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Speaker: The Hon. Richard Nerysoo, M.L.A.

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YELLOWKNIFE, NORTHWEST TERRITORIES

THURSDAY, MARCH 7, 1991

MEMBERS PRESENT

Hon. Titus Allooooloo, Mr. Arlooktoo, Hon. Michael Ballantyne, Hon. Tom Butters, Hon. Nellie Cournoyeva, Mr. Crow, Mr. Ernerk, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Kilabuk, Mr. Lewis, Hon. Jeannie Marie-Jewell, Mr. McLaughlin, Mr. Morin, Hon. Richard Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Mr. Pedersen, Mr. Pollard, Mr. Pudluk, Mr. Sibbeston, Mr. Whitford, Hon. Gordon Wray, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Mr. Richard Nerysoo): Orders of the day for Thursday, March 7, 1991. Item 2, Ministers' statements. The honourable Member for Sahtu.

ITEM 2: MINISTERS' STATEMENTS

Ministers' Statement 26-91(1): Rental Changes, Staff Housing

HON. STEPHEN KAKFWI: Mr. Speaker, I have been receiving questions from Members about changes to staff housing rental policy. There appears to be some confusion which I think I helped to create the other day and I want to make this statement to help clear it up a little bit.

Communities have been divided into three levels. In level I communities, Yellowknife, Fort Smith and Hay River, employees pay rent similar to that charged by private landlords. Employees are paid a monthly housing allowance of \$450. They arrange for and pay their own utilities directly to the supplier.

In level II communities, mostly regional headquarters that is, the rents are close to the rates charged by private landlords in level I communities. A nominal charge for utilities is built into the rent. Employees are paid a \$450 housing allowance every month.

In level III communities, primarily the smaller communities without highway access, rents are heavily subsidized and are based on the size of the unit. Again, a nominal charge is built into the base rent for utilities. Employees do not receive the \$450 housing allowance.

On April 1, 1991, most employees in staff accommodation will have a five per cent increase in their rents. Three hundred and twelve other employees will get a bigger increase. These people would be single or married couples in three-bedroom houses who would be assigned smaller units if they were available. Under the current rental structure they are considered to be over-accommodated. At the moment they pay rent as if they were in a one-bedroom apartment. Rents for those employees will increase on April 1, 1991, to the point where they are paying the full rate for the unit they occupy. The average net increase is 23 per cent for these over-accommodated employees. As a result, all employees will pay a standard rent based on the size of the house or apartment. I had mixed up the levels the other day and this is why I wanted to make this statement.

Mr. Speaker, I personally examined the rents each of these 312 employees will be paying. Frankly I was surprised at the low rents. To give you a picture of how these increases affect the average employee, I chose some examples which I think are representative. In a level III community, for example, an employee earning \$55,000 a year is paying \$382 a month for rent on a three-bedroom house. On April 1, 1991, this

employee will be paying \$488, an increase of \$106 per month. I will give you another example. An employee in a level II community earning \$67,000 is paying \$793 a month for rent on a three-bedroom house. On April 1st of this year the rent will increase by \$215 to \$1008 a month. The employee receives \$450 housing allowance so this reduces the net cost to that employee to \$558 per month off their actual earnings.

These typical rents do not look unreasonable to me. Mr. Speaker, the former rental policy contributed to the practice of people coming to the North to build a nest egg and then leave. It is about time such practices stopped. We need to show some leadership and we must have a housing policy that is fair and equitable to both employees and the people they serve.

Asking employees to pay the rent for the house they occupy is the right thing to do. Remember these are mostly single employees living in fully furnished three-bedroom houses. Likely their neighbours who do not work for the government live in overcrowded, unfurnished, houses paying a quarter of their household income for rent or mortgages. Let us put our energy toward resolving the inequities, not continuing to perpetuate a privileged situation for public servants. Thank you.

MR. SPEAKER: Thank you. Ministers' statements. The honourable Member for Nunakput.

Ministers' Statement 27-91(1): Leo Ussak School, Rankin Inlet

HON. NELLIE COURNOYEA: Mr. Speaker, I have received complaints recently from some teachers and parents and the honourable Member of the Legislative Assembly for Aivilik, regarding the quality of the air in the Leo Ussak Elementary School in Rankin Inlet. The honourable Member from Aivilik also stated that this school is "such a cheap school", to use his words, suggesting that the GNWT is not constructing good quality facilities in our communities. While I recognize that there are some technical difficulties with this new school, all of our schools, are in fact very high quality buildings.

AN HON. MEMBER: Hear, hear!

HON. NELLIE COURNOYEA: Mr. Ernerk's statement is not indicative at all of what the citizens of Rankin Inlet and other communities think of our schools and any other new facilities provided by the GNWT.

Mr. Speaker, the Rankin Inlet school is the first, full size standardized school constructed in the Northwest Territories. It cost \$4.3 million and opened in August, 1988.

A number of years ago a decision was made to standardize GNWT school designs. It was recognized that school requirements were essentially the same in all locations, varying only in size and the site conditions. By using the same basic design, a number of advantages could be realized. The cost of design, construction and maintenance could be reduced while still maintaining high quality standards and standard

designs which would facilitate the training of Northerners to work on construction, repair and operations of these buildings. It also allows for the design to be refined over the years through feedback from those constructing, using and maintaining the facilities. The ventilation systems provided in the first generation of standardized schools were designed to comply with the National Building Code, 1985 Edition.

There have been a number of improvements made to the standard design since the Rankin Inlet school was built. For example, boiler rooms and air handling systems have been modified to eliminate the possibility of some combustion fumes from entering the fresh air systems under certain wind conditions. As well, based on 1990 changes to the National Building Code, ventilation systems are now required to provide a higher volume of fresh air. The Broughton Island school, currently under construction, is the first of the standardized schools to include these latest design changes.

Concerns with odours in the school and sickness of students and teachers came to my attention in November 1990. The Department of Public Works has been making a concerted effort to identify the problem and take corrective action. The Department of Public Works immediately conducted tests of the air quality. Specialists from Winnipeg were retained and tests were also done by Public Works staff in consultation with the regional health board. All the tests showed that air quality was well within acceptable standards and there were no health hazards. Nevertheless, the department made some modifications to one of the school's three air handling systems, to update it to the current design. The fresh air intake for this one system was considered too close to the boiler chimney such that under certain wind conditions, there was a possibility that some boiler smoke could enter the fresh air system. At the same time, all controls and other equipment were checked to confirm that the systems were operating as intended. In addition, an air monitor was installed in the school to test the air on a continuous basis and DPW maintenance staff conduct daily checks and inspections throughout the school. School staff are informed of the results of these tests.

There are occasionally still complaints regarding odours and last week the Department of Safety and Public Services were asked to inspect the school from an occupational health perspective. The preliminary report prepared by the environmental testing officers confirmed the findings of the earlier testing program in that air quality was well within acceptable standards and no health hazards were detected.

The presence of odours in the school has been confirmed by Public Works staff and others. However, the odours usually persist for very short periods of time and seem to occur only under certain wind conditions. Air testing done during these short periods by both Public Works and Safety and Public Services, could detect no hazardous fumes. Monitoring of wind conditions and aircraft traffic during these periods indicate that the fumes may be related to turbine aircraft operating at the nearby airport. There is also the possibility that some boiler smoke from the chimney is entering the fresh air systems.

Mr. Speaker, in an attempt to eliminate these possibilities the department will be doing modifications to the other two air handling systems. The fresh air inlets will be relocated. The work is planned for the school break this month.

Leo Ussak, like all other new schools in the Northwest Territories is a high quality building providing excellent facilities and a positive environment for educating the youth of the community. Thank you.

---Applause

MR. ERNERK: They were still sick yesterday.

HON. DENNIS PATTERSON: It is all in their minds.

SOME HON. MEMBERS: (Inaudible comments)

MR. SPEAKER: Order please. Order please. I would just like to indicate that though the matter of ministerial statements is not clearly defined, I would caution responses not to relate to a matter that may cause debate, but rather should be providing information.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: Ministers' statements. The honourable Member for Amittuq.

Ministers' Statement 28-91(1): On The Trapline Exhibit

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. Mr. Speaker, and Members of the Legislative Assembly, as the Minister of Culture and Communications, I would like to quote from a letter from Mr. Eric Ruff, director of Yarmouth County Museum and Historical Research Library:

"Last Friday I had the opportunity to see your 'On the Trapline' exhibit at the Nova Scotia museum. I thought that I should write and compliment you on this fine and powerful exhibit. The fact that the exhibit changed my mind on the trapping industry speaks well of the thought and content which went into producing the exhibit. I cannot remember any other exhibit that has made enough impact to alter my opinions. Well done!"

I would like to take this opportunity to publicly acknowledge my departmental staff at the Prince of Wales Northern Heritage Centre for creating such an important exhibit. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you. Ministers' statements. Item 3, Members' statements. The honourable Member for Nahendeh.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Fort Simpson Students Visit To Yellowknife

MR. SIBBESTON: Thank you, Mr. Speaker. Mr. Speaker, I would like to give attention to the grade eight students from Fort Simpson who are here today with their teacher, Mr. Dennis, and chaperone, Betty Hardisty.

---Applause

Students are enjoying the bright lights of Yellowknife, the facilities and sights of the city. They arrived last night and I had occasion to be involved in bringing them to town and over to St. Pat's School where they are staying. We no sooner got there than they left for the swimming pool and spent a couple of hours there. They were very impressed with that, and they tell me they want one just like that in Fort Simpson.

---Laughter

This morning they had occasion to come over here and meet with the Speaker and staff and were shown the Assembly. I know they were impressed -- I generally gave them a favourable impression of all my colleagues here.

Being the politician that I am, and an MLA, I took the opportunity to ask the students if there was really anything in

Simpson that was lacking because I had thought I had been doing a reasonably good job, but they did give me a list and said there were still some deficiencies. They are interested in having a new swimming pool; they want artificial ice for their arena; they want an expansion to the present school. It is good but they want more classrooms. Mr. Dennis took the opportunity to talk of needing more books for the library. They also wanted to see a few malls. I understand the students have been shopping and have been impressed with the various malls in the city, so they want a mall like that in Simpson. They also want a movie theatre and then, finally, they want paved streets.

This is quite a list and I do not know if I am able to provide that, but I told them that within the next four years I will try my very best to obtain those things for them. Mahsi.

---Applause

MR. SPEAKER: I will just draw the honourable Members' attention to the grade eight students in our public gallery because it is unusual for public visitors ever to rise upon the call of any ordinary Member. I do not want that to be seen as being a precedent in this House, but I guess once a session is always allowed. Members' statements. The honourable Member for High Arctic.

Member's Statement On Dangers Of Explosives On Icebergs

MR. PUDLUK: (Translation) Thank you, Mr. Speaker. There are people from France who will be looking for large icebergs to carve a whale on. On top of the whale carving they will be carving different smaller animal figures. I hear they will also be using explosives. They will be making videos on this. I would like to say that I am very familiar with icebergs up in that area and they are very dangerous and they break up quite easily. Many times I have seen an iceberg break up and it is very dangerous to be up close when that happens. There is a lot of wildlife on icebergs, especially seals, and if they are going to be using explosives I am sure they will be disturbing the behaviour and habitats of wildlife.

Through this statement I am telling those people that if something goes wrong, such as accidents and disruptions of wildlife, they better not say that they were never warned. Thank you.

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Aivilik.

Member's Statement On Animal Rights Activists And Protectionists

MR. ERNERK: Thank you, Mr. Speaker. Today I would like to say something about animal rights activists and animal rights protectionists. Mr. Speaker, these people have caused so much destruction to the Inuit way of life and have severely damaged the Canadian trapping industry. They have destroyed the traditional economy of Inuit and contributed to many suicides.

Mr. Speaker, they are finally losing their influence. They still think that meat comes from the grocery store and all the leather shoes come from Italy. They do not care about the way of life that is so important to all of us and they are trying to destroy our way of life. But their influence is waning and they will not be able to fool people again. These experts are not interested in wildlife management the way you and I are. They are often highly paid and seek fame and publicity.

Mr. Speaker, we are protectionists too. We have never wiped out any species of animals. We are conservationists and one

of the very best in the world. We are wildlife managers and we are good at it, Mr. Speaker.

Mr. Speaker, I invite the so-called experts to come and learn from us; to share our way of life; to see how we live; and to work with us. There is a lot that we can teach them about animal rights and animal protection. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Deh Cho.

Member's Statement On Gender Bias In Judicial System

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, I rise today to make a statement in response to yesterday's editorial in the Yellowknifer, titled "Women Make a Difference". Mr. Speaker, yesterday the editorial suggested that lack of public comment in response to my comments on bias in favour of women in the justice system means that the silent majority feels that sentences given in court to both men and women fit the crimes.

Mr. Speaker, before I made this statement I consulted with prominent and respectable women involved with the issues of women, as well as their views and concerns, to make sure that I stated facts. I would suggest that silence here means that the majority agree with my views, although they do not wish to make an issue of it. I certainly do not feel that anybody wants to rock the boat. I do not believe that I am the only person concerned with this issue. I have heard from other people concerned and involved in the justice system who feel that women have an advantage in that they are often given lighter sentences.

My survey of the cases and the issue was informal and could have been more comprehensive, but I do not have \$500,000 to conduct a proper survey as the Minister of Justice's special adviser on gender bias does. Nor do I have intensive resources available to me to conduct a more formal survey. However, I did find a common theme to the cases that I studied. In every case the crime required planning and thought and it took time for the act to be committed. Certainly they weighed the consequence of their actions. The crimes were similar but the punishments certainly differed. I do feel that the examination of bias in the judicial system should not be confined mainly to the issue of bias against women, but it should explore bias wherever it exists.

Mr. Speaker, I would ask that the Minister's special adviser on gender bias to look at the issue in carrying out her mandate. Mr. Speaker, I stand by my statement made earlier in the House. Thank you.

---Applause

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Yellowknife South.

Member's Statement On Recycling

MR. WHITFORD: Thank you, Mr. Speaker. Mr. Speaker, last evening I attended a meeting of Ecology North that was called to discuss the issues of recycling. Mr. Speaker, there were a good number of people there, concerned citizens of Yellowknife. They were not just concerned about the general environment but they were concerned with the issue of recycling and the approach that was taken by Ecology North to this issue of environmental protection.

Mr. Speaker, we can talk a lot about the air, water, contamination coming north, but in our everyday lives we are

all contributors to the production of garbage. A lot of the stuff that we use can, in fact, be recycled. I think it is not a new concept, it is something that has been done, and done well, by people of the Northwest Territories. I refer in passing to the use of animals. We use animals for food and their hides for clothing. If I recall in the Mackenzie Mountains, they used to make boats and recycle these boats once they had finished with them.

That is what Ecology North has been saying, that the stuff that we bring in, that we should be able to ship back out again to the producers of that metal, the producers of that glass, the producers of that plastic, paper and recycle these materials into reusable products.

I notice now that we are starting to use recyclable paper in this House because we do generate a lot of paper and it is good that this does go back and does not go into landfills and otherwise being misused. It costs the number of trees that are going to be used to make paper. The same thing happens with metals, Mr. Speaker, but I will continue on tomorrow.

---Laughter

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Natilikmiot.

Member's Statement On Clean-Up Of DEWline Sites

MR. NINGARK: (Translation) Thank you, Mr. Speaker. I rise today in this House in support of the aboriginal people and the hunters in the Northwest Territories. For the last five years the DEWline sites -- there are no people in them but I believe that they only cleaned up just on the land and they did not, I do not think, clean up the lakes. In these areas there is a lot of wildlife and we also eat the animals and birds or fish. They go anywhere on the land or through the rivers or in the lakes and some fish go in the salt water. This has been considered that maybe the territorial government and the federal government, when we have a greater concern for our environment, have to consider what was used at the DEWline sites. I think they should be looked at better. Thank you.

---Applause

MR. SPEAKER: Thank you. Members' statements. The honourable Member for Yellowknife Centre.

