



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES  
**DEBATES**

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**Speaker: The Honourable Robert H. MacQuarrie, M.L.A.**

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, MARCH 11, 1980

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Mr. Arreak, Hon. George Braden; Hon. Tom Butters, Mr. Curley, Ms. Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Hon. Arnold McCallum, Mr. McLaughlin, Hon. Robert H. MacQuarrie, Mr. Noah, Mr. Patterson, Mr. Pudluk, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. James Wah-Shee

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Robert H. MacQuarrie): Item 2, oral questions.

ITEM NO. 2: ORAL QUESTIONS

Mr. Curley.

Question 100-80(1): Compensation, Keewatin Region Hunters

MR. CURLEY: I have a question to the Minister of Renewable Resources. Since he is not here maybe somebody can respond to this. It has been brought to my attention that there were at least four hunters in the area of the Keewatin region who have lost their hunting equipment due to the floe ice and the equipment is worth about at least \$6000, \$6000 worth of equipment. I would like the Minister of Renewable Resources to indicate whether his department would attempt to compensate them for the equipment lost. I am prepared to give the names of those people so that the officials can look into it. Can I have some indication whether they would be willing to look at that?

MR. SPEAKER: Hon. Mr. McCallum.

HON. ARNOLD McCALLUM: Mr. Speaker, I would reply on behalf of my colleague that we would get the names from the hon. Member and then relay that information and come back with an answer for him.

MR. SPEAKER: Thank you very much, Hon. Mr. McCallum. Other oral questions?

Item 3, questions and returns.

ITEM NO. 3: QUESTIONS AND RETURNS

Are there written questions? Mr. Patterson.

Question 101-80(1): Married Employees Of The Public Service In N.W.T.

MR. PATTERSON: Yes, Mr. Speaker. This is directed I guess to the Department of Personnel. Could the Department of Personnel table a list of employees of the public service in the Northwest Territories and their positions where both husband and wife are employed? Thank you.

MR. SPEAKER: Thank you, Mr. Patterson. Other written questions? Ms. Cournoyea.

Question 102-80(1): Canada West Foundation

MS. COURNOYEA: Mr. Speaker, I would like to know: What involvement the territorial government has with Canada West Foundation? Is it official? If it is involved, how has this been determined?

MR. SPEAKER: That was directed generally to the Executive? Mr. Braden will look after that one. Other written questions? Returns from Ministers.  
Hon. Mr. Braden.

Return To Question 35-80(1): Facilities In Port Burwell

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I have the return to Question 35-80(1), asked by Mr. Arlooktoo and it concerns Port Burwell. Most of the tools and equipment which the Cape Dorset Hunters' and Trappers' Association hoped to obtain from Port Burwell were removed when the people left Port Burwell and went to other communities. The matter has been discussed with the hon. Member from South Baffin and the regional director at Frobisher Bay. Should there be a charter to Port Burwell, the regional director will ensure that any remaining tools are brought out and turned over to the hunters' and trappers' association at Cape Dorset. Thank you.

MR. SPEAKER: Thank you, Hon. Mr. Braden. Other returns from Ministers?  
Hon. Mr. McCallum.

Further Return To Question 94-80(1): Interpretation Service,  
Stanton Yellowknife Hospital

HON. ARNOLD McCALLUM: Mr. Speaker, I have two returns. One is a reply if I may, sir, to an oral question raised by Mr. Tologanak regarding a resident of Holman Island who was admitted to the Stanton Yellowknife Hospital. I would simply like to say, sir, that there are people now involved in helping this lady in terms of interpreting with the doctors and there has been some northern food for her diet as well.

Return To Question 70-80(1): Relationship Between Liquor Advertising  
And Public Consumption

The other question, sir, is a reply to written Question 70-80(1), asked by the Member from Frobisher Bay regarding the relationship between liquor advertising and public consumption. I would have the following answer: The Department of Social Services and the Northwest Territories Alcohol and Drug Co-ordinating Council are not in possession of any studies which define that relationship, if any, between liquor advertising and public consumption. To the best of my knowledge there are no studies which present conclusive evidence as to the effect of liquor advertising on consumption. However, sir, there is a commonly held body of opinion by professionals in the field, that liquor advertising does lead to increased consumption and also influences consumer purchasing as to choice of brand.

MR. SPEAKER: Thank you, Hon. Mr. McCallum. Other replies from Ministers?  
The Hon. Mr. Butters.

Return To Question 91-80(1): Legal Aid In N.W.T.

HON. TOM BUTTERS: Mr. Speaker, in response to Question 91-80(1), asked by the hon. Member for the Western Arctic on March 5, 1980, relative to legal aid in the Northwest Territories I have the following reply: There were 605 clients aided by the lawyers in the Northwest Territories for which lawyers' services and disbursements were paid for by the Northwest Territories legal aid plan last year. There were 1168 clients aided by the Northwest Territories Native Court Workers and 288 clients by Maliiganik Tukisiiniakvik in the last year.

MR. SPEAKER: Thank you. Other returns from Ministers?

MRS. SORENSEN: Mr. Chairman, I do not know whether I am in order here, but I do not feel that the Hon. Mr. McCallum's answer to Mr. Tologanak's question concerning the Inuit female in Stanton Yellowknife Hospital was acceptable and I do have further information arising out of the meeting last night that I could put on the record.

MR. SPEAKER: I think it would be out of order. If you in turn were to want to ask another question, that would be in order. I think still at this moment we could accept that, or if you approach the Minister and ask that he in the returns tomorrow provide for the information based on the information you have, that would be in order, but I cannot allow that sort of challenge to the return that is brought by the Minister. Is it not to be argumentative.

MRS. SORENSEN: Thank you, Mr. Speaker. Then I will approach the hon. Minister and ask him for a further return on that.

MR. SPEAKER: Thank you, Mrs. Sorensen. Are there any other returns?

Item 4, petitions.

Item 5, tabling of documents.

ITEM NO. 5: TABLING OF DOCUMENTS

The Hon. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Speaker. I would like to table before the House today a brief paper.

Tabled Document 31-80(1): Slave River Hydro Project, Feasibility Study. It is basically an information item. As well I would like to table on behalf of the government, a number of principles for the development of an agricultural policy for the Northwest Territories.

