to find a way to assist these people that have broken the law but we always have difficulty trying to assist the people who have been victimized as a result of these criminals breaking the law.

If the Minister is finding it difficult in acquiring this type of funding, and I know he's referred to the social envelope

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committee, that we may have to -- and I know that legal services is done by the board -- start looking at fairly rigid guidelines to expend funding through legal

aid services because it doesn't seem right that here we are, as a government, assisting people that do fairly significant damage to individuals as a result of their criminal activities and we can find a method to assist them but the people who are victimized, we have a hard time supporting them. It just doesn't appear that it's justice.

I've always supported the victims' assistance program and have given them support wherever I can. I certainly would really support the idea, even if this funding was to be looked for within the legal services area. That's one area that I would like to suggest to the Minister that he can look at. He may even want to look at tightening up the parameters for support that legal services is providing to criminals who break the law, even though I recognize that he has implications of the Charter to deal with.

On the other side of the item in addition to the victims' assistance program, Mr. Chairman, I did want to make a couple of other comments. Basically, on law enforcement and the overall justice budget. I know the RCMP have basically reached an agreement signed between the government and the Solicitor General of Canada. I also know that funding is somewhat limited and the demands are increasing. We always seem to have an increase in individuals that are partaking in criminal activity. I want to commend the Minister and the Justice department for looking at other initiatives such as possibly funding aboriginal justice type programs that they are attempting to create in the communities. I think that it's really starting to allow the people in the communities to know that cooperatively we can attempt to address many of these crimes that are happening in the communities. You're also closing the gap with respect to the communication problem that seemed to prevail over the years; the attitude problems that people encountered with regard to addressing some of the problems that they had with the overall law enforcement.

I also wanted to commend the department for this particular initiative because I think in future years, this initiative will hopefully reflect less activity in the crime area. But I certainly would like to take the time to urge the Minister to find, somewhere in his department, the financial support for the victims' assistance program that I believe is badly needed in the communities. It should be a program available to every resident of the Northwest Territories. It is a program that should also be expanded across the territories in an equitable manner. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mrs. Marie-Jewell. General comments. Mr. Minister, would you like to respond? Mr. Minister.

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Chairman. Just a couple of comments. One, there is a process in place now to review the legal aid program. We are putting some new tariffs and restrictions in place to control the escalating costs of legal aid. I should also point out again to the Members that the way I see this process working, especially with the Standing Committee on Finance, is they have made it fairly clear, especially in their discussions with the Minister of Finance, where they think this government should be going and what corrective measures they want us to take in carrying out our jobs as Ministers of government.

I would like to think that most of the recommendations and demands that are passed on to this government are dealt with promptly and done in a satisfactory manner. This particular recommendation is one that hasn't been resolved yet. I would think that if the federal budget had been brought down sooner and we knew with certainty what remaining programs were going to be cut or terminated, it would have been much easier for us to act sooner in dealing with this recommendation. It has been unfortunate that that hasn't happened.

By no means do I want to discourage Members from voicing their strong concerns and support for this particular recommendation because it is a way to certainly get a message across to myself and other Ministers of the government. It will certainly let the public know what the views are of ordinary Members. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Minister. General comments. The chair recognizes the honourable Member for Nahendeh, Mr. Antoine.

**MR. ANTOINE:**

Thank you, Mr. Chairman. A lot of Members here have spoken about recommendation 5, I believe it is. There has been a lot of discussion and a lot of concerns directed at the Minister. I would like to suggest that the Minister take the time to meet with his staff and also with other Members of the envelope committee to see if he can do something about this

recommendation, the \$300,000 for the victims' assistance task.

Committee Motion 36-12(7): Defer Consideration Of Department Of Justice, Carried

I would like to move that we defer consideration of the 1995-96 main estimates of the Department of Justice to give time for the Minister to look at the different concerns of the Members of the committee and to meet with his colleagues in the envelope committee. Thank you.

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Antoine. We have a motion to defer. To the motion.

**AN HON. MEMBER:**

Question.

**CHAIRMAN (Mr. Whitford):**

Question has been called. We don't have a quorum so I will sound the bell.

**AN HON. MEMBER:**

(Microphone turned off)

**CHAIRMAN (Mr. Whitford):**

I asked twice and nobody put their hand up. I'm told the motion is not debatable. All those in favour? All those opposed? Motion is carried.

---Carried

The Department of Justice is deferred to a future date for discussion. What is the wish of the committee? The chair recognizes Mr. Dent.

**MR. DENT:**

Mr. Chairman, I move we report progress.

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**CHAIRMAN (Mr. Whitford):**

We have a motion to report progress on the floor which is not debatable. All those in favour? All those opposed? Motion is carried.

---Carried

Thank you. I shall rise and report to the Speaker.

**MR. SPEAKER:**

The House will come back to order. Item 20, report of committee of the whole. Mr. Whitford.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

**CHAIRMAN (Mr. Whitford):**

Thank you, Mr. Speaker, your committee has been considering Bill 1 and Committee Report 4-12(7) and would like to report progress with three motions being adopted. Mr. Speaker, I move that the report of committee of the whole be concurred with.

**MR. SPEAKER:**

The motion is seconded by Mr. Koe. The motion is in order. To the motion.

**AN HON. MEMBER:**

Question.

**MR. SPEAKER:**

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

---Carried

Item 21, third reading of bills. Item 22, Mr. Clerk, orders of the day.

ITEM 22: ORDERS OF THE DAY

**CLERK OF THE HOUSE (Mr. Hamilton):**

Mr. Speaker, the meeting of the Nunavut Caucus for this evening has been postponed until the same time tomorrow evening. There are meetings tomorrow morning at 9:00 am of the Standing Committee on Finance, also at 9:00 am of the Standing Committee on Legislation, at 10:30 am of the Ordinary Members' Caucus, and at 12:00 noon of the Special Joint Committee on Division.

Orders of the day for Wednesday, April 5, 1995:

1. Prayer
2. Ministers' Statements
3. Members' Statements

4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
  - Bill 31, Recall Act
19. Consideration in Committee of the Whole of Bills and Other Matters
  - Bill 1, Appropriation Act, No. 2, 1995-96
  - Bill 13, An Act to Amend the Fair Practices Act
  - Bill 16, An Act to Amend the Retirement Plan Beneficiaries Act
  - Bill 19, An Act to Amend the Elections Act, No. 2
  - Bill 24, Community Employees' Benefits Act
  - Bill 27, An Act to Amend the Land Titles Act
  - Committee Report 2-12(7), Report on the Legislative Action Paper on the Office of Ombudsman for the Northwest Territories
  - Committee Report 3-12(7), Report on the Review of the

Legislative Action Paper Proposing New Heritage

Legislation for the Northwest Territories

- Committee Report 4-12(7), Report on the Review of the

1995-96 Main Estimates

- Committee Report 5-12(7), Report on the Review of

Rewriting the Liquor Laws of the Northwest Territories: A Legislative Action Paper

- Committee Report 6-12(7), Report on the Review of the

Legislative Discussion Paper on the Draft of the New

Education Act

20. Report of Committee of the Whole

21. Third Reading of Bills

- Bill 15, An Act to Amend the Elections Act

22. Orders of the Day

**MR. SPEAKER:**

Thank you, Mr. Clerk. This House stands adjourned until Wednesday, April 5, 1995 at 1:30 pm.

**---ADJOURNMENT**