MR. LEWIS: Thank you, Mr. Speaker. Today I would like to use my couple of minutes on a point of privilege. In yesterday's Yellowknifer, the...

MR. SPEAKER: Order please. Members' statements are not a time to use a point of privilege. A point of privilege is a matter that one can rise on privately. The honourable Member for Yellowknife Centre.

Member's Statement On Newspaper Article On Raven Problem

MR. LEWIS: Thank you, Mr. Speaker. I will then use my Member's statement to try and correct something that appeared in yesterday's newspaper.

---Laughter

Mr. Sigvaldason who is the publisher of the Yellowknifer tried to link me yesterday, Mr. Speaker, with a gentleman of this city by the name of Mike Byrne who has said that there has to be a final solution to the raven problem. Mr. Speaker, I would like to make it absolutely clear that although I can be fierce and can be provoked from time to time, I am basically

a gentle person and I do not go around in the bush wearing camouflage, playing war games. I really believe that what I tried to say to this House was that ravens represent some kind of hazard because they damage buildings and they cost people money to clean up. What we should be doing is not to have a bullet solution to ravens, but a brain solution to ravens, and that we should live together with our feathered friends, be happy and see if we can find some way, by using our intelligence and scientific knowledge, to find out what makes ravens tick so that we know what they are afraid of, what discourages them, what causes them to live in this place rather than that place, and do all kinds of interesting experimental work so we know what ravens are all about, and we do not have people going to the press and coming into City Hall saying, "We have to blast ravens off the face of the earth" because that is not what I believe, Mr. Speaker. Thank you.

AN HON. MEMBER: Hear, hear!

---Applause

MR. SPEAKER: Thank you. Members' statements. Members' statements. Item 4, returns to oral questions. Returns to oral questions. The honourable Member for Inuvik.

ITEM 4: RETURNS TO ORAL QUESTIONS

Further Return To Question O230-91(1): Tank Farm, Lake Harbour

HON. TOM BUTTERS: Mr. Speaker, I have two returns. One is a return to a question asked by Mr. Arlooktoo on March 5, 1991, relative to the problems experienced with the tank farm at Lake Harbour. The situation as presented to the House by Mr. Arlooktoo of the loading of fuel trucks in Lake Harbour was also identified as a problem in other communities. The overhead method of loading can allow a small amount of fuel to be spilled on the ground after the truck is filled.

We are presently in the process of modifying this overhead loading method to a bottom loading method which will not allow any fuel to be spilled on the ground. Several communities have already been converted to this new method. The modification required is extensive and can only be completed in the summer months. The required modifications to the Lake Harbour tank farm are scheduled to take place this summer.

Further Return To Question O186-91(1): Moving Ahead Construction Of New Tank Farm, Coral Harbour

I also have a return to a question asked by Mr. Ernerk on February 28, 1991, regarding moving ahead the construction of the tank farm at Coral Harbour. The situation of the tank farm and fuel requirements in Coral Harbour have been re-examined in keeping with the Member's request.

This year the NWT Power Corporation took out of service their bolted tanks at Snafu Beach because of environmental concerns. The Power Corporation and the territorial government have been working together to study total fuel consumption and requirements. The government has been selling product to NWTPC in order to meet their requirements. Should the need arise, we could use portable tanks. We are confident that there will be no need to airlift product into the community of Coral Harbour.

The capital project to increase the capacity of the tank farm is scheduled for completion in 1992-93. These improvements will cover consumption requirements for the next 10 years. Thank you.

MR. SPEAKER: Thank you. Returns to oral questions. Returns to oral questions. Item 5, oral questions. The honourable Member for Aivilik.

ITEM 5: ORAL QUESTIONS

Question O255-91(1): Continuing Problems At Leo Ussak School, Rankin Inlet

MR. ERNERK: Thank you, Mr. Speaker. My question is to the Minister of Public Works. Mr. Speaker, the president of the Northwest Territories Teachers' Association, John Rouble, was in Rankin Inlet yesterday and he telephoned here to tell a Member of the Legislative Assembly that the students and teachers are still sick at the Leo Ussak School. Mr. Speaker, my question to the Minister is this, will the Minister immediately have her officials investigate the current situation and report back by way of an emergency statement later on today? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

Return To Question O255-91(1): Continuing Problems At Leo Ussak School, Rankin Inlet

HON. NELLIE COURNOYEA: Mr. Speaker, as I have stated to the Legislative Assembly, we do have people who are, on a daily basis, dealing with the situation and that during the break there will be an extensive evaluation and other work done to the school if it is required. Certainly I do not know what would be gained by making an emergency statement because this situation is being monitored on a day-to-day basis and the intention is to go in there during school break to totally look at the system so we can deal with the issue once and for all. Thank you.

MR. SPEAKER: Thank you. Oral questions. Honourable Member for Natilikmiot.

Question O256-91(1): Inspection Of DEWline Sites

MR. NINGARK: Thank you, Mr. Speaker. My question is for the Minister of Renewable Resources. I wonder if this government has any jurisdiction to inspect the existing DEWline sites within the Territories? If yes, has there ever been any inspection? Thank you.

MR. SPEAKER: Thank you. Honourable Member for Amittuq.

Return To Question O256-91(1): Inspection Of DEWline Sites

HON. TITUS ALLOOLOO: Mr. Speaker, so far our jurisdiction over environmental inspections has been limited. We have been working with Environment Canada as well as Indian and Northern Affairs to inspect these sites. Where there has been inspection on the sites, we normally get the report from the federal government.

MR. SPEAKER: Thank you. Honourable Member for Natilikmiot, supplementary.

Supplementary To Question O256-91(1): Inspection Of DEWline Sites

MR. NINGARK: Thank you, Mr. Speaker. Has there ever been any inspection on the water for the possible environmental contaminants?

MR. SPEAKER: Honourable Member for Amittuq.

Further Return To Question O256-91(1): Inspection Of DEWline Sites

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. To my knowledge, no.

MR. SPEAKER: Honourable Member for Natilikmiot, supplementary.

Supplementary To Question O256-91(1): Inspection Of DEWline Sites

MR. NINGARK: Thank you, Mr. Speaker. Will the Minister and his department undertake to do such inspection. Thank you.

MR. SPEAKER: Honourable Member for Amittuq.

Further Return To Question O256-91(1): Inspection Of DEWline Sites

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. In the past year, 1990, there has been an initiative taken by the federal government to address the Member's concern throughout the Northwest Territories, in terms of cleaning up the old sites, as well as looking at sites where possible clean-ups could take place.

This has been undertaken by the Department of Indian and Northern Affairs. There is a proposal now in place within the mandate of Indian and Northern Affairs to look at this site through the Arctic environmental strategy. As well the Department of Environment has proposed, through a Green Plan exercise, that there should be some resources allocated to address the Member's concern.

MR. SPEAKER: Thank you. Oral questions. Final supplementary, honourable Member for Natilikmiot.

MR. NINGARK: Thank you, Mr. Speaker. Will the Minister get a blue plan and look at the water? Thank you.

MR. SPEAKER: That is really not a question, that is probably more of a suggestion of policy initiative, but it is not a question. Oral questions. Honourable Member for Rae-Lac la Martre.

Question O257-91(1): Federal Government Grants In Lieu

MR. ZOE: Mahsi cho, Mr. Speaker. My question is directed to the Minister of Finance. Mr. Minister, is our government having the same problem as the municipalities in collecting grants in lieu from the federal government in our general taxation area?

MR. SPEAKER: Honourable Member for Inuvik.

Return To Question O257-91(1): Federal Government Grants In Lieu

HON. TOM BUTTERS: Mr. Speaker, I possibly have more current information than the Minister of Finance. In the general taxation area I believe the federal government owes us some \$100,000. I do not have my notes with me but I could advise the Member where those areas are.

MR. SPEAKER: Oral questions, honourable Member for Rae-Lac la Martre, supplementary.

Supplementary To Question O257-91(1): Federal Government Grants In Lieu

MR. ZOE: My question was: Are we having the same

problem as the tax-based municipalities? The Minister indicated that they still owe us money, but that did not answer my question.

MR. SPEAKER: Thank you. Honourable Member for Inuvik.

Further Return To Question O257-91(1): Federal Government Grants In Lieu

HON. TOM BUTTERS: I guess I should not just assume that the Member is aware that the federal government owes the tax-based municipalities a considerable amount of money for various lands that they hold within the municipality.

MR. SPEAKER: Oral questions. Honourable Member for Rae-Lac la Martre, supplementary.

Supplementary To Question O257-91(1): Federal Government Grants In Lieu

MR. ZOE: Mr. Speaker, the Minister is assuming various things. Maybe I will put it in layman terms. I am not referring to tax-based municipalities. I am referring to the general taxation area. Are we having the same problems as the tax-based municipalities are in collecting grants in lieu from the feds? Yes or no?

MR. SPEAKER: Honourable Member for Inuvik.

Further Return To Question O257-91(1): Federal Government Grants In Lieu

HON. TOM BUTTERS: Yes, they owe us \$100,000.

MR. SPEAKER: Thank you. Honourable Member for Rae-Lac la Martre, supplementary.

Supplementary To Question O257-91(1): Federal Government Grants In Lieu

MR. ZOE: Mr. Speaker, if that is the case then I would like to ask the Minister what we are doing to try to collect that \$100,000. In what way, shape or form are we trying to collect?

MR. SPEAKER: Honourable Member for Inuvik.

Further Return To Question O257-91(1): Federal Government Grants In Lieu

HON. TOM BUTTERS: We are in communication with the federal Minister. I spoke with the federal Minister when he was in Yellowknife recently, not only with regard to money that they owed this government but specifically with regard to what is owed to municipalities. I am expecting that within the foreseeable future we will have an opportunity to discuss with him and his officials a way in which that money can be paid.

As the Member well knows, the Municipal Grants Act is under review. It is in the Senate now and until that act has cleared the Senate, no money will be paid. So the outstanding amounts owing and disputed amounts owing, will not be paid until that bill passes the Senate.

MR. SPEAKER: Oral questions. Honourable Member for Yellowknife South.

Question O258-91(1): List Of Government Contracts In Yellowknife Area

MR. WHITFORD: I would like to direct a question to the Minister responsible for Government Services. A little while ago the Yellowknife Chamber of Commerce had requested a

list of all contracts that were let by the Government of the NWT for this area. Can the Minister advise me on the status of that request and when can they expect to receive that list of contracts?

MR. SPEAKER: Honourable Member for Inuvik.

Return To Question O258-91(1): List Of Government Contracts In Yellowknife Area

HON. TOM BUTTERS: Mr. Speaker, yes the Yellowknife Chamber of Commerce has been very instrumental and helpful in working with Government Services to develop that specific information. I believe we have provided them with one report already and they are waiting for the second report. That report currently is before the Financial Management Board where it will be reviewed and okayed for release to the general public.

MR. SPEAKER: Thank you. Honourable Member for Yellowknife South, supplementary.

Supplementary To Question O258-91(1): List Of Government Contracts In Yellowknife Area

MR. WHITFORD: Thank you, Mr. Speaker. About when can one expect that report to have cleared FMB?

MR. SPEAKER: Thank you. Honourable Member for Inuvik.

Further Return To Question O258-91(1): List Of Government Contracts In Yellowknife Area

HON. TOM BUTTERS: Mr. Speaker, as I mentioned it is on the agenda of the Financial Management Board. I believe the board will be meeting next week. I assume the board will have time on that occasion to clear that document for public examination.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh.

Question O259-91(1): Standard Of High School Grades In Fort Simpson

MR. SIBBESTON: Mr. Speaker, in Fort Simpson, the Deh Cho Divisional School Board has taken some initiatives to provide high school grades in Fort Simpson. In Fort Simpson I know that the initiatives by the divisional school board are supported but there still is some debate as to whether the high school grades provided in Fort Simpson are going to be on par or as good as the grades that are provided here in Yellowknife. Is the Minister's department involved in these discussions and can he assure the parents and the people of Fort Simpson that the high school grades are going to be on par with the grades offered here in Yellowknife?

MR. SPEAKER: Thank you. The honourable Member for Sahtu.

Return To Question O259-91(1): Standard Of High School Grades In Fort Simpson

HON. STEPHEN KAKFWI: Mr. Speaker, I have indicated to the Department of Education that there was a concern on my part that when we are increasing the grades in communities and promoting the deal of high schools that we should, that I would like to be assured that what the divisional boards are doing and the department is doing, is doing everything possible to assure the public that we are offering only the best possible quality programs when we extend grades. It also should be pointed out there will never be good quality programs in places like Fort Simpson if the parents spend

more time being concerned and complaining about their fears rather than pitching in and trying to help their divisional boards and education authorities to deliver good programs. I think this is important to point out because people have been asking if they have to subject their kids to the possibility of going into poor quality programs at the community level, saying can we have the option and not once indicating that they are going to do everything they can as parents and as community parents to help their communities, their divisional boards to provide the best quality program possible. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Nahendeh, supplementary.

Supplementary To Question O259-91(1): Standard Of High School Grades In Fort Simpson

MR. SIBBESTON: Mr. Speaker, I appreciate the Minister's concerns, but I did not really expect the parents of Fort Simpson to be scolded. I think the concern that some of the parents have raised with me is a very legitimate concern. I agree, you can get a good standard of grades in Fort Simpson; but Yellowknife, because of its size, has wider choices and education is not just in the classroom, it is a social aspect. In some respects, because of Yellowknife's largeness and wide variety of courses, it may be argued that the education provided in Yellowknife is a bit better. I am just wondering if the Minister in his statement is conscious of that and whether his departmental officials have been involved in assuring that, whereas there may not be the breadth of choice and so forth, the education core subjects provided are at their absolute best.

MR. SPEAKER: I will just remind the honourable Members again that your preamble to your supplementary should be as short as possible. The honourable Member for Sahtu.

Further Return To Question O259-91(1): Standard Of High School Grades In Fort Simpson

HON. STEPHEN KAKFWI: Mr. Speaker, whatever courses are offered in Fort Simpson, definitely they will not be offering the full range of courses that the larger centres like Yellowknife are able to provide. I think in cases like that, if the programs and the courses that the children of Fort Simpson and the surrounding communities find they want are only offered in Yellowknife and not in Fort Simpson, of course we will assist those students to continue to come to Yellowknife to take the courses that they want to take, if Yellowknife is the place that offers them. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre.

Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

MR. LEWIS: Thank you, Mr. Speaker. My question is for the Minister for Economic Development and Tourism. I listened carefully to the benefits that would come to the people of the Northwest Territories via our participation in Seville in 1992. I would like to ask the Minister, of the \$1.4 million that is going to come to people who would be employed, how many does he expect will be Spanish-speaking people?

MR. SPEAKER: Thank you. The honourable Member for Kivallivik.

Return To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

HON. GORDON WRAY: I have no idea, Mr. Speaker. We

have not even solicited names or got any ideas on who would be applying for those jobs so I have no way of replying to that question.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre, supplementary.

Supplementary To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

MR. LEWIS: Thank you, Mr. Speaker. Yesterday, I mentioned that I have been to many expositions beginning in 1951, six altogether, and in every country where I have been, the staff of each pavilion speak the language of the host country. At Expo, for example, in Vancouver, we went to the Chinese pavilion and when you went to buy stuff, everybody spoke English. My question to the Minister is this, would he not then have to have every one of these people that go to Spain where the language of the people is Spanish, would he not expect to have all the people who are providing this service to the public, fluent in the Spanish language?

MR. SPEAKER: Thank you. The honourable Member for Kivallivik.

Return To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

HON. GORDON WRAY: Thank you, Mr. Speaker. I must admit that I am having some trouble in answering these questions because they are getting into the range of hypothetical. We do not even know if we are going to Spain. The Legislature has not made that decision yet. However, I will try and answer the Member's question. I guess what he says would be correct if every person coming into the pavilion was Spanish-speaking, but he is wrong on that account, too. Canada tells us that over half of the people expected to visit Expo in Seville will be from outside of Spain, principally from northern Europe, England, France, Germany, other countries like that. As well as the fact, keep in mind that the Olympics are on that summer in Spain as well as a number of other major venues associated with the European Common Market coming together in 1992. So there are going to be people there from all over the world. We hope to have a staff in there that speaks not only English and Spanish, but other languages, French, German, whatever. We will not know until we see who replies to these ads. We do not know, Mr. Speaker. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Yellowknife Centre, supplementary.