Tabled Document 32-80(1): Principles for the Development of an Agricultural Policy. I would indicate at this time, Mr. Speaker, that these principles are for discussion purposes only, they have not been adopted by the Executive and I would hope that we could discuss these principles in more detail in our upcoming session this summer. Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Are there other documents to be tabled?

Item 6, reports of standing and special committees.

Item 7, notices of motion.

ITEM NO. 7: NOTICES OF MOTION

Mr. McLaughlin.

Notice Of Motion 33-80(1): Application To Broadcast Television Signals

MR. McLAUGHLIN: Thank you, Mr. Speaker. I wish to give notice that on Thursday, March 13, 1980, I will move, seconded by the hon. Member from Frobisher Bay, that this Assembly recommend to the CRTC, Canadian Radio-television and Telecommunications Commission, that no applications to broadcast television signals in the Northwest Territories be licenced until a local community council has first approved the application.

MR. SPEAKER: Are there other notices of motion? Ms. Cournoyea.

Notice Of Motion 34-80(1): Reduction Of Minimum Population Requirement, Radio And Television

MS. COURNOYEA: I wish to give notice I will move on March 13, 1980, that the Assembly recommend that the minimum population requirement for radio and television be reduced to 150.



MR. SPEAKER: Are there other notices of motion?

Item 8, motions.

Just before we resolve into committee of the whole I meant to make an announcement when I first started and I will do it now. The standing committee on legislation has a luncheon meeting today at 11:30 I believe, in room 303. No? It is in Katimavik A at 11:30 today. Is the House ready to resolve into committee of the whole?

SOME HON. MEMBERS: Agreed.

---Agreed

MR. SPEAKER: Item 9, consideration in committee of the whole of bills, recommendations to the Legislative Assembly and other matters.

ITEM NO. 9: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATIVE ASSEMBLY AND OTHER MATTERS

This House will now resolve into committee of the whole to consider those items on the order paper with Ms. Cournoyea in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Bill 1-80(1): Appropriation Ordinance, 1980-81; and Representations by Dene Nation, with Ms. Cournoyea in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER BILL 1-80(1): APPROPRIATION ORDINANCE, 1980-81; AND REPRESENTATIONS BY DENE NATION

Department Of Justice And Public Services, O And M, Directorate

THE CHAIRMAN (Ms. Cournoyea): The committee will come to order. This morning we continue the discussion on the Department of Justice and Public Services under the directorate. When the committee rose yesterday there was a request for a senior representative of the RCMP, and Mr. Butters have you any more comments on that?

HON. TOM BUTTERS: Yes, Madam Chairman. Chief Superintendent Buttler is in the House and will be available to appear with myself and my Deputy Minister if Members request.

THE CHAIRMAN (Ms. Cournoyea): Is it the wish of this House that Chief Superintendent Buttler and the Deputy Minister join Mr. Butters?

---Agreed

Has the Minister any introductory comments to begin this mornings session?

HON. TOM BUTTERS: No, Madam Chairman, and we could probably take some of the questions that were left unanswered from yesterday if that is acceptable.

THE CHAIRMAN (Ms. Cournoyea): So, we are still on O and M and are there any questions to be directed to the Minister and his delegation? Mr. Patterson.

MR. PATTERSON: Thank you, Miss Chairman. I would like to direct some questions to Chief Superintendent Buttler concerning the current Police Services Agreement in the Northwest Territories. The first question, and it does not necessarily have to be answered by Chief Superintendent Buttler, but the first question would be, and perhaps I can explain it with a bit of introduction, but I am concerned and I think many communities are concerned as the number of non-police functions decrease. For example, the traditional functions that the RCMP used to perform, ranging from vaccinating dogs to escorting prisoners and patients to enforcing local bylaws, which I believe are considered non-police functions in the current contract, testing drivers for licences and all these sorts of things, and as those non-police functions decrease the relations between the communities and the police, especially in the smaller areas deteriorate. People tend to look on the police more and more as just enforcers of the law and not in their traditional role of general helpers to the community.

Non-police Functions And Community Relationships

Now, I am concerned, whatever the motivations, that the move in this direction away from the non-police functions has been pressed for by the RCMP themselves, and I am wondering, first of all, if I could have some reaction on my theory that as the non-police functions decrease the community relations decrease. Secondly, whether or not you would agree with me, that in the smaller settlements, particularly, your members do not have very much to do anyway and as they evolve towards, or away from, say enforcing local bylaws and this sort of thing they will have even less to do and this is going to cause problems between the police and the communities. Could I have some reaction on that, please?

THE CHAIRMAN (Ms. Cournoyea): Mr. Minister.

HON. TOM BUTTERS: By way of procedure I will take all the questions as has been the practice and if I feel they are of a professional nature relating to the duties of policing then I will ask Chief Superintendent Buttler to reply. I would just like to respond to the Member from Frobisher Bay in saying that the territorial government is certainly aware of the situation and the conditions which he has indicated in his opening comment. I would just like to briefly respond, using as my response the current agreement in force. Provision 8 refers to the various duties that the force is bound to carry out under that agreement at the present time, and I will not go into them all, but I will read 8(3) which says: "Notwithstanding the foregoing..." those are the duties I refer to now being carried out, "...where non-police functions are being performed by the force, they will be continued until alternative arrangements can be made by the Territories. However, during the first and each succeeding year of this agreement all non-police duties being performed by territorial police services in the Territories will be identified by the commissioner and discussed with the territorial Commissioner with a view to determining and actioning alternatives that appear feasible." Certainly, this whole area is a matter of ongoing discussion, negotiations and suggestions, and I anticipate that when the new agreement is drafted the whole matter will receive close examination to identify the various areas and the various responsibilities that will be associated with those responsibilities.

I might just ask Chief Superintendent Buttler if he could comment specifically to the question and maybe if the committee Members agree he might make a few statements on the current duties that are being performed by the police under the agreement.

THE CHAIRMAN (Ms. Cournoyea): Does the committee agree that Chief Superintendent Buttler make those comments?

---Agreed

Please proceed.

Non-police Functions, Large And Small Centres

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, initially I would like to state that it is a pleasure for me to be here today to address you on any matters that may concern you. In so far as non-police duties are concerned I would like to give assurance to all Members that we will continue to perform these non-police functions but in consultation with territorial government officials, we have made some inroads into non-police duties, particularly in the larger centres. As an example, here in Yellowknife dealing with driver testing which has now been taken over by the department. But in so far as the remote communities I would like to state that we will continue to perform these duties as stated in the agreement until such time as alternate arrangements can be made.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.