Supplementary To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

MR. LEWIS: When the Minister indicated yesterday, then, that \$1.4 million in salaries will come to the people of the Northwest Territories, that may not be correct, if in fact we find we do not have the people who have these capabilities that the Minister has indicated that he would expect them to have to take part in this pavilion.

MR. SPEAKER: I am having an extremely difficult time with the matter because much of the questioning relating to this particular item, and even though I have allowed it to be pursued, has been hypothetical in that there has been no decision and therefore there has been no determination by this House, nor by the government, to pursue it. It is very difficult for me to make my judgment, even though I have allowed it to be pursued. There is still uncertainty about the decision and it makes it difficult, I think, for the Minister to answer the question. Oral questions. The honourable Member for Yellowknife Centre.

Supplementary To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92

MR. LEWIS: Mr. Speaker, what I am trying to get at is this: We were told yesterday that there will be \$1.4 million in salary money coming to the people of the Northwest Territories. I would like to get the Minister to confirm that the people that will be at the Northwest Territories portion of the Canadian pavilion will all be from the Northwest Territories; that is what I am trying to get at. Would he confirm that?

Supplementary To Question O260-91(1): Number Of Spanish-Speaking Employees For Expo '92, Ruled Out Of Order

MR. SPEAKER: With great respect to the honourable Member, I have to rule the question out of order. It is strictly hypothetical because the decision of the House has not been made as to whether or not to proceed with the legislation. In light of that, I cannot allow the question to be in order. The question rephrased could have probably sought the same answer or the same information, but that is not the case. I have to rule the question out of order. Oral questions. The honourable Member for Rae-Lac la Martre.

Question O261-91(1): Federal Government Payment Of Grants In Lieu

MR. ZOE: Thank you, Mr. Speaker. My question is directed to the Minister of Municipal and Community Affairs. He indicated something about a bill that is in front of the Senate. Once this bill is passed by the Senate, will the federal government pay all grants in lieu on federal land in the Northwest Territories, Mr. Minister?

Question O261-91(1): Federal Government Payment Of Grants In Lieu, Ruled Out Of Order

MR. SPEAKER: Again, that matter is not within the jurisdiction of the Minister. That is a matter that is in the Senate and it is not within the administrative responsibility of this Minister to determine whether or not those repayments will be made. It is not within the jurisdiction of this House. I am going to rule that question out of order. Oral questions. The honourable Member for Aivilik.

Question O262-91(1): Potential For Houses In Rankin Inlet To Be Affected By Fumes

MR. ERNERK: Thank you, Mr. Speaker. I would like to direct this question to the Minister of Public Works. I refer to her statement today with regard to the Leo Ussak School in Rankin Inlet. In part, the Minister indicates, Mr. Speaker, "Monitoring of wind conditions and aircraft traffic during these periods indicates that the fumes may be related to turbine aircraft operating at the nearby airport. There is also the possibility that some boiler smoke from the chimney is entering the fresh air system."

Mr. Speaker, as the Minister knows, there are houses, both public and government, that are much closer to the airport than the school in Rankin Inlet. Mr. Speaker, my question is this, are these houses likely to be affected the same way as the school in Rankin Inlet? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

Return To Question O262-91(1): Potential For Houses In Rankin Inlet To Be Affected By Fumes

HON. NELLIE COURNOYEA: Mr. Speaker, I probably would have to do some work to find that out, but one thing I would

like to mention at this time, given the limited engineering experience I have, is that I do not believe that the private residences or other buildings have the technical and sophisticated air intake system that we have installed in the Leo Ussak School because of the large building that it is. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Deh Cho.

Question O263-91(1): Possible Loss Of Teaching Positions In Deh Cho Area

MR. GARGAN: Mr. Speaker, I would like to address my question to the Minister of Education. Mr. Speaker, I would like to ask the Minister whether or not the Deh Cho Divisional Board of Education has requested a high school to be built in Fort Simpson. I would like to ask if, in supporting that high school, the smaller surrounding communities could lose teaching positions.

Question O263-91(1): Possible Loss Of Teaching Positions In Deh Cho Area, Ruled Out Of Order

MR. SPEAKER: I have to rule that question out of order as well, because it is really hypothetical on whether or not a decision is made to proceed with a regional high school. We do not know whether that decision has been made. Oral questions. The honourable Member for Nahendeh.

Question O264-91(1): Compensation To Hunters And Trappers For Downturn In Fur Prices

MR. SIBBESTON: (Translation) Mr. Speaker, I am going to ask my question in Slavey. I recently met with a wildlife service officer in Fort Simpson and he told me that the price of fur has gone down. I would like to ask the Minister of Renewable Resources, there are a lot of people who are having problems paying for their gas because the price of fur has gone down, and I would like to know if the Minister will be helping these trappers.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O264-91(1): Compensation To Hunters And Trappers For Downturn In Fur Prices

HON. TITUS ALLOOLOO: (Translation) Thank you, Mr. Speaker. When I toured around the Fort Simpson area and the outlying communities in the Member's constituency, I heard that the hunters and trappers are concerned about this very issue, about paying for fuel. The sale of furs has gone down and the hunters and trappers are getting very little money from that. As you are well aware, the Minister of Social Services and I are working to put a program together to assist the hunters and trappers. I believe that we are going to come up with something that will be of assistance to those hunters and trappers. I also know that the Minister of Economic Development is working on a tannery project for the Northwest Territories. Once we have those under way I think this will be of assistance to the hunters and trappers in that area. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South.

Question O265-91(1): Report On Spruce Budworm Infestation, Liard Valley

MR. WHITFORD: Thank you, Mr. Speaker. I would like to direct a question to the Minister of Renewable Resources. Last fall at the session I asked about the infestation of the

spruce budworm in the mature forests in the Liard Valley. At that time I think the Minister promised a report would be prepared. I would like to ask the Minister, because I have not yet received any answer to that question, whether or not this report is going to be ready by spring.

MR. SPEAKER: The honourable Member for Amittuq.

Return To Question O265-91(1): Report On Spruce Budworm Infestation, Liard Valley

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. The report is done and I will provide the Member with a copy. Thank you.

MR. SPEAKER: Oral questions. The honourable Member for Rae-Lac la Martre.

Question O266-91(1): Payment By Federal Government Of Grants In Lieu

MR. ZOE: Thank you, Mr. Speaker. I will try again to rephrase my question that I was trying to ask the Minister of Municipal and Community Affairs. Mr. Minister, is it your understanding that once the appropriate bill is passed by the Senate that this would permit the federal government to pay all grants in lieu on federal lands in the Northwest Territories?

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Return To Question O266-91(1): Payment By Federal Government Of Grants In Lieu

HON. TOM BUTTERS: Mr. Speaker, the amendments to the Municipal Grants Act identify lands on which such grants in lieu would be paid. Also, the Minister who is responsible for making such payments is not the federal Minister of Indian Affairs and Northern Development, but is the federal Minister of Public Works. I think the way the act is phrased is that it is at his discretion. So when I met with Mr. Siddon some two or three weeks ago, I asked him if he would act as an advocate with his colleague to put forward our case and ensure that the federal DPW Minister did use his discretion to pay the outstanding and disputed grants in lieu owing in the Territories.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Rae-Lac la Martre, supplementary.

Supplementary To Question O266-91(1): Payment By Federal Government Of Grants In Lieu

MR. ZOE: Thank you, Mr. Speaker. Supplementary. Does this also include land set aside for aboriginal people?

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Further Return To Question O266-91(1): Payment By Federal Government Of Grants In Lieu

HON. TOM BUTTERS: It includes, I think the phrase is, "lands reserved for Indians". The lands under dispute are lands on which an improvement, has been made and the federal government has argued that they have lost management and control of those lands as a result of the improvement. That is where the area of dispute is. So yes, it does include lands reserved for Indians.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Rae-Lac la Martre, supplementary.

Supplementary To Question O266-91(1): Payment By Federal Government Of Grants In Lieu

MR. ZOE: Thank you, Mr. Speaker. Supplementary. Mr. Speaker, would it make a difference if the land was set aside by order in council or by notation?

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

HON. TOM BUTTERS: That is a legal question, Mr. Speaker. I will take the question as notice and provide him with a written answer.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Deh Cho.

Question O267-91(1): Teacher Positions Lost Due To Regional High School, Fort Simpson

MR. GARGAN: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Education. Mr. Minister, a decision was made by the Deh Cho Regional Council to support a regional high school in Fort Simpson. As a result of the communities supporting that initiative, will the communities lose teachers?

MR. SPEAKER: Thank you. The honourable Member for Sahtu.

Return To Question O267-91(1): Teacher Positions Lost Due To Regional High School, Fort Simpson

HON. STEPHEN KAKFWI: Mr. Speaker, the answer is no.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre.

Question O268-91(1): Arrangement With The Sportsman Re Recycling Depot

MR. LEWIS: Thank you, Mr. Speaker. My question is for the Minister of Government Services. Mr. Whitford and I attended a very well attended meeting of Ecology North last night. We were asked if we would try to get from the Minister of Government Services some information about a contract with The Sportsman, for ecological purposes, and I will not go into great detail. I know I cannot get a copy of the contract that he has with The Sportsman, but would it be possible for us to get information that tells us the nature of that arrangement with The Sportsman for getting rid of glass and other debris?

MR. SPEAKER: Thank you. The honourable Member for Inuvik.

Return To Question O268-91(1): Arrangement With The Sportsman Re Recycling Depot

HON. TOM BUTTERS: Yes, Mr. Speaker.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Baffin Central.

Question O269-91(1): Funding To Train Firefighters

MR. KILABUK: (Translation) Thank you, Mr. Speaker. I am not certain which Minister I will be directing my question to, perhaps the Minister of Justice might be best. The firefighters are very important all over the world and they have a very difficult job to perform. They have to be trained in special areas. In the larger communities the firefighters have better training. It seems to me in the smaller communities the firefighters are not given as much training. Has the Minister

identified funds for the training of firefighters so that they can get the best training possible, in the areas of regional training or territorial-wide training? This has become a concern in my community; they do not get enough training and there are no funds available for training. Is the Minister establishing a program whereby funding can be provided to train the firefighters? Has he considered this program? Because they do perform a very important service. Thank you.

MR. SPEAKER: Thank you. The honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. There was some plan to develop a fire training centre as a new initiative. However, due to funding restraints, we were not able to fulfil that plan. In respect to regional training, I will advise the Member at a later date, specifically what types of regional training we may have available for his particular region. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Natilikmiot.

Question O270-91(1): Program To Clean Up Communities

MR. NINGARK: Thank you, Mr. Speaker. My question is to the Minister of Renewable Resources. Mr. Minister, some years ago there was a program called environment 2000, I believe. The incentive behind the initiative was to clean up around the communities within the Territories. Mr. Minister, I wonder if that program is still in existence. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Amittuq.

Return To Question O270-91(1): Program To Clean Up Communities

HON. TITUS ALLOOLOO: Thank you, Mr. Speaker. I do not know if the program still exists, environment 2000, but I know of a program that communities throughout the NWT have been able to tap into and that is the environmental partners fund. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife Centre.

Question O271-91(1): Impact Of Cutting Land Use Program Funding

MR. LEWIS: Thank you, Mr. Speaker. My question is for the Minister of Finance. Has the Minister been able to assess the impact of the cutting of the land use program money for use in the NWT? We see this as being absolutely essential for sustainable development, for economic development. So has the Minister of Finance looked at this cutting of that program in terms of its effect on development and of the economy?

MR. SPEAKER: Thank you. The honourable Member for Yellowknife North.

HON. MICHAEL BALLANTYNE: The government also considers the implications of a cut in this area to be very serious. I have asked my officials to specifically analyse exactly what the impact will be. I hope to have a more detailed response to this House in the very near future. Thank you.

MR. SPEAKER: Thank you. Oral question. The honourable Member for Aivilik.

Question O272-91(1): Chairperson For Keewatin Regional Health Board

MR. ERNERK: (Translation) Thank you, Mr. Speaker. I would like to direct my question to the Minister of Health. Last summer the Minister wrote a letter to me and to other people in the Keewatin regarding the chairperson for the Keewatin Regional Health Board. They wanted a chairperson who did not work for the government. I would like to know when they will be getting a new chairperson. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. The honourable Member for Nunakput.

HON. NELLIE COURNOYEA: Mr. Speaker, as I am really not up to date on how many names have come in and what we have done to resolve some of the questions on how the chairperson will be chosen, I will take the question under notice and provide the Member with an answer at a later date. Thank you.

MR. SPEAKER: The honourable Member is taking the question as notice. Oral questions. The honourable Member for Yellowknife Centre.

Question O273-91(1): Change Of Name To Gordon Robertson Education Centre

MR. LEWIS: I would like to thank the Minister of Education for supplying us with this document that he promised on the meeting of high school presidents. I have not gone through it in detail, Mr. Speaker, but one thing I note is that the students have requested that the name of the Gordon Robertson Education Centre be changed to the Inukshuk High School. I think that there is a tradition that you do not really change the name of something which has been given as a name to honour an individual, and that person is still alive. I would like to ask the Minister, does he intend to proceed with that name change while Mr. Gordon Robertson is still alive?

Question O273-91(1): Change Of Name To Gordon Robertson Education Centre, Ruled Out Of Order

MR. SPEAKER: I have to draw to the attention of the honourable Members that the matter in which the honourable Member is referring to a document has not been made available to the House in its appropriate manner. It is not something within my knowledge. I have no knowledge of the existence of the document, nor does this House really have that knowledge. I must rule the question out of order. Oral questions. The honourable Member for Yellowknife South.

Question O274-91(1): Success Of Canned Smoked Char Pilot Project

MR. WHITFORD: Thank you, Mr. Speaker. I am doing a little house cleaning here with some of the old questions that I have had kicking around hoping that the Ministers would come back.

Mr. Speaker, I have a question for the Minister responsible for Economic Development. Early in the fall he introduced a new line of canned smoked char as a pilot project to see how this would go and what the potential was. There were several methods that he used to do this. It is advertised through magazines and it has also been given out as complimentary gifts to travellers. I would like to ask the Minister, have they been able to assess how successful this product is going to be under this project?

MR. SPEAKER: Thank you. The honourable Member for

Kivallivik.

Return To Question O274-91(1): Success Of Canned Smoked Char Pilot Project

HON. GORDON WRAY: Thank you, Mr. Speaker. The early indications are that the product is being well received. So far we have sold just under half of the 15,000 tins that we offered for sale. As you know, we put questionnaires in with the boxes and of the questionnaires returned to date, at least 90 per cent of the responses have been favourable. We intend to expand our mail-order concept to include the Canadian Airlines inflight magazine this spring. As well, we are going to do a promotion in Japanese; we are continuing to catch the interest of various wholesalers; we are looking at developing an inventory of the product for Expo in Seville, if we go; we are examining the commercial prospects for a cold smoked char, lox style, through a promotion that we are going to carry out at an exhibition called Food Ex, which is a large food exhibition in Tokyo.

Things seem to be going relatively well. We have sold just under half of the inventory and a fair number has been given away in promotions and it has been fairly well received. Thank you.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South, supplementary.

Supplementary To Question O274-91(1): Success Of Canned Smoked Char Pilot Project

MR. WHITFORD: Thank you, Mr. Speaker. I would like to compliment the Minister on the relative success of this project and ask him if he has considered expanding that at more domestic markets here. When we pass through the airports in the communities we do not see anything like that available and yet I know that travellers are anxious for it. Also, in places like museums for people who are buying last-minute gift items. I am wondering if he has considered looking at getting rid of the other 7000 cans through that method and tested that way.

MR. SPEAKER: Thank you. The honourable Member for Kivallivik.

Further Return To Question O274-91(1): Success Of Canned Smoked Char Pilot Project

HON. GORDON WRAY: Thank you. We are indeed looking at the domestic market, very much so. We are going to expand the mail-order concept and put it in the Canadian Airlines inflight magazine, for domestic as well as for international mail-order. We are going to continue the existing mail-order arrangements we have with Outcrop magazine, "Up Here". We are going to be soliciting interests from northern hotel/lodge operators for this coming summer. We are also now making contacts in the Vancouver area with regard to the sales and distribution requirements. We are going to be testing interests with various wholesalers in central and eastern Canada. Much of our work to date has been in western Canada and Japan and we are now going to move toward central and eastern Canada. So we are moving to try and expand the domestic requirements.

MR. SPEAKER: Thank you. Oral questions. The honourable Member for Yellowknife South, supplementary.

Supplementary To Question O274-91(1): Success Of Canned Smoked Char Pilot Project

MR. WHITFORD: Thank you, Mr. Speaker. I have just one final question on that. I know the strategy that is being used

is going to produce results. However, I am not quite sure whether or not in the survey that is being used here, the information that is going to be obtained from that, whether or not price is a major concern. I look at the price of these items and find it quite out of reach of the ordinary individual, and I think that is a concern. I wonder if price is going to be part of that study that they are doing in order to determine the success of the product.

MR. SPEAKER: Thank you. The honourable Member for Kivallivik.

Further Return To Question O274-91(1): Success Of Canned Smoked Char Pilot Project

HON. GORDON WRAY: Thank you. Price is a major consideration, although we have found, quite honestly, that to those that have returned the questionnaire, price did not seem to be a major factor. We also want to try and keep it a high end product so that it appeals to the gourmet. Obviously, if we get into it in a major way and our production expands, then price will drop. The high price is caused by the fact that we can so very few. So we expect that as the market grows and we develop our capability, prices will drop because of volume. Thank you.

MR. SPEAKER: Thank you. Oral questions. Oral questions. The honourable Member for Deh Cho.

Question O275-91(1): Selection Of Special Adviser On Gender Bias

MR. GARGAN: Thank you, Mr. Speaker. Mr. Speaker, I would like to direct my question to the Minister of Justice with regard to the special adviser that has been hired to deal with gender bias. Mr. Speaker, the woman that has been selected to advise the Minister was the president of the Status of Women Council and she is also a partner in a law firm here. She also did a bit of criticizing of the government regarding the issues of women. I would like to ask the Minister of Justice on how we decided to select this individual.

MR. SPEAKER: Thank you. The honourable Member for Yellowknife North. The honourable Member for Iqaluit.

HON. DENNIS PATTERSON: Mr. Speaker, it would be best if I took the question as notice, although I would love to answer it.

MR. SPEAKER: The honourable Member is taking the question as notice. Oral questions. Oral questions.

Item 6, written questions. Written questions.

Item 7, returns to written questions. Item 8, replies to Opening Address. Honourable Member for Aivilik.

ITEM 8: REPLIES TO OPENING ADDRESS

Mr. Ernerk's Reply

MR. ERNERK: Thank you, Mr. Speaker. I would like to take this opportunity to address an issue that the people of my constituency and the people of the Keewatin Region are facing. This is the availability of health and care facilities in the Keewatin Region. We need to be able to relate more to our health providers. We need to have the health providers have a better understanding of the conditions our people live under. We need to recognize the need for specialized treatment, and people will likely always have to go farther outside their homes and regions to places like Yellowknife, Winnipeg or even farther, for diagnosis and treatment facilities. We do want access to the specialists, qualified practitioners

and technical services as they meet the health needs of our growing and changing population.

An important aspect is more training for health practitioners. We need more practitioners in the health field that know and understand our residents; that know the language to understand the words; that know the culture to understand how we heal ourselves and how we express our pain, both physically and emotionally. On the other hand, we as northern residents need to encourage our young people to finish school and enter the health professions. We need role models in the health field to encourage others to progress in this area, Mr. Speaker.

An issue that I have encouraged and supported for many years is the community midwifery. For so many years now our Inuk babies are showing their birthplace as Winnipeg and Churchill, Manitoba. A whole generation of people have been born away from their home territory. Our older women traditionally participated in and assisted in the birth of children. This activity ensured the ongoing family support and continuity for our women. We recognize that traditionally southern medicine has divorced childbirth from the family and normal health and put it into the realm of medicine and white coats and uniforms. For a whole generation Inuit have had to go along with this southern tradition. Now is the time for back-to-the-basics. We want to go back to normalizing birth and bringing it back closer to the family.

Mr. Speaker, of course we are not so foolish to think we want to go back to the time of high mortality that the whole lifestyle of 50 years ago laid out for us. What we want is to select the good and strong of our past lifestyle and tradition and incorporate it into our present lives. This, I feel, will only strengthen the family and tie us together as a people.

As recently as 50 years ago, the health needs of our people were drastically different from what they are today. People lived short lives, as the rigours of the harsh climate burned out the bodies. People used traditional medicines and shamans to heal the body and the soul. Now our people have come to the 1990s. We know we need the services of the health professionals to identify our 1990 ailments and to help us resolve them. We want good quality medicine, but we also want to take back some of the responsibility for our own health care. It will cost the system less in the long run and we will gain in knowledge and, I am sure, health.

Mr. Speaker, we will regain some of our power over our bodies. We need a greater emphasis to be put on public health education. We have public health that understands the 1990 ailments and what we have to do about them, but, Mr. Speaker, what can we do for ourselves to be responsible for our own health?

Present And Future Health Needs

The lifestyle of the 1990s presents many stresses that were not present 50 years ago and we need not only to be educated about these but also to have sufficient resources to take on more responsibility and action for ourselves. Our need for medical care will rise in the future as throughout Canada our population is living longer. Health care has helped keep people alive who would not have survived in years gone by. These people have ongoing health care needs to help them survive. There are now illnesses such as AIDS, childhood diabetes, et cetera, that are affecting our population and we have to learn new coping mechanisms. We need more public health to help us stay ahead, not always be catching up, or not even doing that on some occasions.

Mr. Speaker, I do not wish to say we have not appreciated the many dedicated nurses and doctors that have worked in our

communities to assist with births in the communities and public health. We can work with them and help them further understand the needs of our people.

Mr. Speaker, we need to encourage residents to have early check-ups that could identify problem areas and may help people and their physicians to identify illnesses and ailments while there is still time to intervene successfully. Health care requirements and demands will increase with increasing population and increasing awareness and knowledge. Health care costs will increase but the availability of money may not increase at an equal rate, so we must use our own limited resources to our advantage. The resources we use must be to better understand our needs and help us to understand and control, as best we can, ourselves for our benefit and for the benefit of generations to come. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Replies to Opening Address.

Item 9, petitions.

Item 10, reports of standing and special committees. Item 11, tabling of documents. Honourable Member for Yellowknife Centre.

ITEM 11: TABELING OF DOCUMENTS

MR. LEWIS: Thank you, Mr. Speaker. I will take your advice. I would like to table Tabled Document 39-91(1), Minister's Attendance at Conference of High School Presidents, as a result of my Question O19-91(1).

MR. SPEAKER: Thank you. Tabling of documents. Honourable Member for Slave River.

HON. JEANNIE MARIE-JEWELL: Thank you, Mr. Speaker. I would like to table Tabled Document 40-91(1), a letter to Hon. Pierre Blais, Minister of Consumer and Corporate Affairs, dated February 27, 1991, concerning fuel pricing practices in the NWT.

MR. SPEAKER: Tabling of documents.

Item 12, notices of motion.

Item 13, notices of motion for first reading of bills. Notices of motion for first reading of bills.

Item 14, motions.

Item 15, first reading of bills.

Item 16, second reading of bills. Item 17, consideration in committee of the whole of bills and other matters: Bill 7; Committee Report 2-91(1); Bills 8, 9, 10, 17, 19, 20 and 21, with Mr. Gargan in the chair.

ITEM 17: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

CHAIRMAN (Mr. Gargan): The committee will come to order. When we concluded yesterday we were dealing with the Department of Justice, general comments. We will carry on with that after we take a 15 minute break.

---SHORT RECESS

Bill 7: Appropriation Act, 1991-92

Department Of Justice

The committee will come to order. Mr. Ernerk.

MR. ERNERK: Mr. Chairperson, I recognize that there is not a quorum.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Clerk, would you please ring the bell? The committee will come to order. The Chair recognizes a quorum. When we concluded yesterday we were dealing with the Department of Justice and we were on general comments. Mr. Ernerk was still commenting when we concluded. I would like to ask the Minister if he would bring in his witnesses. Does the committee agree?

SOME HON. MEMBERS: Agreed.

--Agreed

CHAIRMAN (Mr. Gargan): Mr. Minister, would you please bring in your witnesses? For the record, would you introduce your witnesses, Mr. Minister?

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I have with me Geoff Bickert, deputy minister of Justice; and Louise Dundas-Matthews, director of finance and administration. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Ernerk, general comments.

MR. ERNERK: Thank you, Mr. Chairperson. I want to continue to ask a number of questions of the Minister of Justice, especially in the drug problem area. The Minister knows that there are a lot of drugs that come into our communities and they are causing problems for the people at the community level. The people that I represent have made a number of recommendations to me and I believe I should try and seek some assistance from the Government of the Northwest Territories.

Firstly, there has been a lot of work done by the people of Rankin Inlet, as well as the other communities in the Keewatin Region. There is an inter-agency group that meets regularly to try to combat the problems of both alcohol and drugs. I have always felt that the RCMP can do more, or must do more, enforcement relative to the problem of drugs. I also know that it will take more than just sniffing dogs to get rid of the problem of drugs that are coming into our communities.

In light of that concern with regard to drugs, we have a task force on drugs from the community of Rankin Inlet. I also know that this organization, or a number of these people, have had a chance to meet with Mr. Gilmour, the deputy minister of Justice, recently, to try to find ways and means to find some solutions.

There have been quite a lot of activities during the last couple of years with regard to special meetings held in each community to promote a drug-free environment as well as trying to find alternatives. Numerous activities that were held throughout the Northwest Territories and the Keewatin Region during 1989-90 are also being planned for 1991. They are planning to do some promotional materials such as Super Shamou, a comic strip on solvent abuse. There are special meetings planned and, as I said, inter-agency meetings are held on a regular basis to address the issue of substance abuse. Meetings were held with the RCMP from Yellowknife and the Keewatin Region. We have done quite a lot to try to accomplish a number of things but I believe, Mr. Chairman, there has to be a lot more done because the population is growing rapidly and, no doubt, along with that growth will come the increase of alcohol and drugs and solvent abuse. So we must do more.

I do have a question for the Minister. I know that when Mr. Gilmour met with the task force on drugs recently in Rankin Inlet, he shared with the group that there have been a series

of meetings between the people in power to discuss what can be done regarding the problems of drug enforcement in the communities. I wonder if he could share with us some of those objectives, Mr. Chairperson, on that very issue. I would be very interested in hearing this. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Minister.

Objectives In Dealing With Drug Abuse Problems

HON. MICHAEL BALLANTYNE: Thank you, very much. As the Member knows, the problem of drug use in communities is not a problem that the RCMP alone can solve. I give priorities to the RCM Police every year and of the priorities this year, and every year since I have been Minister, alcohol and drug abuse prevention and enforcement have been a very high priority. The police very well understand, probably as much or more than anybody, number one, the magnitude of the problem and, number two, the very serious negative social and economic impact on a community because of drug use. The police are very sincere in doing what they can to deal with this problem, but the police have said many times, and I agree with them, that this is not just a police problem. It is a community problem; it is a problem for families, for parents; it is a problem for government as a whole.

We have tried to approach it as a government on a number of different fronts. There has been much more emphasis in school programs to try to explain to kids the dangers of drugs. I think you will see now, when you watch television or you read literature, that there is more and more information out at the community level to show the dangers of drugs. We obviously can do more in that area and we intend to do more in that area. The inter-agency process that the Member talks about in Rankin Inlet, which is a very important approach because the policeman or the policewoman, the social worker, the nurse, the teachers and principal at the high school, the community leaders, all of them are trying to do something in the area of drug abuse, but it has to be a total community exercise. It has to have total community force.

I see the role of government as supporting community-based initiatives, and I think those community-based initiatives consist of a number of things. They consist of the role models of leaders in the communities, consist of the community helping the RCMP to identify traffickers, keeping in mind that many traffickers are also victims and are being used by drug dealers from the South, from Montreal for instance. One of the unfortunate realities, for a number of reasons, is that we have not as much success as we want to have in trying to get at the real heart of the problem, which oftentimes is outside of the Northwest Territories. A major drug dealer in Montreal surrounds himself or herself with the best of lawyers. They have so many layers of people between them and the kid who sells drugs on the street in Rankin Inlet it is very frustrating for the police. What the police need most of all is that community co-operation.

As you know, Corporal Dave Grundy, from every indication I have had from communities, puts on a very effective program at the community level. He deals with kids at the community level. After Mr. Gilmour's meeting with the group in Rankin Inlet, we have recommended to the RCMP that they send Corporal Grundy into Rankin Inlet and into your communities. That is a very effective way of dealing with it. I guess what I am saying is that this government is putting in a fair amount of money, we have made it a major priority and we are making every effort that we can right now to deal with this particular problem.

I am convinced that the debate that Mr. Lewis and Mr. Ernerk originated in the House last week -- unfortunately I was down meeting with the Minister of Finance -- I think that kind of a

public profile and a realization that everybody in the Territories, whether they are a parent or whether they have younger brothers or sisters, whether they are a teacher or working for the government, all of us have a responsibility. The problem of drug abuse is not a problem just in the Northwest Territories.

Efforts On Policing Side Alone Not The Answer To Drug Abuse

Members realize that it is ripping apart the social fabric of all the major cities of the United States, and they have put tremendous amounts of effort into the enforcement side of the problem. The United States has put billions of dollars into extra policemen and more raids and more busts, and they have not made a dent in the problem. Experts there are saying that side, although important, is not the way you are ultimately going to solve the problem. If you focus just on the policing side, that is not the answer. The answer is on the other side, looking at the causes of drug abuse and a total community approach to drug abuse.

I can tell you that this government is very open to suggestions from MLAs and from communities as to ways that we can help them come to grips with this problem, but it is not a problem that has simple solutions. I hope that gives the honourable Member some idea of how we are approaching it as a government.

CHAIRMAN (Mr. Gargan): Thank you, Mr. Minister. Mr. Ernerk.

MR. ERNERK: Thank you, Mr. Chairman. That is why I brought these things out, because I believe that many people at the community level, the regional level and the territorial level should be much more involved in combating the problem of drugs in the Northwest Territories. I have attended some of these meetings of the inter-agency action group in Rankin Inlet. We are trying everything we can to promote a drug-free community, a drug-free region, a drug-free Northwest Territories, and I think that many people should do much more of that to continue to fight the drug problem that we face in our communities. We also go on local radio in the communities to inform the people about the problem itself. I guess what I am trying to say in some way is that we have to get more people involved in every community.

One of the things I mentioned is the solvent abuse, which brings me to the issue of local by-law officers that we have talked about on a number of occasions in this House. To me, by-law officers at the community level can play a very major role in enforcing some of the laws in the communities and I will tell you why. I understand that citizens can make citizens' arrests. One of the things that was brought to my attention recently, and it is coming from this gentleman that I named yesterday who had written to me on January 30, 1990, Jackie Naoradluk from Repulse Bay. He indicated that while he was doing his rounds in the evening he noticed that a number of people were sniffing anything that could make you feel high, anything that could make you drunk, and he indicated to me that if he knew more about his rights as a by-law officer he would have made an arrest of a couple of those individuals because in his mind, and according to the law, a law was being broken where these people were sniffing solvents. This is a big concern in the communities where there are no Canadian police officers present.