MR. PATTERSON: Madam Chairman, I would like to ask do non-police duties in the smaller settlements presently include enforcement of hamlet or village bylaws?

HON. TOM BUTTERS: Madam Chairman, I will ask Chief Superintendent Buttler if he will reply, please.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, in some cases only. It varies in different communities. Actually, I know of no problems that have developed or been brought to my attention. Possibly you would be referring to such things as dog bylaws, curfew bylaws. I know in some areas they are being enforced. In other ones the local settlement councils have appointed their own members to carry them out. However, I know of no problems in any particular area.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

MR. PATTERSON: Madam Chairman, I guess the question really was does the present agreement make some specific reference to enforcement of local bylaws in the area of non-police duties that are being performed by the force?

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: The agreement as it currently exists says that the police are not required to do them. They will not do them except under the section which I read into the record, subsection (3) of section 8 and that indicated the areas in which the force will continue to perform such non-police functions until alternate arrangements can be made by the Territories.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

#### Northern Constabulary For Non-police Functions

MR. PATTERSON: Madam Chairman, I would like to ask if alternative arrangements to enforcing some of the so-called non-police duties in the Northwest Territories could include a northern constabulary or a northern police force which would recruit and train northerners to carry out the non-police type duties and leave the professional police requirements to a smaller group of professional RCMP's. Is that presently being contemplated by the administration as an alternative to non-police functions being performed by the RCMP?

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, Members will recall that this week, this week or last week, I tabled the Northern Policing report which Members had requested. This report has been tabled with the expectation that there will be considerable discussion, examination of the current situation as it exists in other jurisdictions and from which the administration will receive direction, emphasis and the priorities which the House feels should be implemented. So, I guess my answer at the present time, Madam Chairman, is that the directions the Member has suggested are certainly ones which may be pursued but such directions will be determined and identified as a result of the debate on that paper.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson, have you any more questions? If you have, I think I will ask other Members to see if they wish to speak. Mr. Curley.

#### RCMP Role In Small Settlements

MR. CURLEY: Madam Chairman, I would like to ask the RCMP -- I do not know what your formal title is -- inspector, I suppose, I would like to ask you what is the role of the RCMP in a settlement, a small community as Coral Harbour.

Why is it there in the first place these days since I think the days have gone by that the presence of the RCMP in the Northwest Territories was -- is not all that important now that we have local governments functioning and the proper government agents are in the settlement established. I would like to be given some more justification as to why the RCMP is required in some small settlements because certainly the communities are not at all aware of why the RCMP is in the settlement. They do not have any relationship or significance, justification, as far as they are concerned for having the RCMP present. Exactly why is it there in small places like 250 to 300 population?

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters:

HON. TOM BUTTERS: Madam Chairman, the question would seem to have an element of administrative direction. I believe that the determination of the responsibility for the RCM Police is generally provided to the body by this government and I would assume that where emphasis might be developed changing that, then it would come from this government and from the direction of this House to a certain extent. However, I will ask Chief Superintendent Buttler if he will respond to the professional aspect of the Member's question.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, under the agreement, paragraph 7 reads as follows: "Numbers and locations of detachments shall be as mutually agreed to by the territorial Commissioner and the commissioner." Paragraph 2 reads: "Additional detachments shall be established by mutual agreement of the territorial Commissioner and the commissioner, provided that additional members and accommodation are available." In so far as the question as to why detachments are located in specific areas, this was developed over a period of years from the High Arctic, Eastern Arctic and Western Arctic where detachments were established many years ago. Some of these detachments have since closed out and new ones have been opened such as in the last couple of years; Sanikiluaq, Nanisivik, Fort Franklin, Snowdrift, for example. These detachments were opened through consultation and mutually agreed to by the Commissioner of the Northwest Territories and the Commissioner of the RCMP. In practically all cases there were requests made by local settlement councils or interested private citizens requesting that a detachment be so located at that locale.

THE CHAIRMAN (Ms. Cournoyea): Proceed, Mr. Curley.

#### RCMP Role In Search And Rescue

MR. CURLEY: I have a supplementary question. Somewhat unrelated to your role I believe, you are extensively involved in search and rescue operations in the Northwest Territories. Communities so often have no real direct day-to-day connection in terms of daily activities or events or whatnot, that are taking place at the settlement level. I am wondering whether or not the RCMP will attempt to improve that liaison with the community or hamlet or local community council so that whenever incidents like individuals who are lost out on the land or the sea can be better co-ordinated, because I have experienced in places like Rankin Inlet there was a lack of co-ordination. Co-ordination was not there and when the four men who were lost out of Coral Harbour were out in the sea for seven days this winter, in January, the liaison was not professional. I was keeping more in immediate touch with the people involved, people who were aware of the situation exactly. At least the hunters who were directly in touch with the conditions and the sea and four men were out on the floe ice and really confirmation was very difficult from that community level with the RCMP, whether or not the RCMP as the co-ordinator was doing anything at all. So, I had to phone the RCMP whether in fact, they were involved and if they were, who was their contact and how it was arranged. So I am wondering whether or not the superintendent can convince me that the RCMP's role in the search and rescue really is necessary and whether or not this could be better handled by the community or hamlet council itself. Could you respond to that?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Chief Superintendent Buttler, please.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, the point raised by the hon. Member has been well taken and I can assure you co-operation between the detachment and the local settlement councils, the local search and rescue units, should be closely maintained. I can assure you that the matter will be taken up with the appropriate officers commanding of the subdivisions and detachment commanders to ensure that this liaison is continued at a close level.

THE CHAIRMAN (Ms. Cournoyea): Mr. Curley.

RCMP Land In Communities

MR. CURLEY: Yes. I have one more I was just going to ask. A couple more really. I believe there has been some concern in some communities that the RCMP detachment is taking quite a chunk of local land and therefore, have been very reluctant to give away that piece of land for local housing development. I am wondering whether or not the superintendent could justify the reason for such a large chunk of land leased to the RCMP when in fact the community is in need, and can make better use of the land than presently the RCMP, which has it tied up in local settlements. Is there any attempt to deal with some community and local governments where there is that conflict involved? I have one more after that, the last one.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

CHIEF SUPERINTENDENT BUTTLER: In various communities we have cut down on our land size that is maintained by the RCMP considerably, such as in Eskimo Point, Baker Lake and Pangnirtung, just to name a few. We have definitely cut back on our land size, and if there are areas within the Territories where the settlement council desires this land, and it can be shown it is not being usefully employed by the force, I would be pleased to hear about it, yes.