This brings me to ask the Minister, with regard to his statement yesterday, I think he said that in some smaller communities the crime rate is very low. The other question that I want to ask the Minister about is, I wonder where he got his information from to be able to indicate that in some small communities the crime rate is very low. I suggest to him and

his department, and to the RCMP, that many of the problems occurring in the communities are not reported to the RCMP. That is part of the problem, Mr. Chairperson. I will ask him to deal with those two specific points for now and then I will have one or two other questions after that. Thank you.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. I will try to deal with the last point first. I think the Member has a point on what statistics we use, and if we do not have policemen there then perhaps the fact that there is a lower crime rate is a factor in whether or not we have police there. I think that is a valid observation.

Two Schools Of Thought On Use Of RCMP

I think people recognize that it is very expensive to police here in the Northwest Territories. We spend some \$30 million dollars a year to police 55,000 people. Communities are very often asking for more police in their communities. There are a couple of schools of thought to think about that. There is one school of thought that I have heard expressed and I think Mr. Gargan has made the point, and that is that if police come into a community what happens many times is that the local leadership of the community turn over those problems to the police and because the police are well known and well respected in a community you get more problems; more of a breakdown of order in the community. One school of thought of putting more police into a community is not necessarily the answer to the problems.

On the other side of the equation is a matter of limited resources. What is a reasonable way to do it? In this case, with Chesterfield and Repulse, when Mr. Gilmour talked to the mayors and he explained our problem about where you find the police to put into the community, his understanding of the meeting is that the mayors understood that and it was their estimate that even though it would be preferable to have police there, they did not consider that it was a matter so serious that they could not do without police. They thought that the biggest problem that they had was dealing with kids, dealing with drugs, and that for them getting Corporal Grundy in to deal with the kids was as important, if not more important, than having extra police.

Your first question and comment to do with solvent abuse is, again, a tough one. The actual taking of solvents itself is not illegal. What normally happens is, the kids get the solvents by breaking into some place to get them or by going on private property to use them, so if they can charge them, it is because of that.

We had a very serious look at whether or not we should bring in legislation making solvent abuse a crime. We did some intensive consultation with police and social workers. There was an inter-agency group set up here in Yellowknife that had representatives of Social Services, Health, Justice, federal Crown, RCMP and other groups. They looked at this problem soon after we had that very tragic incident where some kids lost their lives. What they decided at this point was not to go ahead with legislation because it would be almost impossible to enforce, so they suggested holding back the legislation. They suggested, and we are looking at it right now, setting up pilot projects in a couple of communities that would bring to bear all these different agencies to try to deal with this issue. For instance, if somebody sees a kid sniffing glue, then they would take them down and they would deal with a social worker or whoever had the expertise. There would be a concerted effort in the community of setting up community programs to deal with kids that are abusing substances.

Other concrete steps that have been taken is changing our

regulations so that the storage of, for instance, propane containers would be much more rigidly controlled. The Department of Social Services, right now, is looking into this. After a lot of time and a lot of effort I think the group's thoughts were that there is no magic solution to this and it is going to take that total focus in a community to try to deal with the problem.

The training of by-law officers would be an assistance. If a by-law officer had some training to recognize symptoms of kids that have been abusing substances, then that definitely could be of some help. What we are seeing more and more, when you deal with these issues is that probably the only effective way to go is that community-based approach. That is the way we are heading in that particular area.

CHAIRMAN (Mr. Gargan): Mr. Ernerk.

MR. ERNERK: (Translation) Thank you, Mr. Chairman. Whenever we talk about youth, I do not think we should be blaming all the problems on youth. I would like the Minister to understand that.

In our communities where there are no RCMP, why can we not give those communities some power similar to the recognized law enforcement officers, the by-law officers. I am aware that we cannot give them all the powers of a police officer, but is there some way we can give the by-law officers more power?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: I am prepared to look at that and see what sort of responsibilities and powers we can give to by-law officers to try to deal with some problems. So I will definitely take that question under advisement and have a look at it.

CHAIRMAN (Mr. Gargan): Thank you. General comments. Mr. Ningark.

Community People Must Work Together On Enforcement

MR. NINGARK: Thank you, Mr. Chairman. Whether the community is completely dry or controlled, technically speaking, there seems to be no enforcement at all. One of the problems I have seen in a dry community that I have seen in the past 10 years is the problem of when an individual is reported to the RCMP for consuming liquor unlawfully, the brick wall seems to be the Canadian Charter of Rights. I think if we really sincerely want to have a good controlled system, whether it is a dry community or restricted somewhat, as you said before, Mr. Minister, people within the community -- the hamlet council, the organizations, agencies, the law enforcement officers, the police -- will have to work together.

One of the problems we have in Pelly Bay, which is a dry community, is getting the by-law officer to enforce the liquor system because he does not have jurisdiction over the Criminal Code of Canada. That is my understanding. I think the only thing he can enforce in the community is the municipal by-laws. There have been a number of times when the by-law enforcement officer was called to go into a building and to break up a fight, but he did not have the legal means to take the liquor away from the individuals.

My question would be, Mr. Minister, whether or not the local by-law enforcement officer has the power to take the liquor away from the individual who is consuming the liquor or having the liquor at home within the dry community. Thank you.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. I think that follows up on Mr. Ernerk's question. It is something that we can look into, recognizing, of course, that a by-law officer that takes on those extra responsibilities could get himself into much more dangerous situations. So I think we have to look at it in the context of what it will actually mean for an individual to suddenly have these powers and suddenly be put into situations of making judgments about going into houses, search and seizure, arresting people, what have you. All the extra training that would have to go with that. But I am prepared to look at what sorts of extra powers and responsibilities are possible to give to by-law officers in communities. So, as I said to Mr. Ernerk, I will have a look at it.

CHAIRMAN (Mr. Gargan): Mr. Ningark.

MR. NINGARK: Thank you, Mr. Chairman. Some people in a dry community, probably not only in Pelly Bay, are getting to a point where they are frustrated and some people are saying, "What is the use of having a dry community when there is really no enforcement?" I know the by-law enforcement officer is legally a peace officer, but the question is whether or not he can do the things under the Criminal Code of Canada.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. This may be one case where authority under the Criminal Code is not necessary. Rather, authority under the Liquor Act. But we will have a look at the issue.

CHAIRMAN (Mr. Gargan): Thank you. Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. By-law officers in the communities are having concerns because of their salaries. A lot are quitting their jobs because they do not have enough money coming in. Does the hamlet receive funding for the by-law officers' salaries? Is there a budget for the by-law officers?

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: The whole by-law program is not the responsibility of the Department of Justice. The Minister for MACA would be the Minister to give you the details. Hamlets are given their budgets based on a formula and they can decide if they want to spend part of that budget for a by-law officer and how much they want to pay that by-law officer. But there is no budget in the Department of Justice for by-law officers.

CHAIRMAN (Mr. Gargan): Mr. Arlooktoo.

MR. ARLOOKTOO: (Translation) Thank you, Mr. Chairman. Maybe I did not make myself clear. Lake Harbour and Cape Dorset have by-law officers that do not receive a salary. I believe that hamlets should have some budget set up for them. If the community does not have money for them, can there be a budget set up for by-law officers in the communities? Would they be able to get money from you so they can work in their positions? Thank you.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. I have no money at all in my budget for by-law officers. There is absolutely nothing within my responsibilities for by-law officers. By-law officers are clearly the responsibility of the hamlet council. I think the question could better be posed to the Minister of Municipal and Community Affairs when you are asking about the funding arrangements for hamlet councils.

It is a municipal issue. It is not an issue of the Department of Justice. There is no place in my budget for that sort of funding.

CHAIRMAN (Mr. Gargan): Thank you. General comments. Mr. Pudluk.

Legal Aid In Baffin Region

MR. PUDLUK: (Translation) Thank you, Mr. Chairman. This is an important department that we are dealing with right now and they have helped quite a bit.

I have a comment regarding the Baffin Region and Maliiganik Tukisiiniakvik in Iqaluit. If any people have to go through the court, for example a person living in the Baffin Region, if they start going out with a non-native person from down South and they have a child, once they encounter problems, then they separate. A lot of times that child is in the middle when both parents want the same child, the mother and the father. A lot of times they have to get help from the lawyers at Maliiganik Tukisiiniakvik, and the aboriginal person living there is not given the same chance to have a lawyer if a couple is fighting over a child. The person who had come from down South gets help from a lawyer from Maliiganik Tukisiiniakvik, and the Northerner has to look for a lawyer outside the Baffin Region.

I thought that Maliiganik Tukisiiniakvik is to serve the people who are living in the Baffin Region and that they be given the first choice, and if that is the case I think it would work a lot better. I think a lot of times, because they are not represented by a lawyer, they do not have a good chance of winning whatever the case may be.

I believe that when Maliiganik Tukisiiniakvik was first established it was to help the people who could not afford lawyers and who did not understand the laws fully. I thought that was the purpose of establishing that office. On the other hand, the people from the South are more aware of the laws and the system and what procedure to go through. Probably it is not just in the Baffin Region, but that is what I have seen. This has been a concern of mine. I would like to ask, what was the purpose of establishing Maliiganik Tukisiiniakvik and who were they supposed to represent in the Baffin Region? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Gargan): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. I thank the Member for his kind words at the beginning. When Maliiganik was originally set up, it was set up, remember, at arm's length from the government. There is a Legal Services Board, and reporting to the Legal Services Board are various regional boards including Maliiganik. It was originally set up independently, as the Member said, to provide legal services to the people in the region. That is exactly how it was set up. The Member knows that over the past few years we have put in an extra legal clinic in Pond Inlet and we have put a judge in, and a number of improvements have been made.

I guess what is happening now, as the system becomes more sophisticated, is that new problems start arising that were not originally thought through. If I am not mistaken, Mr. Pudluk is talking about a situation where a husband and wife split up and if, for instance, one of them is from the South and for some reason that one got Maliiganik before the other one, then that one had a lawyer and the other person had to look outside the region to get a lawyer. It is the first time that I have been made aware that this is becoming a problem. If the Member could be a little patient, I will research it just to find out, first of all, how serious a problem it is and, secondly, what we are doing to deal with the problem. There should

never be a situation where somebody from the Baffin is without a lawyer. If somebody does not have enough money to pay for a lawyer, that is why we have a legal aid system. In those sorts of situations, both husband and wife should be represented by a lawyer. I will look into the situation and report back to the Member.

CHAIRMAN (Mr. Gargan): Thank you. Department of Justice, general comments. Mr. Lewis.

MR. LEWIS: Thank you, Mr. Chairman. We have always appreciated when the Minister of Justice has brought into caucus the Chief Superintendent of the RCMP. We have had a good exchange over the years and this has given us some understanding of what the problems are that the police are dealing with. I found that always to be very useful. When we decided to have a debate this week, I had not been aware that Mr. Ballantyne would be staying with the Finance Ministers as long as it turned out to be, so he was not able to participate in our discussion on the whole issue of drugs and alcohol and so on. In our discussions with people in the RCMP we have always found that this whole issue of violence, the kind of violent society that we have, very often relates to the overall problem of social breakdown and how it is related somehow to dependency on alcohol and drugs, and it is very difficult to know exactly what the prime causes are behind all of this stuff. If there is any group of people that really has a good overall understanding of the kinds of social problems that exist in the Northwest Territories, it is the RCMP.

Problem Of Getting People To Change

I was happy to hear that the Minister mentioned Dave Grundy of the RCMP drug education division. In fact, in yesterday's paper there was a photograph of Mr. Grundy and the heading says, "Grundy Hopes to Change Attitudes." He has been doing this for many years now and his efforts have been well recognized by people, not only in Yellowknife, but in the communities that he visits. When I look at this headline, "Grundy Hopes to Change Attitudes", it seems to me that is the key. How do you get people to change?

As a result of our debate the other day Hon. Jeannie Marie-Jewell and myself spent some time this morning with CBC discussing this whole issue of drug and alcohol and how it relates to the problems that we have in the Northwest Territories. It seems to me that if we are going to make some kind of headway, we really cannot do it just by putting a program in so that you could expect to have magic results in just a few months or a year, or even within the term of an Assembly. It seems that what we have to do is to take a good, long look and really develop a plan that we can stick with and stay with for a long period of time.

I have two suggestions for the Minister, because I have been thinking about this for a couple of years now since we met last with the superintendent of police at our caucus meeting. As anyone who has brought up a teenager knows, there is a magic time in their life -- the first magic time is when they can get a licence. Once you get a licence, instead of saying, "I have a licence, now I am a responsible person who is licensed to do something", they see it in terms of, "Suddenly I am free, I can get out of here and I can be free." It seems to me that it would be a very good idea that before you reach that magic age of 16 and you get that licence, the RCMP should have a chance to insist that before they are licensed that they give them a little course or some kind of -- not a pep talk, so much, but to try to indicate to these young people that they are not free and what they have is a licence now to take a couple of tons of steel on the highway which is a potential lethal weapon. Young kids just do not see that. They go through their manual, learn all of the stuff, and do their driving test. It seems to me if we could initiate this -- we do not have

the proper things of initiation in our society. We get the traditional ones, that when you are 21 you get the key of the door. But in our society age 16 is when you get this licence. We should make a big thing of that.

Getting Driver's Licence Entails Responsibility

That really puts tremendous responsibility on you as an individual and that should be the time that the RCMP says, "Look, you have reached another stage in your life and here are the little things that you are going to have to go through. Not just pass the test and read the manual and all of that, but this is a very important time in your life. That is the time when all of the other stuff starts as well. You are free now to do all kinds of stuff. You can get miles away from home and do all kinds of stuff". So that is one suggestion that I have. We should do something about really initiating people into the world of driving a vehicle and what it all means and not just simply passing a test and getting your piece of paper and getting a photograph on it, like Mr. Whitford suggests. It should be more than that. We should really go at it and give the police a chance to tell these young people what kind of responsibility they have. It is not just freedom; it is tremendous responsibility.

As far as alcohol is concerned and this magic age of when you reach 19. Kids in the Northwest Territories -- and I can tell you this from vast experience, Mr. Chairman, that I have seen groups of people come from the South on exchange programs from all over the country, from small towns, from farms, from cities, just about every conceivable kind of environment, urban and rural. They come to Yellowknife and they say, "Wow, this is some party town. I have never seen anything like it." This has been happening for years now, that this is the place to come if you really want to drink and do drugs. "Go north; you can have a blast there." These are kids from all across Canada and that is the kind of reputation that we have here in the Northwest Territories; maybe the Yukon too, I do not know. But certainly the people who come north cannot believe the lifestyle that we have here in the Northwest Territories. These are kids, not just from the farm but from the cities and the towns, and they find there is just an incredible abuse of privileges among young people in the Northwest Territories.

Changes Must Be Brought About Gradually

When I read this thing here about the changing attitudes, it seems to me that, although I agree with the Minister that we cannot just say to the RCMP, "It is your job; you are the ones that are going to have to solve all of this" -- I agree with him. It is a northern problem; it is a societal problem; and the only way it can change is if, over a period of time, we begin to do things gradually. Do not use the club, but gradually begin doing things that will make a difference.

For example, I have seen a move over the last three years to have what they call dry graduations. Graduation used to be the time when you got drunk. That used to be the idea. It used to be that you graduated and that was the thing that you did, because you were close to 19 then, close enough anyway, and that is what you did. I have seen over the last few years this movement to see if you can maybe agree that on this day to instead of just getting drunk that you have a good time and just enjoy it. I have seen movements which have had a tremendous impact. I cannot remember the proper name of the group but these are people who have lost family members because of drunken drivers. I forget the name of it, but it is something like MADD, and that group has really had some impact. I see things like PRIDE that spring up all across the country, and they have impact.

It seems that if you are going to really have this kind of

impact you have to be doing lots of different things. We cannot just do some drastic thing like Mr. Sibbeston suggested yesterday, that we go back to the days of prohibition and we just simply say, "That is it. We are going to cut it clean. We are going to clean up the whole thing." Unless you give people the responsibility and say, "You are responsible", and we are not going to treat people as if they do not have minds of their own and the potential to solve their own -- problems because things like that just do not solve the overall problems that we have.

The other examples that we dealt with this morning, and also during the debate, is the fact that the media have been very effective over the years in trying to get people to change their attitudes. To some degree it is an advertising campaign, but it works on all fronts. Minor changes in the law, things like where you can smoke and so on, all these kinds of things about what limits you can put on people that would be tolerable and people will accept that as a reasonable limit, and do things gradually over a period of time.

I noted, for example, the problem that we have in Yellowknife. Visitors come here, and you may have seen this in the newspaper or I think it may have been the Up here magazine, about Japanese tourists who came into Yellowknife and they saw a whole bunch of women outside, leaning up against a building smoking, and wondered why we had so many prostitutes in this northern city. What they did not know was that these people were very decent individuals who were not able to smoke inside of their buildings so they were outside leaning up against the building and smoking.

I have heard the same thing about people who reel around the streets because somebody has not been smart enough to notice that the guy has had too much to drink. There are all kinds of people on the streets that must have come out of some bar or other and someone must have given him the last couple of drinks that made the difference. We see these kinds of things that really do not give people a very good impression of our city, if at a certain time of night people are reeling all over the place.

I am not saying that you are going to eliminate it I have never said that we should try to get rid of this or get rid of that, but we can, in fact, make a difference by getting people to change over a period of time. I see the police as having a very important role to play in that. I see Corporal Grundy's job here as being absolutely essential. The kind of work that he does seems to be fundamental, that if you want to change attitudes, you have to go about it in this fashion. All those RCMP that get involved in communities -- I see them, that because of their understanding and because of the close contact that they have with this violence that we have talked about for so long, maybe they can have this kind of impact too if they see this role for themselves, that they can get attitudes changed.

Maybe it is a different approach to policing than we are normally used to in the past. It is much more subtle, much more difficult. Maybe over a period of time you can make a difference. I have a lot more to say on this subject, Mr. Chairman, but that should be enough for now.

CHAIRMAN (Mr. Ningark): Mr. Minister.

HON. MICHAEL BALLANTYNE: I appreciate the comments from Mr. Lewis and I take serious note of the comments. I have two points that I would like to make.

The first point is to do with Mr. Lewis's idea during that rite of passage of getting a driver's licence, it may be an appropriate time for a police officer to sit down with a young person and explain the responsibilities that go with that.

Probably even more important than that, and something that is very fundamental, I think that it is every parent's responsibility all the way through. I think that is where people have to recognize where so much of the damage is done, because people do not take their role as parents seriously and then rather than dealing with the problem, they have a police officer or social worker or teacher do it. I think if there is one lesson to get out, it is that it is the parents' responsibility to instill values into their children.

The last point is to do with Mr. Lewis's concept of a new approach for the police in society. I would like to say that the police are very, very aware that the way policing was effective 10 years ago is no longer effective today because of the complexities of the problems. More and more, the RCMP and other police forces are going toward that community-based approach, more police officers on the beat instead of in cars, more contact with the community or interaction with the community. I think they see that that is the way in the longer term, for a police force, where they have the most opportunity to change attitudes. I thank the Member for his comments.

CHAIRMAN (Mr. Ningark): Department of Justice. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. I would like to congratulate Geoff Bickert. I think he has been appointed a Queen's Counsel. I am happy for you.

---Applause

So much for the niceties.

---Laughter

Mr. Chairman, I have been listening to the justice issue for many years now and also the way things are dealt with. This system of justice that we know now has been developed through many years in different countries, in Europe especially, and most of that developing process was based on confrontation, on congress and with the imposition of laws on the conquerors. This type of process was used in order for people to survive. The survival that was used in North America before the coming of the European was based on co-operation, compassion, love and caring. That is how aboriginal people in North America survived.

Justice System Does Not Work For Aboriginal People

However, if you tried to use what is customary tradition in law for aboriginal people and try to mix it with the Criminal Code laws we have now, it will never, never work, because the criminal laws that are in place now are based on a whole different concept of enforcement and they are based on controlling people and change of behaviour.

However, if you look at aboriginal people now, custom adoption is one area that the government has been dealing with for quite some time now. I do not know if they have been successful in achieving anything on that particular issue, Mr. Chairman. But it is difficult to see how you could ever implement something that is customary practice into your existing laws without losing it in existing law. For this reason I do have a concern that even if we try to make it law, custom adoption legislation, for example, it is still a foreign law that recognizes, in token perhaps, the custom of the original people from up here. Anything the government decides, to wipe away that custom, they just have to repeal that legislation and you no longer have the practice existing any more. So it is difficult to try to address the particular issue and try to blend it into the existing system. I do not believe it will ever work.

Mr. Chairman, the Minister does have a law review committee dealing with the particular issue for quite some time now and presumably there are a number of dollars being spent in order to review custom adoption. I would like to ask the Minister if he has any documents regarding this subject. I understand that Dick Spaulding, who was supposed to be the lawyer working with this group, no longer resides up here; he lives in Ottawa, I believe. So what happened to all the material that was gathered and supposedly analysed and recommendations put on paper on that particular subject of custom adoption? Or is the issue too complicated for even a lawyer to address and Mr. Spaulding has run away to avoid addressing that issue?

CHAIRMAN (Mr. Ningark): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Mr. Gargan made a number of points and some of the points he has made are quite important. If I could just try to touch on the most fundamental point that Mr. Gargan has made, the question as to whether or not it is possible to have a system which incorporates components of both systems, our English common law system and aboriginal customary law system. That one is a very, very difficult issue and I do not pretend to sit here and be able to give you any sort of a definitive answer on that issue.

We have taken the concerns of aboriginal people very seriously. In the five years that I have been Minister, we have tried very hard to deal with those concerns through a number of very innovative approaches, which I think makes us leaders in the country in the whole area of trying to make the system of law one where aboriginal people can feel more comfortable. I do not think I have to go through and detail the sort of efforts we have made, but I think all of us could be quite proud; in fact, most jurisdictions in the country look to us for leadership in the sort of things that we have done in our legal system in the NWT, in legal aid or interpretation/translation and our use of regional judges that we have brought in.

As Mr. Gargan knows, besides the family law review, we are doing a study on aboriginal custom law in Lac la Martre. That is something, I think, that will give us some more tools to evaluate the premise that Mr. Gargan is saying, that you cannot put the two systems together.

Navajo Reserve Law System

I think, though, what we have to recognize, and Mr. Gargan was with us when we went to the Navajo Reserve -- and that is one jurisdiction, one of the few jurisdictions, that is trying to deal with that. Essentially what they have done is that a judge on the Navajo Reserve looks at three bodies of law when he or she makes a decision: If there is a certain case, what aboriginal custom law is appropriate, what state law is appropriate, what federal law is appropriate. Then, as part of the wisdom, if you will, of a judge, the judge is the person that puts together, in a specific case, what areas of the law are most appropriate.

If Mr. Gargan recalls, there are cases -- somebody has been convicted of a crime, for instance, and somebody who thinks they would have a better chance of being found innocent if it was under federal law, anybody who thinks they have a better chance of getting off, will choose or want the law that gives them the best opportunity.

I remember the very learned Supreme Court judges were explaining to us that it was very difficult, but very possible. I think where some of us at times can confuse some things which are fairly fundamental is that our law here is derived from common law by practice. It has evolved dramatically, so that the law that you find in the NWT is so different from the law that you would have found in medieval England. It has

evolved because we have learned new things, there are new realities, there are new concepts, aboriginal people are no longer the same as they were in 1850 or 1920. So if there had been no English common law imposed upon aboriginal people in the Territories or in Canada, their law would have evolved also. And their law probably would have taken into consideration many of the same things that our law takes into consideration.

I think law, whether it is aboriginal law, whether it is English common law, whether it is the French system of law, is based on a lot of the same principles: the principles of fairness; the principle of what is right and what is wrong.

The most fundamental point where there is a potential difference in aboriginal law and in English common law is when we look at the issues of collective rights, for instance, and individual rights. I would agree with Mr. Gargan that it is very difficult, but I think it is worth a try to see if we can come up here with a justice system that the majority of people can feel comfortable with. That is what we are trying to do, being, I think, very respectful, trying to be very respectful, of the feelings and frustrations of aboriginal people.

I do appreciate Mr. Gargan's bringing up the issue because it is a very fundamental and profound issue and it is one that I think all of us should give some deep thought to. Thank you.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. There are a tremendous number of reports that have been developed regarding native people in Canada, and one of them is with regard to the task force on aboriginal people in the federal corrections; there is another one done by the Canadian Bar Association. A lot of those reports themselves say that in order to address the whole issue of aboriginal justice, that control of that has got to go back to the people that are being affected by the system.

Difficulty With Law By Aboriginal People

One other thing is that Mr. Ballantyne brought up the point that, yes we do have a lot of English common law that has been developed to suit the aboriginal people, but he also has got to recognize that I do not know whether or not that development was to suit the aboriginal people or to suit your system of justice in addressing the aboriginal people. I believe that is where it is at right now, is that in order to address the aboriginal people you have developed your laws to deal with them. Some of those laws still do exist today.

Also, to remind the Minister that 99 per cent of the people that are in jail here at the correctional centre are not non-native people; they are all aboriginal people. In Canada I believe it is five times higher too. Aboriginal people are the ones that are affected by laws and are incarcerated for it. So I do not know where the Minister is coming from when he says that we have developed a system of justice to incorporate aboriginal people. The difficulty I find is that even though we might be leaders, in trying to address that old issue we have not taken any steps to see whether more could be done in addressing the old issue of aboriginal justice or Indian jurisdiction or whatever terminology you want to use. I believe that if we were to look at the whole issue, we would have to look at what type of jurisdiction band councils could have.

You did mention that in Navajo country they have what they call the Navajo Nation judicial branch; you also have the Navajo peacemakers court; you also have the state and federal United States law. So you have several different types of law but those people have developed a system which is

working quite well. I think the Minister has got copies of the Navajo Criminal Code, for example. That is all material which could very well serve in trying to address the whole issue of justice up here. It is still a unique situation in which it might work.

If you also recall, Mr. Minister, the people down there in Navajo country are also called Dene. That means there is a lot of common terminology that they use down there that the aboriginal people use up here too. So they have developed a system which works to suit their own needs. I guess what I am suggesting is that we could go through the family law review committee as the body to address some of those issues. There has to be major work done in that area.

I have listened to a number of Members with problems they have right now. We seem to be saying the same thing with regard to whether they are by-law officers or police officers, but we still have with us the existence of a system where we should be taking some bold steps and saying that maybe it is time we start doing some research into this to see whether we might be able to develop a system that might work for the aboriginal people up here. In southern Canada the reserves have their own police force, so it might work.

I am sure the Minister is aware that in some of the other communities in the States, in Alaska, they have what is known as public safety officers. Those are identified as police officers and they are looked upon as being the peacemakers in the communities. They try to settle disputes and that sort of thing. I do not know what their main role is, but I knew about that type of force about 10 years ago. I do not know whether there might have been something useful there that might have been adopted up here, as opposed to maybe just the by-law officers. They could function beyond that. I would like to get the Minister's reaction.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Minister.

Research On Aboriginal Law

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. As always, Mr. Gargan poses good questions and comments, and I think in order to improve the system these are the sorts of tough questions that have to be asked.

To try to respond partially to what Mr. Gargan is saying, we are in fact now, by supporting the Dene Cultural Institute, doing that sort of research that you are talking about, the use of aboriginal law. We are doing that, and there is a pilot project going on in Lac la Martre right now that is doing exactly that, looking at things like the body of Navajo law.

The other issue that you were talking about. If you recall the judges and the Navajo courts and the limitations of power that they have, in fact a JP in a community in the Northwest Territories has almost the same powers as a Navajo judge. Also, a Navajo judge has no powers over a non-native person. A JP in a community does have powers over everybody in that community. The same time that we are looking at the research that you were asking about, I have also been talking with Chief Judge Halifax and our JP co-ordinator about the possibility and the reality of enhancing the powers of JPs. There is no reason why JPs could not sit as a tribal court in a community. There are a lot of things that we can do within the existing structure that could give aboriginal people as much, if not more, power than that power that you find, for instance, in the Navajo Nation.

If you look at the peacemakers, I can say that we have made tremendous strides here in that many of our special constables have already become regular constables and many more will, and an aboriginal RCMP constable in a community has

significantly more power than a peace officer or a peacemaker in Alaska.

Flexibility Under The Criminal Code

It is my feeling, and this is something I am really interested in, and people's views of it, is that the Criminal Code issue is a separate issue and it is one that we are trying to approach on the national stage. Margaret Joe of Yukon will be hosting a conference of attorney generals – it was supposed to be in February but it will not be until September next year, something like that – and that is where we are trying to deal with what flexibility can be built into the Criminal Code. That is one area that we are definitely trying to make some progress on. Outside the Criminal Code there is a lot we can do and a lot we are trying to do. I think it is possible to gain within the existing system many of the powers, if not all the powers, that they have in the Navajo tribal justice system. We are making a lot of headway in a lot of areas. Maybe we are not moving fast enough, but as you know, the system of justice moves very, very slowly. I think that we have finally got, across the country, the beginning of a consensus, even among the more conservative provinces, that aboriginal people have not been well treated by the justice system. It is slow, but I think we are making a lot of progress. I think the sorts of questions that Mr. Gargan is asking are the questions all of us, especially aboriginal people, are going to have to grapple with if we are going to improve the system. Again, I thank the Member for his questions and his comments, because they are very useful.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Gargan.

Family Law Review Committee

MR. GARGAN: Mr. Chairman, I do not know if the Minister answered my first question I asked with regard to the family law review committee. How much have they spent so far on this custom adoption issue, and are there any documents? Dick Spaulding is no longer with the committee, and I suppose he was their legal person to deal with this issue. Have we maybe spent money in areas that we can account for?

CHAIRMAN (Mr. Ningark): Mahsi cho. Mr. Minister.

HON. MICHAEL BALLANTYNE: Actually I am feeling better. I had said before we had spent \$500,000 but apparently we have only spent \$280,000. I thought we had spent more than we actually have. To answer your question, there is work being done on a whole number of areas of family law. On all of our legislation to do with the family, there is work and studies being done. There has been a group set up. I asked all the aboriginal organizations to give me names of people. They formed the steering committee, and they have a lot of authority to decide what sorts of things they want to look at. I made it very clear to the aboriginal organizations what we are trying to do, and to be very careful who they select, because these people are going to have a lot of authority in how this project is run. So all the aboriginal organizations put people on the steering committee and the steering committee is driving this. I was very careful that we did it that way. It is not our department that is driving it. We are on the steering committee, and we chair it, but it is made up of representatives from all over the Northwest Territories. They are making the decisions; they are compiling the information; they hired the consultant; it was their decision.

I made it very clear at the very beginning that this is going to be a very democratic process. It has gone slower than we expected. The community consultation went slower, but again it was the process that was set up. I think most Members agreed that rather than the government do it, it would be

community-based. They have compiled a lot of information and they are just in the process of trying to put it together, but there is nothing to give out yet because they have not even reviewed it themselves. I will not see it until they have all this together and have reviewed it; they will approve it before it comes to me. The steering committee is the committee that was given the responsibility to do this. They tell me that sometime in the next few months we will have something that I can circulate to MLAs and communities for discussion. But on purpose I set it up this way because I thought if it was to be valuable, everybody should get involved in it, and all the aboriginal groups have been involved in it right from the very beginning. Thank you.

CHAIRMAN (Mr. Ningark): Mr. Gargan.