THE CHAIRMAN (Ms. Cournoyea): Mr. Curley.

Surveillance On The Native Leaders

MR. CURLEY: I have a last point which may be a little difficult for anyone to deal with in confidence, but as being one of the native leaders for a number of years and so on, I have had some experience knowing that the RCMP does conduct surveillance on the native leaders. I recall one area where we had some government officials come in for a short course, like a cultural awareness course, which some members of the Department of Indian Affairs just recently concluded in Eskimo Point, and the invitation was specifically made to the Department of Indian Affairs, and without any prior talking with the RCMP, without being informed there were RCMP involved, here he was. He was not going to volunteer to tell me that he was a member of the RCMP force, but I am wondering whether this kind of thing still goes on, the surveillance of native organizations and, if so, where is that report made and to whom is it made?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Chief Superintendent Buttler, please.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, I am not aware of the situation being referred to but I would appreciate receiving more precise information concerning it. I will certainly have it looked into but I am not aware of it for sure at the present time.



THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Just to add that from my understanding, I believe that such a responsibility is carried out by a federal unit which I do not believe is directly under the territorial force, I think it is called special services or something of that nature.

THE CHAIRMAN (Ms. Cournoyea): Mr. Curley.

MR. CURLEY: This individual referred to was from Yellowknife and he was based in Yellowknife and so it would definitely be in the records of the RCMP. He still however, did not answer my question: If the RCMP still conducts surveillance on native groups and the native leaders of the Northwest Territories and, if so, where is that report made? That is really the end of my question.

HON. TOM BUTTERS: Chief Superintendent Buttler.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, I repeat myself, I am not aware of any surveillance or report as such, on any native groups.

THE CHAIRMAN (Ms. Cournoyea): Is that as far as you want to go? Mr. Noah.

#### RCMP Officers In Baker Lake

MR. NOAH: (Translation) Thank you, Madam Chairman. We also have two RCMP officers in Baker Lake and sometimes they have an assistant, they also have a bylaw officer as well as the two RCMP and he is doing on-the-job training in Baker Lake. Now, they do not seem to have too much to do in our settlement and sometimes when people are lost out hunting they do not seem to help out. To my knowledge they do not seem to do very much work in the community. Sometime the RCMP superintendent should visit our communities more often, to supervise the RCMP's responsibility once in a while. I also have a question. Some settlements do not have RCMP officers at all, for example, Whale Cove or Spence Bay and some settlements have two and some have none at all. I wonder if you could look into this to spread more of the RCMP officers into the other settlements? I also have another question when we go on to page 6.02.

HON. TOM BUTTERS: I will ask Chief Superintendent Buttler to respond to Mr. Noah's comments and his questions.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, in 1979, visits to Baker Lake by division officials out of Yellowknife totalled 11 visits. In so far as the stationing of members in places such as Whale Cove and Chesterfield Inlet, these are covered by the patrol service out of Rankin, where we have established patrol cabins at these two settlements. We try to continue these patrols as often as possible with both members and weather permitting, if they can get away to these more isolated communities.

THE CHAIRMAN (Ms. Cournoyea): I believe the question was why do some communities have two RCMP officers and why some have none at all.

HON. TOM BUTTERS: Thank you. I believe that was the general tenor of the query.

#### Rotational Patrol Services

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, the location of the detachment as I mentioned previously, was established at Baker Lake and Rankin Inlet a good number of years ago, and it was agreed with the Commissioner of the Northwest Territories, in 1974, that rotational patrol service would be instituted out of these communities such as Rankin to these communities such as Chesterfield, Coral Harbour, Whale Cove, by rotational patrol services out of the larger area. As a result Rankin Inlet now has a complement of four regular members stationed there to cover off these outlying communities. The policy of the force is that detachments would only be located in agreement between the Commissioner of the Northwest Territories and the commissioner of the RCMP and the complement of these detachments will be two members.

THE CHAIRMAN (Ms. Cournoyea): Mr. Noah.

MR. NOAH: (Translation) Yes, I do have another question. In past years the RCMP, when they started going up in the North, the first time to the Northwest Territories, they used to go by dog team to visit each community and now I am confused. Are they just going by aircraft mainly for travelling? I am just wondering, they are not responsible for their jobs because they are not getting into the communities as much as possible. Now, in case someone got lost, it seems they are not really involved with their responsibilities and this has been our observation. So, I am wondering if they are really doing their jobs, or if they have been up to now, and I think they should be more observed by the superintendent when they are in the communities.

HON. TOM BUTTERS: Madam Chairman, I am not sure if that was a question or a comment, but I would suggest that Chief Superintendent Buttler may wish to reply.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, from the question, or from the comment, I understand that a number of years ago, yes, patrols were made by dog team and this is no longer in effect and that is definitely correct we have no dogs, but members do patrol on occasion such as at Chesterfield Inlet and Hall Beach by skidoo, but by going this way it still takes longer than it does by aircraft. Now, whether there are communities or people on the land between these places that our members would contact, I am not aware of, but in the majority of cases they do go by aircraft, yes.

THE CHAIRMAN (Ms. Cournoyea): Are you finished now, Mr. Noah?

Need For RCMP In Each Community

MR. NOAH: (Translation) Yes, that is all I have. I was just asking to clarify through you that if they have police in each community, in the communities, I do not think they would have to fly to these communities, if they had a policeman in each of the communities and that is what I was trying to say. For instance, there is a policeman in Spence Bay but in Gjoa Haven they have no RCMP and that is the main problem that we have. I just wanted you to get the idea, like if each community has a policeman in each community and if someone got lost and they come by aircraft or skidoo, I do not think you really understood this before.

THE CHAIRMAN (Ms. Cournoyea): Have you any further comments, Mr. Butters?

HON. TOM BUTTERS: No, thanks, but we welcome the comment made by the Member and we will remember that during the negotiations for the new Police Services Agreement.

THE CHAIRMAN (Ms. Cournoyea): We are still discussing the Department of Justice and Public Services and we are on page 6.02, the directorate, and we will take a 15 minutes break and then continue with Mr. Evaluarjuk.