Custom Adoption

MR. GARGAN: I believe this committee was struck two months ago and one of the areas that they were addressing was custom adoption. I know there must be money in the main estimates allocated for that particular group to carry on their work. The Minister says they have the mandate and they have the consultant. Who is the consultant they have hired to deal with custom adoption? In order to come up with more money for work in those areas, under the family law review committee, a report has to be given out at the end of each year on expenditures and what the forecasts are for the next year. Am I to assume that money is designated to the committee but the requirements on what pace they are using or what reports are required at this point in time is not necessary?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: This has gone slower than I thought it would go. I know Mrs. Marie-Jewell has been anxious to move on some other aspects of it but has agreed to hold back because we wanted to do the totality. I want to tell Mr. Gargan that the custom adoption component of this is very, very small. It is one very small part of this particular exercise. What we are going to do to finish this off is that we have put one of our lawyers full time on this to help pull it together. Most of the information is together and the community work has been done. Any extra money that will be needed to complete it, we will have to find it internally. It is because there is not money in the budget to do it. So I am determined that we are going to get something to give out to MLAs and communities.

CHAIRMAN (Mr. Ernerk): Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. The whole issue on justice and how it treats aboriginal people only surfaced within the last year, and one of the main reasons is with regard to what has been happening in Quebec with the native people. Basically the positions that most aboriginal people are taking is that they are of the opinion that they still have jurisdiction over the lands, whether it be reserve land or lands that have been agreed to under the treaties or recognized under the Canadian Constitution, aboriginal rights.

So there are a lot of legal issues that require addressing and I believe it has been addressed at this point in time. The difficulty I have is that although there is a good positive move on the part of this government to try to deal with aboriginal justice and the process to deal with it, the problem I see is that we are looking at it from a perspective of the existing laws. So even though we do resolve certain issues on certain customs, traditions or practices, we eventually have to incorporate it into the Canadian law. I guess that is what the Minister is saying and I would assume it is the view of the Canadian government as well as all the provincial jurisdictions

that that is the way to approach it.

I am just saying there are other ways of approaching it and one other way is to research all avenues of the aboriginal justice system and see how we might be able to apply it, not necessarily incorporating it into the existing system. I guess that is what I have been trying to have the Minister say, that we realize there are different practices that should be recognized and might not work within the existing system, and perhaps it should be viewed apart from it and we should deal with it apart from looking at it from our point of view or western point of view and start dealing with it from the aboriginal point of view.

That is what I am hoping would eventually happen, that the Minister would ask leaders in those areas where people are asking for advice on how we deal with aboriginal people. Because aboriginal people are still the majority up here, and these are the ways we are dealing with those issues. But we have not gone to a point where we are saying we have given research money to these organizations to do research and develop an aboriginal criminal code, or that sort of thing, and maybe be able to say, several years down the line, this is what we have developed as far as an aboriginal judicial system goes. Has the Minister ever thought of that approach?

CHAIRMAN (Mr. Ernerk): Mr. Minister.

HON. MICHAEL BALLANTYNE: I obviously have not been making myself as clear as I should have. Of course that is what we are trying to do, Mr. Gargan. One example is the Dene Cultural Institute study we are doing. I will read what it says, "The study is intended to do intensive research, to establish a base of information on custom law and go on to make recommendations for reforms or alternatives to the current justice system." That is the mandate of that particular project. Exactly what you are saying. Maybe I am missing something.

CHAIRMAN (Mr. Ernerk): Mr. Gargan.

Incorporating Aboriginal Law Into Existing System

MR. GARGAN: What I was suggesting, Mr. Chairman, is yes, the Dene Institute is doing research in those areas, but I am still hearing the Minister say that we have to incorporate it into the existing system.

What I am suggesting, whether or not it is realistic, is to say that maybe we do not have to incorporate it into the existing system, but rather maybe look at it independently from the existing system. Because we have been doing that, governments in this country; we keep incorporating aboriginal issues into the existing system and slowly we are losing touch with what we value, as our system is incorporated into the existing system till it becomes no more. That is what I was trying to get at when I asked if the Minister has looked at doing research in those areas in order for it to be considered, that it should blend into the existing system or else it should be isolated from the existing system and used in practice.

CHAIRMAN (Mr. Pudluk): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: What this government is trying to do right now is a short-term and a longer-term approach. In the short term we are trying to do everything possible to make the existing justice system more reasonable, more acceptable to aboriginal people; in the long term, we are trying to set out the options that aboriginal people, among themselves, whether it is here, whether it is in self-government discussions, can build a consensus as to what the justice system of the future will look like. So we are trying to do both of those things. In the longer term we are precluding

nothing. There are no limits or parameters on that. In fairness, we here as legislators have to put out the alternatives, put out the combinations, put out the possibilities; and over the years the people here are going to have to decide what parts of one system or the other, they want to have, or two totally separate systems; there are all sorts of options. So we here in the North, unlike other jurisdictions, are not trying to direct it one way or another. What we are trying to do in the interim is to make the system here at least as receptive and as reasonable to aboriginal people – does that answer your question, Mr. Gargan?

CHAIRMAN (Mr. Ningark): Thank you. Mr. Gargan.

Native Special Constables

MR. GARGAN: A number of points with regard to the program that started several years ago, the native special constable summer student program. Does that still exist, and is it still in operation? Another initiative that the department took was with regard to special constables being promoted to regular member status. Is that program still on now, and is it working?

CHAIRMAN (Mr. Ningark): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: The summer program, we intend to carry it on again this year. It is in conjunction with the Department of Education and the Department of Social Services. This is the fourth summer that we will be doing it. At the end of this summer there will be close to 100 graduates of that particular program. I think it has been one of our more successful programs.

The other aspect is something that we have been lobbying for for a long time. We are looking at Bob Head, who is now an assistant commissioner and was our chief superintendent, who did the study and the recommendations on aboriginal placing, one of which was to get rid of the special constable designate over a period of time. That was done, and people here in this Assembly had a lot of influence on Mr. Head, so I think we can take some pride in that. As of now I think 23 or 28 special constables have become full-fledged constables.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Gargan.

MR. GARGAN: The native summer student program, how are selections done under the program? Are the school, the bands or the hamlet actually involved in the selection of those students to act as police officers for the summer?

CHAIRMAN (Mr. Ningark): Thank you. Honourable Minister.

HON. MICHAEL BALLANTYNE: We have really tried hard over the past three years to get it out to everybody. They have done very intensive advertising. The detachments have been involved and I would very much welcome from MLAs any thoughts that they have as to potential candidates for this program. We have tried to get it out as widely as we can across the Territories.

CHAIRMAN (Mr. Ningark): Thank you kindly. Mr. Gargan.

Community Law Enforcement Consultative Groups

MR. GARGAN: I know that a number of Members, Mr. Chairman, were having problems with regard to police and their views; by-law officers, as an example. The RCMP are forming these groups called community law enforcement consultative groups in the communities. In which communities are these groups formed right now? I was not aware of it in my own community but it seems that even in the Eastern Arctic communities a lot of Members are saying that they are

having problems. I wonder if some of the Members in those communities are not making the communities aware of special programs that could be created.

CHAIRMAN (Mr. Ningark): Merci. Honourable Minister.

HON. MICHAEL BALLANTYNE: The intention from the RCMP was to have a committee in every community. They say that they have them in most communities. In some communities they are not as active as other communities because of interest, but I could definitely find out for you, Mr. Gargan, in your community what has happened there. The ideal is to set them up for every community.

CHAIRMAN (Mr. Ningark): Thank you. Member for Deh Cho.

MR. GARGAN: The other program or policy of the RCMP is with regard to the RCMP policy which requires that the officer in charge of each detachment provide a monthly report to the cities, towns, villages, chiefs, council. I am just wondering whether or not this policy is being put into practice. I do receive minutes from the hamlets and the band in Fort Providence, but I do not ever see in there correspondence from the local detachment. I am not suggesting that maybe it is not done; I am not aware of it. But I am just wondering if there is a policy and how much force that policy has if they are not practising it.

CHAIRMAN (Mr. Ningark): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: The policy or the plan is that the local group meets once a month at the local detachment and the detachment commander files a monthly status report to headquarters indicating any problems in the community. What we can do is follow up as to the status of the committee in your area and whether or not they are having monthly meetings, or what have you. But I would appreciate hearing from other MLAs because I think there is a very viable way to get accountability from the RCMP and if people do not know about this program or have not been involved in it, just let me know and I will give you information on it in all the communities.

CHAIRMAN (Mr. Ningark): Thank you. The honourable Member for Deh Cho.

MR. GARGAN: I appreciate the Minister's response with regard to the monthly report going to headquarters, but I guess the policy itself requires that a local detachment submit the monthly report to the hamlet, the band, town, village, or band councils. I am wondering about the monthly reporting. Is that being exercised now? Because if it is a policy of a detachment, or it may have changed since 1989 and I am not aware of it, then I apologize. Is there that policy to report to the local councils?

CHAIRMAN (Mr. Ningark): Mr. Minister.

HON. MICHAEL BALLANTYNE: What we have said to the RCMP is that there should be regular meetings with the hamlet councils or band councils and generally that happens, but if it does not, I would like to know about it.

CHAIRMAN (Mr. Ningark): Mr. Gargan.

MR. GARGAN: One thing I also noticed this summer with regard to the local RCMP -- have they just been issued recently new revolvers and new holsters? I know in Providence they have these fast-draw type of holsters and I am wondering if those are regular issued stuff that is also issued to the RCMP.

CHAIRMAN (Mr. Ningark): Mr. Minister.

HON. MICHAEL BALLANTYNE: No, whatever their equipment or weapons are, that is national standard. I do not know of a new fast-draw holster. I could find out for you if there is something new I do not know about, or if there is some problem in Fort Providence we do not know about.

--Laughter

CHAIRMAN (Mr. Ningark): Thank you. Department of Justice. General comments. Mr. Whitford.

Justices Of The Peace

MR. WHITFORD: Mr. Chairman, the implementation of the justice of the peace task force report that was introduced in the House in 1988 -- the Minister in his opening remarks talked about the program in general terms -- I was curious to know if the implementation of some of the recommendations were being followed in a systematic manner.

I am quite concerned with the number of justices of the peace that are or were in the NWT. I do not think we can have too many; it is just that we had too many on the books. We had a large number of justices of the peace that were inactive because a Supreme Court ruling made it clear to Justice that once an appointment took place that it was almost irrevocable. It was for life. Consequently there was no way of terminating a justice of the peace unless they resigned or died. Consequently, there were a number of JPs in communities and areas that needed active JPs but they were not going to get them because there were already three or four there. Yellowknife was a good example. I am wondering if the recommendation that was made by the task force to review all the justices of the peace as they existed and to see what their status would be and to determine in some fashion what their level of competence would be -- because I believe there were to be categories of JPs and levels of practice; they would be able to operate at a certain level, and then those that wanted to proceed from there would be trained accordingly and get up to a higher classification.

There was to come a time when, at the stroke of midnight or a given time, all appointments would cease and at a given time following that, all new appointments would take effect. Those appointments would come as a result of the review that had taken place; and the level of competence of that JP, whether active or not, would decide whether they would continue as JPs. I wonder if that ever took place so we would know now that we have the recommendations of the task force introduced and applied; that some of the hangers-on are no longer there and are now starting to work toward a new order of justice of the peace.

CHAIRMAN (Mr. Ningark): Mr. Minister.

HON. MICHAEL BALLANTYNE: Yes, that evaluation is under way. Mr. Stevens is doing it. He expects the evaluation to be completed by the end of May. Once the evaluation has been completed, then the second part of the recommendation can happen, whereby we can bring into force that part of the act. The JPs, those that for whatever reason were not appropriate, could be gone. So everything that was recommended by the task force would come about, hopefully this year.

CHAIRMAN (Mr. Ningark): Mr. Whitford.

MR. WHITFORD: If new appointments are being made and if new appointments are going to continue to be made until that review is done -- because it seems that to appoint new people in there only to have their appointments rescinded very shortly -- I was concerned with the number of appointments

that, it has come to my attention, have been made subsequent to Mr. Stevens' being there. I realize that I am no longer involved in that program but I was just a little concerned that there were a number of people being looked at to receive appointments. I thought that until such time that the report's prime recommendations were done, they should not be making other appointments. I just wonder if the appointments will conform to the new requirements that are going to come about as a result of that review and implementation of those recommendations.

I do not know if that is a question. It is more of a concern than it would be a question. I realize Mr. Stevens has only been there a little more than a year and that he has already done great things and I wish him all the best. I have not had much of a chance to spend any time with him, as much as I would have liked to, but I would just like to see that go ahead as quickly as possible and I will be looking at the detailed budget here to see if, in fact, there is going to be enough money to do the things that should have been done years ago.

Sufficient Coroners Needed

Likewise, Mr. Chairman, the coroners, which come under the Minister's department, should not be forgotten in this whole thing because it is very important work that they are doing, very sensitive work that they are doing, and we should see if there are sufficient coroners in the communities, or at least the resources to get them to those communities very quickly after they are required. Some great improvements have been made over the last couple of years in that area. Both Mr. Pollard and I have been keeping up with that, and the Minister is to be complimented, and I wish he would pass that on to the chief coroner who is responsible directly for those changes and those improvements. It goes all the way up to the deputy ministers of course, that there is seriousness taken in those areas to improve what had, a few years ago, come under some criticism for whatever reasons. There have been improvements there that the public is aware of and it should be passed on to the people that are responsible for it. That is a tough job and it is not the most pleasant, at times, but it is such an important area.

The other points that I was going to cover, dealing with drugs and stuff, have been covered by my colleagues already; so I will not go on with that any more.

CHAIRMAN (Mr. Zoe): Thank you. Any comments, Mr. Minister?

HON. MICHAEL BALLANTYNE: I thank the Member for his comments. We are proceeding, I think, quite satisfactorily toward living up to all of the recommendations of the task force. We have not forgotten the coroners and we have gone a long way with the training of coroners. This is one area where I think I am quite pleased with the progress that we have made. We still have more work to do on both sides, both on the coroners and JP sides. We have very dedicated individuals who have a very tough job and do it very well. Thank you.

CHAIRMAN (Mr. Zoe): Thank you. General comments. Are there any further general comments? Does the committee agree that we go into the details?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): We will start on page 7.2, Department of Justice. Are there any questions on the program structure chart? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Page 7.3 and 7.4, departmental overview. Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Zoe): Are there any questions on pages 7.5, 7.6 and 7.7, objectives? Member for Aivilik.

Review Of Treatment Of Women By The Justice System

MR. ERNERK: Thank you, Mr. Chairperson. I want to know, with regard to the first objective, "to conduct a comprehensive review of the treatment of women by the criminal justice system and make recommendations for reform after consulting various women's organizations and other interested agencies," how you are doing, Mr. Minister.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Katherine Peterson is doing very well. In an early response I made to a question I outlined some of her activities to date. I intend to table, when we return after the break, a summary of what she has done and a summary of the issues that we are dealing with. I hope it will provoke some debate. She has worked very hard. She has been meeting with judges, lawyers, women's groups, and with individuals. I understand she has just come back from Rankin Inlet; she was at that particular meeting. She was in Fort Smith and here and I am quite pleased. She is working very hard and is a very capable individual and I am confident we will get some very good recommendations from her.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Ernerk.

Aboriginal Employment Within The Justice System

MR. ERNERK: Thank you, Mr. Chairperson. I thank the Minister for that reply. On the third objective, "to develop an effective strategy on how to attract aboriginal people for employment within the justice system." How are you doing in that program?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: That is one area that Mr. Whitford brought up a couple of years ago. In some points we are doing well and in some other points not as well. It is something that when we do attract good people, I think, in many ways we also provide training for people to go into other areas. My deputy minister has instructed every director that it is part of their job evaluation to attract aboriginal people into the system.

We have started an interesting program last year where we provide support to aboriginal lawyers attending universities in the South. I think we had 55 or 60 applicants for that particular program, so I am pleased with that aspect of it. We have talked about quite a bit of success with the RCMP and JP side of it. It is an area that we have even gone so far as that I have sent down our directors to talk to aboriginal kids at universities in the South, to try to get people interested in this as a profession. As I said, we have had mixed success. I think we can do better and it is one of the prime requisites of our department, to do better in this area.

CHAIRMAN (Mr. Zoe): Thank you. The Member for Aivilik.

MR. ERNERK: Thank you, Mr. Chairperson. How can we help?