---SHORT RECESS



THE CHAIRMAN (Ms. Cournoyea): The committee will come to order. We now have a quorum. Before we proceed we have a delegation visiting -- they are not in yet. I would like to have Mr. Butters bring up again the one question that I have a feeling was not answered in terms of the number of RCMP in certain locations that Mr. William Noah had asked. I believe the question really related to what the policy is and is there a population requirement as such, and what the procedure is to have an RCMP detachment in communities that do not have a detachment and are serviced by patrols?

HON. TOM BUTTERS: Thank you, Madam Chairman. I will ask Chief Superintendent Buttler if he will address that question as you have rephrased it.

Policy For Opening An RCMP Detachment

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, the policy within the force on the opening of a detachment is that it should be with two members, whether this be a regular member plus a special constable or two regular members, but the policy is against opening a detachment with only one member. In regard to opening a detachment at a particular location usually after considerable study as to the crime involved in that community over a period of time, the population factor, requests by the settlement council, requests by local citizens, these are reviewed by the RCMP in consultation with the territorial officials and if it is mutually agreed to open a detachment then it is programmed in over a period of time. When I mentioned programmed in, this involves building, the manpower that must be recruited to fill these positions. So, it has to be programmed in over a period of time.

The settlements in the Northwest Territories, and we are all aware of them, that do not have a detachment at the present time and I will name a few such as Hall Beach, Coral Harbour, Gjoa Haven, Pelly Bay, Arctic Bay, Arctic Red River, Chesterfield Inlet, Whale Cove and Repulse Bay. All these settlements over the past several years have requested a police detachment at the settlements. As I mentioned earlier, in 1973 and in 1974, it was agreed with the former Commissioner of the Northwest Territories that patrol cabins would be installed in all these locations that do not have a permanent detachment. As a result in this past year, patrol cabins have now been located at each of these respective points and at the larger settlements such as Rankin Inlet, Fort Simpson, just to name a few, and we have established more manpower so that they can patrol these outlying settlements and utilize the patrol cabins to carry out policing duties in the settlements such as Gjoa Haven, Pelly Bay, Coral Harbour, etc.

THE CHAIRMAN (Ms. Cournoyea): So what you are saying is it is up to the communities to push for added RCMP in their communities if they wish?

CHIEF SUPERINTENDENT BUTTLER: That is correct, Madam Chairman, and through consultation with the territorial Commissioner, review by ourselves, the RCMP. This is all reported through to our commissioner in Ottawa and if it is agreed that a detachment should be opened, then it is programmed in over the next period of time because housing detachments and manpower are not just immediately available. It usually takes a period of a couple of years.

THE CHAIRMAN (Ms. Cournoyea): Before we continue I would like to give recognition to Krystine Hogan-Fitzgerald of St. Pat's High School in Yellowknife and the exchange students from Aldershot High School in Burlington, Ontario. Please stand. Welcome to Yellowknife.

---Applause

To continue the questions, we were on the directorate, page 6.02. Mr. Evaluarjuk.

Native Police Officers

MR. EVALUARJUK: (Translation) Thank you, Madam Chairman. This was talked about already when I put my hand up. I will just go ahead and talk about it anyway, concerning the RCMP. I do not have too much argument about it, especially in Igloolik. There is no problem up to now. As William Noah said, each community is looking for the RCMP in the community and I really do not believe they get one right away, especially in Baffin Island. There are two communities that have previously requested to have the RCMP for a long time and I remember the superintendent of the RCMP mentioned in the past that it is very expensive to put the RCMP in a community. It costs about \$45,000 to transfer the RCMP and for those communities of Hall Beach and Broughton Island which have requested RCMP, concerning them, up to now they are thinking now that the communities, for instance, they wanted to request for the RCMP and maybe in their own communities they should get a native officer instead of an RCMP. Maybe that would be more appropriate. The RCMP is just following the federal policies and a lot of times they do not respond to the needs of each community, even if they are asked by the settlement council or the Assembly itself. Maybe you could train in the communities, even though they are not called RCMP, a native officer and it would not be too expensive. I do not think it would cost \$45,000 to train one in his own community. If a community requests one, could you maybe train somebody as an officer or could you put in the funding in their own community to learn to deal with the problems in their own community?

Hamlet Councils Should Be Consulted

A supplementary question. Somebody has mentioned it is very expensive to get an RCMP transferred to a community. For instance, maybe like Igloolik, maybe you should not tell them you should be here for three years and serve your time or go to Frobisher Bay. First of all maybe the hamlet council could agree with the policeman that you want him to stay on for instance, like that. You have not been using so much money and maybe the hamlet council agrees that they want to delete the RCMP out of the community. You should ask them. You should listen to the hamlet councils more often and look after the RCMP in the community. Maybe like in Spence Bay, you should not just tell them what to do. You should just listen to the hamlet councils as to what they think about the RCMP in their community.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I have taken note of the hon. Member's comments and I expect that he would be enlarging on those when we have an opportunity to discuss the Northern Policing paper but there was a question I believe, that would be addressed to Chief Superintendent Buttler relative to the RCMP's willingness to undertake a training program or be involved in a training program for northern police officers in the communities.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, we certainly wish to participate in any training program that may involve the native constabulary. To what degree would have to be determined, but I am sure that each of the local detachment commanders as well as division headquarters training branch would want to be involved in any training program.

THE CHAIRMAN (Ms. Cournoyea): Mr. Pudluk.

RCMP Base In Resolute Bay

MR. PUDLUK: (Translation) Madam Chairman, I am going to say something that is not new. Because we do not get informed, I am going to ask this again. In Resolute Bay the police are living out on the base and they were supposed to go to the settlement and I wanted them to move to the settlement. I heard a bit about that. I did not want them to move or I did not mind them staying at the base and I have never said that. The people in that community want them to move to the settlement. I want to know what reason they are staying at the base and I never got any reason, any written answer to that. This is not new, but I am asking again. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I have some brief knowledge of the negotiation that went on over the past two years relative to the movement from the base to the Resolute community. I believe that not only was the movement of the police discussed, but also the post office and various other services. I do not know that Chief Superintendent Buttler can answer a great deal to that because the police was just one part of the agreement and if I recollect, they have agreed to move, but the whole arrangement seemed to break down when the economic activity related to the growth of Resolute Bay diminished. I am wondering if the Commissioner might have some personal knowledge and could answer that question since his predecessor I believe, was personally involved in making those arrangements. Chief Superintendent Buttler says he can answer so I will give him the mike.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, over the past several years there have been negotiations as to the moving of the two members stationed at Resolute Bay down to the new townsite. Unfortunately, accommodation did not prove satisfactory at the new townsite when it was examined by the force property officials out of Ottawa and they were in agreement with that decision. It is now in the stage where negotiations are being developed with the territorial government to build or renovate quarters at the townsite for a detachment office and also living accommodations for the members. As to what stage that has reached at the present time I am not aware, but I do know that these are ongoing at the present time with the housing officials of the territorial government and as to whether they will be completed this year or not, I am not aware.

THE CHAIRMAN (Ms. Cournoyea): Mr. Commissioner, do you wish to add to those comments?

COMMISSIONER PARKER: No, thank you.

THE CHAIRMAN (Ms. Cournoyea): Mr. Pudluk, have you another question?

MR. PUDLUK: (Translation) Madam Chairman, I just want to thank them for writing in orally.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

Need For A Police Detachment In Broughton Island

MR. PATTERSON: Madam Chairman, I am just wondering what more the people of the Baffin region and the council in Broughton Island have to do to persuade the authorities that they really do want a detachment at Broughton Island. The Baffin Regional Council has discussed the matter at length on several occasions and forwarded resolutions to the RCMP and the Government of the Northwest Territories. The settlement council of Broughton Island has made repeated petitions. Representatives from the hamlet of Pangnirtung have said that they are overpoliced and are willing to give up members. Apparently a satellite detachment was established in Tungsten out of Fort Simpson after requests from the mining companies, the mining company; and why has Broughton Island's urgent request not been met to date?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, as the Member indicates, this question was raised yesterday and I believe I responded yesterday saying that the administration had approached the RCMP but this was apparently one of those areas in which the mutual agreement that the services agreement calls for, was not obtained. I will ask Chief Superintendent Buttler if he has anything further to add to that.



CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, the policing of Broughton Island has been under considerable discussion over the past year and over the past several years, and as I mentioned earlier, in 1974, by agreement with the Commissioner of the Northwest Territories, it was agreed that patrol cabins would be established in all of these outlying settlements which I named previously. Broughton Island was one of these settlements and it was agreed that a patrol cabin would be established there and housing and an extra member would be placed at Pangnirtung to police Broughton Island out of Pangnirtung.

As a result of that mutual agreement between the Commissioner and our commissioner in Ottawa, a patrol cabin was placed in Broughton Island last year and the establishment at Pangnirtung was increased from two to three members. We have found, in looking at the overall policing requirements at Broughton, in our opinion the establishment of a permanent detachment is not warranted at this time. The policing activity there is limited and should the Members wish to have the statistical data concerning the policing activity it is available. We do have a member practically full time on rotational patrol to Broughton Island from Pangnirtung and in discussion with these members we find it working quite well as far as police coverage at Broughton is concerned. That is the main reason why we have not established a permanent detachment at Broughton. However, should the Commissioner of the Northwest Territories feel strongly that a detachment should be opened there, then this would be consulted on with Ottawa and programmed into our building requirements for the establishing of a two man detachment there.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson, have you a further question?

Grounds For Establishing And Maintaining A Detachment

MR. PATTERSON: A supplementary, Madam Chairman. If criminal activity or policing activity is a gauge for whether or not a detachment needs to be established, then what on earth are policemen doing in Grise Fiord, particularly now that sovereignty is no longer an issue in that area, and given, and I may stand corrected, but given almost negligible criminal activity?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, the question is a very good one and it would appear that the original grounds for establishing and maintaining a detachment there has diminished considerably. So, I cannot answer beyond saying that it is something that will certainly have to be looked at in future, but I would ask Chief Superintendent Buttler if he would also comment on that question.

CHIEF SUPERINTENDENT BUTTLER: The point raised concerning Grise Fiord is not in isolation concerning criminal activity in some locations in the North. I could cite a number of such locations where the activity is very negligible and, as a result, our members are not pressed in their policing duty. Grise Fiord is one of those. Clyde River could be another one. Sanikiluaq could be another one. I could go on to different other areas.

The detachments were established a good many years ago and the actual crime ratio to population is very small. As I say, to open a detachment the policy is to have two members and these have been programmed over a period of years and to establish a new one, it must be in consultation and the building of the detachment, getting the equipment and married quarters involved, in some of these outlying settlements amounts to thousands of dollars.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Just to see if I can conclude that discussion by saying that I would give the Members assurance, and I give the hon. Member from Frobisher Bay my assurance, that we will pursue the objective of developing a police post in Broughton Island with all possible haste and all possible energy.

THE CHAIRMAN (Ms. Cournoyea): Is that fine, Mr. Patterson?

MR. PATTERSON: There is part of my question I would like to have answered, Madam Chairman, if I may?

THE CHAIRMAN (Ms. Cournoyea): Would you place it again, please?

Satellite Detachments

MR. PATTERSON: Yes. The question relates to what was done in Tungsten out of Fort Simpson. Was that not a case where a member of the Fort Simpson detachment set up some kind of a satellite detachment in Tungsten and why was that done in that area and why can it not be done in Broughton out of Pangnirtung?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I will ask Chief Superintendent Buttler to respond briefly to that.

CHIEF SUPERINTENDENT BUTTLER: Tungsten is not a detachment, it is a patrol based out of Fort Simpson the same as Wrigley, Nahanni Butte and Trout Lake. It is another detachment and it is under the establishment of Fort Simpson. Through co-operation with Tungsten, the mine officials, they have put up a detachment office and a married quarters in the form of a trailer for the members living there, but it is not a permanent detachment as such, such as what you might see at Pangnirtung or Baker Lake or whatnot, it is a rotational patrol service out of Simpson.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson, can I stand you aside for a while and we will hear from the other Members? Mr. James Arreak.