CHAIRMAN (Mr. Zoe): Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you, Mr. Chairman. One thing that would be very useful to me, because I think it is very important when we are talking about the legal system and getting kids into the whole legal system, is when MLAs are at the high schools or elementary schools they should really talk about the whole justice system as a potential career. I think it has so much potential for young people, every aspect of the justice system. There is so much potential, where you would not have to go to the South for so many of these positions. Anything that any MLAs can do to help I would find very useful. The summer student program, for instance, gets kids interested in this system one way or another. Anything you could do or any suggestions that you might have, I am open to trying to get kids involved in the system.

CHAIRMAN (Mr. Zoe): Thank you. The Member for Aivilik.

MR. ERNERK: Thank you, Mr. Chairperson. I thank the Minister for that answer. I just want to indicate here in one of the objectives that the legal aid program in the Keewatin Region is working out well. A lot of people have participated in trying to get the program going. Although in the beginning it was a slow process, we now have a full-time lawyer in the Keewatin Region. That has been helpful to the people of the Keewatin Region, and I do want to thank the Government of the Northwest Territories for such an initiative. Thank you, Mr. Chairperson. That is it for me.

CHAIRMAN (Mr. Zoe): Mahsi cho. Any comments, Mr. Minister? Member for Yellowknife South.

MR. WHITFORD: Thank you, Mr. Chairman. I, too, was going to ask a question on the strategy that the department was going to use to attract aboriginal people for employment. What I heard was a lot of emphasis towards the legal part of it, the lawyers again, and I do not think the Department of Justice runs entirely on lawyers, and I do not think that it should run entirely on lawyers. There are a lot of other areas in there where aboriginal people can be employed that will help the system to operate, not necessarily from a legal standpoint. If you do that, you are going to scare people off. I know he has 50-some applications, but I still think there is a lot of room in there for using the existing system within this government, through the office of equal employment, which used to be the office of native employment, and through the northern careers program, to get people in all areas of the Department of Justice. I think that is probably one of the few departments in this government whose aboriginal or native statistics are about the lowest. I could stand to be corrected on that, but if you did a review you would see very few native people in that department, in clerical, or in administrative positions. There are all kinds of other areas, and I think it is good that people get there because you are brushing up against lawyers and justices and it will sort of permeate through aboriginal society that this department is not mysterious, that you do not have to have a degree in law to be able to work for that department.

I cannot stress enough that, as good work as they tend to do and are doing, it is not only lawyers there. I think native people have plenty of opportunity in that department and I think some of the emphasis and some of the focus, Mr. Chairman, must be placed on other parts of it and not just on that one area. I do not want to take the wind out of the Minister's sails -- he is doing good work and I appreciate that -- but it just strikes a bad chord when that is all one hears. I want to say that. The strategy they are going to develop should be a broad sweep of all of its areas. When I go into

court services, I should see more aboriginal people there.

AN HON. MEMBER: Hear, hear!

MR. WHITFORD: When I go into court services, not only in Yellowknife but in those communities that have court services, such as Iqaluit and Hay River, we should see them. It should be aimed that the people who meet and greet you and deal with your everyday problems in that system are aboriginal people. I think they will have accomplished as much or more. There are going to be lawyers, they are going to get there -- there are already three or four of them from the Territories and there are more at school -- they will get there, but that is shooting for the moon when we have lots of areas down below. I would hope that the Minister will ensure that his strategies are going to cover those areas. I have said that before and this is the third time I will say it again just so that it does not get lost along the way. Again, do not get me wrong, I think that you are making great steps but let us not neglect those areas as well.

The other area, Mr. Chairman, while I have the microphone, the last one, "to draft and seek Legislative Assembly approval for a Department of Justice Act for the NWT." I misunderstood that. I will not say anything on that.

CHAIRMAN (Mr. Zoe): Thank you. Any comments, Mr. Minister?

HON. MICHAEL BALLANTYNE: I agree with the Member and we are making that a prime objective.

CHAIRMAN (Mr. Zoe): Thank you. Any further questions on the objectives on pages 7.6 and 7.7? Member for Deh Cho.

Security Of Court Documents

MR. GARGAN: Thank you, Mr. Chairman. I just have one concern with regard to the objectives and it is with regard to security. I think we will be dealing with that, and there is a whole slew of renovations that will be done to address that issue, but I do not understand how during the last month or so files have been lost by court reporters so that certain individuals will not be going to court because they do not have the transcripts on file. I understand that this court reporter is from down south. She came up here; she got a job and for some reason or another got those documents in her possession, and they can no longer find them. The proceeding is on stay, as they call it, I believe. I would like to ask the Minister how much scrutiny goes into hiring people within his department and whether security checks are done on them, and whether there are security guards in the court building that ensure that no documents are taken in or out of the building. I do not know what happened there, but I would like to ask the Minister on that one specific case. I am not naming any names, but I am sure he knows what I am talking about.

CHAIRMAN (Mr. Zoe): Mr. Gargan, I will let this question go by, but it should have been raised under general comments or else under the appropriate activity. It does not pertain to the objectives that we are discussing. Mr. Minister.

HON. MICHAEL BALLANTYNE: If I can explain. For the first time ever, a court reporter, one of the people that take the notes in court, what happened is that she had a breakdown of some form or another -- that can happen -- so she did not transcribe her notes and then she left. I understand they have since tracked her down. It was one chance in a thousand. We have had extremely good service from our court reporters, both the permanent and the contract reporters, and this was just one of those circumstances that I think it is totally impossible to try to predict. It is the first time it has happened

in 35 years and it was just a very unfortunate happening.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Gargan.

MR. GARGAN: Thank you, Mr. Chairman. Okay, so if I understand, it was transcribed onto a piece of paper, or typed onto a piece of paper, then it was supposed to be transcribed but it was not. Am I to assume, then, that all of the court interpreters that transcribe have their own little version of transcribing and so they are the only ones that could decode or translate those documents?

CHAIRMAN (Mr. Zoe): Mr. Minister.

HON. MICHAEL BALLANTYNE: Pretty well, and that is probably a bit of an over-simplification. Basically it would be very difficult for somebody else to take her notes, and you have to not only transcribe them but you have to certify them too, and so somebody else, I do not think, would feel confident enough to certify them after they have been transcribed. As I said, it was a very unfortunate incident but it is something that happens and we hope it will not happen again. I think generally the system has worked very well.

CHAIRMAN (Mr. Zoe): Thank you. The Member for Deh Cho.

MR. GARGAN: Mr. Chairman, just let me know if I am out of order here. With regard to registrations or registrars. Is this where I might be able to address the whole issue of birth certificates and birth registration?

CHAIRMAN (Mr. Zoe): Mr. Minister.

HON. MICHAEL BALLANTYNE: I believe that is now in Safety and Public Services, in vital statistics. They are still in our building but they are not in our budget book.

CHAIRMAN (Mr. Zoe): Thank you. Member for Yellowknife South.

MR. WHITFORD: Mr. Chairman, great minds think alike. I was going to ask the same question that Mr. Gargan did, dealing with the area of court reporters. The territorial court, and certainly the Supreme Court, cannot move an inch without those people there. There again lies an area that should and could probably attract some northern people. I never see, anywhere, any publicity on that. You get these books from the Department of Education and they will show you nurses and mechanics, but I have never yet seen any court reporters. Yet we have a good judicial system here and it is located in Inuvik, Yellowknife, Iqaluit and Hay River, so there are a good number of positions there that could steadily employ. Crime is up in the Territories and will always be around, it seems, and you will need them around -- you are almost guaranteed, for life, a job there. There is no emphasis placed on that to attract northern people to be court reporters. It is a job that takes them all over the North and has lots of quirks, but it is hard work. I would like to add that to your strategy as one of the occupations that you can send somebody around to the schools and show how fast you can type with that machine that we are talking about here. It might attract people's attention and it might attract people to come to that field. They are in scarce supply. We are always looking for court reporters and we hire them from all over. If we had them in the Territories that might be an area that has not been looked at before because there have been no role models from the North. That is an area that the Minister should not neglect in his strategy.

CHAIRMAN (Mr. Zoe): Thank you. Are there any comments, Mr. Minister?

HON. MICHAEL BALLANTYNE: Good idea.

CHAIRMAN (Mr. Zoe): Thank you. Are there any further comments on objectives? The Member for Kitikmeot West.

MR. PEDERSEN: Thank you, Mr. Chairman. I would like a clarification on court reporting. Do I understand that there is not a master backup tape for court reporting?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Most of them use a backup tape to assist them in doing the notes but it is not the certified method of recording.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pedersen.

MR. PEDERSEN: Mr. Chairman, it seems to me that is the only certifiable thing that possibly could be, because a court reporter -- if you say it is certified but it is certified by the person who does this, so if there is a disagreement between the accused and the transcript taken, who wins? Do you not have to go and arbitrate that through the master tape, then?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Almost never challenged. I do not really think it is an issue. In other jurisdictions they have gone to a tape recording system and that has its problems also. Apparently it is not an issue.

CHAIRMAN (Mr. Zoe): Thank you. Member for Kitikmeot West.

MR. PEDERSEN: Thank you, Mr. Chairman. Mr. Chairman, it seems to me that it would have been an issue in the case that was cancelled because you could not get the court reporter's transcript. If the court possessed a master tape of the proceedings, surely you could reconstruct the court hearings. That is what we do with our Hansard and I do not think that is a matter of issue either, but if we ever have a disagreement with Hansard on what appears and what we think we said, we go to the tape to verify what is right. The tape is the final judgment on what was said. If there is a master tape, then why was that not used in the case that was thrown out because of a lack of the court reporter's notes?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: This is the first time in 35 years that this particular problem happened. The alternative, I am told -- they have gone to tape recordings in other jurisdictions but they have problems there. I think, looking at this thing, this is just a very unfortunate circumstance that comes up very seldom and no matter what system you have, nothing is so foolproof that there will not be another problem. I can come back to the Members with a more detailed report of the options and possibilities, if the Member would like.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Pedersen.

MR. PEDERSEN: Mr. Chairman, just a very direct question to the Minister. In the case in question, and I think you know the one that Mr. Gargan is referring to, was there a master tape and is that master tape still in existence?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: As far as we know, and I will have to confirm this, the whole of the evidence was not tape-recorded. There might have been part of it that was, but I do not know. I will get back to the Member on that.

CHAIRMAN (Mr. Zoe): Thank you. Are there any further comments or suggestions on the objectives on page 7.6 and 7.7? Member for Yellowknife Centre.

Power Of Prosecution

MR. LEWIS: Thank you, Mr. Chairman. I have just a brief one. When the department has as one of its objectives to seek approval for a Department of Justice Act for the Northwest Territories, this would be rather unique in the sense that when we first began SCOF we asked each department - and this was the very first year that we sat - what is your mandate? How did you get your mandate? We did see a change the following year when suddenly it was all figured out how the mandates were derived. They were given by the Executive Council and they had a policy, and so on. It became very clear what the mandate of each department was, but there was never any legal base for any of the departments. I know that this Minister is a very clever Minister and I notice that Mr. Wray also has an act which tries to put into law a certain function of government related to tourism. My question is, I suppose, does this mean that by putting your department on a legal basis - in other words it has a legal status as a department and it derives its power from the law, not from the Government Leader or from the cabinet, but simply from the law - that when it comes to arguing about how much money you are going to get you can say, "It is not what the cabinet wants to give me; this is what the law says. The law establishes my department. This is now a statutory requirement that all these things happen and therefore all my budget is protected. It is not discretionary. All the money I need I have to have because the law says I have to have it." Is that why he has done this, or is there some other reason that is easy for us to understand?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. The particular bill is in front of the standing committee on legislation and will come into the House, so we will have a pretty thorough discussion. I know the Member is not on that committee. I wish the sorts of things he is talking about would happen, but we are actually bringing forward this law so that we can, if we are successful, take over prosecutions in the Northwest Territories. That is the reason we are doing it and that is the only reason we are doing it.

CHAIRMAN (Mr. Zoe): Thank you. Mr. Lewis.

MR. LEWIS: Mr. Chairman, this would make the department unique. Its powers as a department would, in fact, be determined by the law, whereas all the other departments we have - if you want to add a Department of Transportation you can do it very quickly; you can whip it in here and we will just have three new departments - but this one gets a legal basis now. I am wondering if there are other departments of the government that will also be moving towards being established under the law as well, and whether there are, in fact, other reasons than the ones given by the Minister that it gives us some kind of status now whereby we can take over prosecutions. What is stopping us from doing it now? What is the actual legal problem that we have right now for taking over that responsibility? Why cannot we do it now without establishing this department as a legal entity?

CHAIRMAN (Mr. Zoe): Thank you. Mr. Minister.

HON. MICHAEL BALLANTYNE: Thank you. We will have a full debate on this particular act. In order to take over prosecutions you have to have an attorney general. This act will set up an office of attorney general. The problem that we have had in areas outside of Criminal Code offences is when we decided that we wanted to intervene at the Oldman River

court case, there was some doubt as to our status because there is not an attorney general here. That is the only reason we are doing it. It will have absolutely zip to do with our budget or anything else. It is not going to protect our programs. Most of our programs are not even mentioned in the act, so it is done specifically to take over prosecutions in the longer term, but also for things other than the Criminal Code so that we have an attorney general function so we can intervene in constitutional cases, environmental cases, and what have you. That is the reason we are doing it. We have talked about it for a number of years.

CHAIRMAN (Mr. Zoe): Thank you. Any further comments or suggestions on objectives? Member for Aivilik.

MR. ERNERK: Thank you, Mr. Chairman. I move that you report progress.

CHAIRMAN (Mr. Zoe): I have a motion on the floor which is not debatable. All those in favour? All those opposed? The motion is carried.

---Carried

I will now rise and report progress. I would like to thank the Minister and his witnesses for appearing before our committee.

ITEM 18: REPORT OF COMMITTEE OF THE WHOLE

MR. SPEAKER: I would like to call the House back to order. Item 18, report of committee of the whole. The honourable Member for Rae-Lac la Martre.

MR. ZOE: Thank you, Mr. Speaker. Your committee has been considering Bills 7, 8, 9, 10, 17, 19, 20 and 21, and CR 2-91(1), and wishes to report progress on Bill 7 and CR 2-91(1).

MR. SPEAKER: You have heard the report of the chairman of committee of the whole. Are you agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Point of order, the honourable Member for Aivilik.

Point Of Order

MR. ERNERK: Mr. Speaker, I rise on a point of order as a result of Ministers' Statement 27-91(1). The honourable Member for Nunakput, the Minister of Health, made a statement concerning the Leo Ussak School in Rankin Inlet. Mr. Speaker, Rule 21(1) permits a Minister to make a short announcement or statement of government policy. The statement made by the Minister of Health contains statements that are contrary to the rules. Mr. Speaker, the Minister made certain comments in her statements that would, I trust, not be the government's policy as it relates to me as a Member of this Assembly. I feel the remarks made about me in this Ministers' statement could also be a point of privilege. I would request that you rule if I have a point of order and beg your indulgence to correct the matter. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. I shall review the matter and report back to the House.

Item 19, third reading of bills. Item 20, Mr. Clerk, orders of the day.

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, there

will be a meeting of ajauqtit at 9:00 a.m. tomorrow morning.

ITEM 20: ORDERS OF THE DAY

Orders of the day for Friday, March 8th.

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Oral Questions
6. Written Questions
7. Returns to Written Questions
8. Replies to Opening Address
9. Petitions
10. Reports of Standing and Special Committees
11. Tabling of Documents
12. Notices of Motion
13. Notices of Motion for First Reading of Bills
14. Motions
15. First Reading of Bills
16. Second Reading of Bills
17. Consideration in Committee of the Whole of Bills and Other Matters: Bill 7; Committee Report 2-91(1); Bills 8, 9, 10, 17, 19, 20 and 21
18. Report of Committee of the Whole
19. Third Reading of Bills
20. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 10:00 a.m., Friday, March 8th, 1991.

---ADJOURNMENT

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