Broughton Island Police Detachment Necessary

MR. ARREAK: (Translation) Madam Chairman, even though Mr. Patterson has already commented on this I would like to add some to his comments. In Broughton Island right now we want an RCMP detachment over there, something we have wanted for quite a while and, in Pangnirtung they have three RCMP officers over there but one of them always stays in Pangnirtung. I am sorry, one of them always goes to Broughton Island. If one of them could be in Broughton Island all the time. (Translation ends)

The people of Broughton Island are asking for full time RCMP officers and the people of Pangnirtung are feeling they are being left out, since one of the officers spends most of his time, or at least one or two of the officers spend most of their time, in Broughton Island and whenever one of the officers goes back to Pangnirtung another one would go to Broughton Island. That way it seems that the guy who was in Broughton Island would want to have some time off, as he spends extra overtime in Broughton Island. So, for the people at Broughton Island, they feel they are being served by only one officer full time and the population of the community is rather large. So, for that reason both of those communities feel they are being left out.

Now, Mr. Butters read part of the letter of Chief Superintendent Buttler yesterday which was about a year and a half old which read: "In my letter of March 21, 1978, to you, I pointed out that the opening of a permanent detachment at Broughton Island was not supportable on operational and economic grounds." I do not understand why he wrote that kind of letter.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.



HON. TOM BUTTERS: Madam Chairman, I thank the Member and take his comments and will advise him. I will note his comments and will ask if Chief Superintendent Buttler wishes to comment on the remarks of the Member.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, my views concerning the opening of a detachment at Broughton Island have not changed over the past year. The amount of policing activity that requires our members has been very slight. There was a total of 41 complaints for the year 1979. The factor of opening a detachment on the economy side involves many thousands of dollars to open permanent buildings or establish permanent buildings at Broughton Island. I would like to state that this matter will be again reviewed with the members at Pangnirtung and with the officer commanding at Frobisher Bay and in consultation with the Commissioner of the Northwest Territories, as to whether a detachment should be established at Broughton Island in the near future.

THE CHAIRMAN (Ms. Cournoyea): Mr. Arreak, have you got anything further to say?

MR. ARREAK: Yes, Madam Chairman. He stated that the crime ratio in small communities is very low. Could there be a way to change the policy of having two officers in all the communities?

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: I have noted the concern raised by the Member. I notice it has been raised by other Members of the committee as well and when policy is being considered that recommendation or suggestion will be looked at. I cannot respond to a much greater degree than saying that we will look at the recommendation, the concern of the Member.

THE CHAIRMAN (Ms. Cournoyea): Mr. Arreak.

Motion To Establish RCMP Detachment At Broughton Island

MR. ARREAK: Yes. I would like to make a motion. I move that this Assembly urge the Commissioner to negotiate with the commissioner of the RCMP to immediately establish a detachment and resident RCMP member in Broughton Island.

THE CHAIRMAN (Ms. Cournoyea): We have a motion on the floor placed by Mr. Arreak that this Assembly urge the Commissioner to negotiate with the commissioner of the RCMP to immediately establish a detachment and resident RCMP member in Broughton Island. To the motion.

MR. ARREAK: I already brought out most of the points but I have got one more thing here. The regional director of the Baffin region told me that they have a staff house, empty staff house that is available that could be turned over to the RCMP on a term basis which could be one or two years before the RCMP built a permanent office there. I do not have anything else so I guess Mr. Patterson can support my motion. Thank you.

THE CHAIRMAN (Ms. Cournoyea): To the motion.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

MR. PATTERSON: Madam Chairman, I tend to agree with Mr. Curley that the presence of policemen in smaller communities may well be unnecessary. I also agree with Mr. Evaluarjuk that this Assembly should immediately urge alternatives to full time professionals of the order of the RCMP and establish training and certification for local constabulary to police the smaller communities but in the meantime...

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson, I do not believe you are speaking to the motion. The motion was to establish a detachment and a resident member of the RCMP in Broughton Island.

Communities Should Have Some Control In Policing Matters

MR. PATTERSON: I was about to say, Madam Chairman, that in the meantime I will support the motion because we have no alternative to the establishment of a policeman in Broughton Island. I would like to point out, Madam Chairman, that for some reason the RCMP have been unduly intransigent in resisting the clear wishes of the people of Broughton Island and the people of the Baffin region. This is a priority and I think it is time that communities in the Northwest Territories started having a say in their own priorities and having a control in this area of policing. Madam Chairman, it is obvious to me that with a different allocation of human resources in the Baffin region on the part of the RCMP, a man could be made available in Broughton Island if the two man detachment policy is reviewed, without unduly straining the whole manpower in the Baffin region. The patrol system is not adequate. There are no troubles when the policeman is there and the troubles occur when the policeman is not there.

Also, Madam Chairman, I am still curious as to why an exception was made for the mining community of Tungsten to permit a so-called -- it is not a detachment, the chief superintendent assures us, but it is not a patrol cabin either and I am hoping that this motion may urge the powers that be, to make the same provision in Broughton Island that for some reason they have been willing to make for a mining community in Tungsten. Now it is true as well that the Government of the Northwest Territories has urged the police, on behalf of the community, to locate a member there and has made housing available similar to the efforts that have been made by the mining company. I am wondering why there is a different standard applied in the Fort Simpson detachment compared to the situation in Pangnirtung. I would also like to say finally, Madam Chairman, that the need for a detachment in Grise Fiord is clearly now obsolete and, furthermore, the need for three policemen in the community of Pangnirtung which is dry now and has very little criminal activity would seem to suggest to everyone, except the commissioner of the RCMP, that the logical thing to do would be to establish at least one man in Broughton. If they are looking for a precedent in the Northwest Territories maybe they need look no further than Fort Simpson. So, I trust this motion will urge the authorities to reconsider this and will recognize that the community has a legitimate interest in the protection of its people and the communities should be listened to, particularly if the entire region seems to be in agreement that there is a priority in that area and that there may well be a surplus of resources in other communities in that region. Thank you.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Ms. Cournoyea): To the motion. Mr. Curley.

RCMP Must Be Able To Communicate With The People

MR. CURLEY: I will support the motion. My concern is still standing that the RCMP is not needed in the settlements. I think there needs to be an understanding in the settlements that the authority and the security of the people can be devolved into local hands rather than the father figure arrangement type of belief in the RCMP which has carried on for years. Because this is a request of the settlement I will support it, but I will at the same time point out that the RCMP does not necessarily have to mean that it has to be non-native. It could be native people, special constables from other settlements moved into the community, rather than a non-native who has no communication with the people and therefore still has a handicap in understanding the needs of the local people. So I will support the motion, but will emphasize strongly that any RCMP transferred to that community must speak and be able to understand the people and be able to communicate with them thoroughly. Thank you.

THE CHAIRMAN (Ms. Cournoyea): A motion on the floor to establish a detachment and resident RCMP member in Broughton Island. To the motion.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Ms. Cournoyea): We have the question being called. Do you want the motion read again or do we call the question?

SOME HON. MEMBERS: Question.

Motion To Establish RCMP Detachment At Broughton Island, Carried

THE CHAIRMAN (Ms. Cournoyea): All in favour of this motion? Opposed? All those opposed? The motion is carried.

---Carried

Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I note the time for recess is approaching and I wonder if to expedite the business of this committee especially as a number of Members have referred to the subject matter of the Northern Policing proposal, whether I might have agreement from Members to introduce this proposal into committee of the whole discussion at this time?

THE CHAIRMAN (Ms. Cournoyea): Is everyone in agreement with Tabled Document 21-80(1), Northern Policing, to introduce it at this time?

---Agreed

HON. TOM BUTTERS: Thank you, Madam Chairman.

THE CHAIRMAN (Ms. Cournoyea): We have a number of speakers who are already on tap to speak to us at 11:30 so we will recess at this time to come back at 1:00 o'clock to continue discussion of the Department of Justice and Public Services.

---LUNCHEON ADJOURNMENT

THE CHAIRMAN (Mr. Patterson): The committee of the whole will come to order.

Representations By Dene Nation

As agreed earlier we will now hear from Mr. Bob Overvold, representing the Dene Nation.

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN (Mr. Patterson): Is that agreed?

---Agreed

Mr. Overvold, would you like to come forward? You have the floor to make any remarks you wish to make and then the floor will be open to Members for comments and questions. Perhaps I can just say on behalf of the Assembly that I welcome you here and I would say we are very pleased to have had the opportunity to meet with you this session, and by way of introduction I think Mr. Overvold is responsible for aboriginal rights for the Dene Nation. So, welcome, Mr. Overvold, and you have the floor.

MR. OVERVOLD: Thank you, Mr. Chairman. Mr. Chairman, Members of the Legislative Assembly, on behalf of the Dene Nation and our membership in the Mackenzie Valley, I would like to thank you for this opportunity to share with you today some of our thoughts and ideas, hopes and aspirations.

My name is Bob Overvold, I am the director of aboriginal rights for the Dene Nation. As such, I am responsible to my people and their leaders for the direction in which the settlement of our claims and recognition of our rights must go. It is a serious responsibility and one which I do not take lightly.

THE CHAIRMAN (Mr. Patterson): Excuse me. I am sorry to interrupt you, Mr. Overvold, but I have received a warning already that you are going just a little too fast and I am sure you are aware that we have interpreters to keep up with. So, could you go back a bit and slow down, please?

MR. OVERVOLD: I am responsible to my people and their leaders for the direction in which the settlement of our claims and recognition of our rights must go. It is a serious responsibility and one which I do not take lightly. In appearing before you today I sense a new and positive relationship growing between this Assembly and the Dene Nation. We, as I am sure you must, regret the atmosphere of confrontation and polarization which marred much of the previous administration's relations with us and we with them. I appreciate the initiatives taken both individually and collectively by Members of this Assembly in helping to end that era of confrontation. On the part of the Dene Nation, we too, have taken serious steps to try and work with you to achieve a consensus about future directions for our land and its people. There are still differences between some of you and some of us, but I believe we must see them as honest differences which must be dealt with openly and with integrity in an honest attempt to understand where and why we agree and disagree.

It is the hope of the Dene Nation that this presentation today will be but the first step in a long and, at times, difficult road to greater understanding and mutual respect. I have four basic areas which I would like to deal with and my remarks will be an attempt to help you understand the fundamental philosophy and evolution of our positions. Before that occurs you must understand where it is we come from.

Evolution Of Dene Position To Self-determination

The first area I would like to address is the area of aboriginal rights. In particular, I would like to share with you the evolution of the Dene position from land rights to wanting self-determination. I think it is important to understand that our position has never been a static one that has no evolution for development, in the six or seven years in which we have lumped everything



under the erroneous heading of "land claims". We are not claiming any land, the land is ours. What we are asking is that the federal government, in the name of Canada, recognize our aboriginal rights and negotiate with us a way in which those rights can be safeguarded so that our people and our culture can flourish, rather than be extinguished and die. The official definition of the Dene position began with the statement of property rights at the general assembly in Fort Good Hope when both the Dene Nation and the Metis Association met; a claim of ownership of some 450,000 square miles. In the name of the Indian people of the Mackenzie Valley the ideas of aboriginal rights and special status were very important, but racially defined, racially defined categories upon which the claim was based. The ownership was clearly to be racially exclusive and not much thought has been given to the social and political implications of this racially based property claim. The thought behind this position was clearly to protect the traditional way of life, the old people, the Dene past and many young people, to the extent that they were attached to this position, were only attached in a romantic self denying way. It did not reflect either the reality or their experience.

The following year was a crucial experience in development. The threat of the pipeline and the commencement of the Berger community hearings raised the vital political issue of decision making authority over Dene land, and the hearings began to emphasize and contribute to the establishment of a national consciousness among Dene communities. At the same time, within the old Indian Brotherhood of the Northwest Territories, an analysis of the pipeline question in conjunction with the development of internal struggle, led to a clear identification of colonialism as the primary northern reality. It was natural for the Dene declaration to emerge and link all these developing strands in the assertion of the political rights of the Dene as a colonized nation of original people. This was July, 1975.

#### Dene Declaration Historically Important

The historical importance of the Dene Declaration, in the development of the Dene movement, was not completely obvious even to those who contributed most directly to its formulation. Certainly the debate that ensued indicated that it was not yet a product of mass consciousness, though its value as a focus for debate could not be questioned. This lesson has been repeated with every major new restatement of the Dene interest and cannot be overemphasized. These statements are nothing like so important as statements of the Dene as they are tools which inform and develop. The presentation to the federal Minister of Northern and Indian Affairs of our proposed agreement in principle in the fall of 1976 was another step in the evolution of our position and had, as its basis, the beginning of our thinking on a Dene system of government within Canada and in our traditional homeland. The fact that it had racially exclusive overtones was not immediately apparent to us and while we have steadfastly insisted, a non-racial and non-racial society is our goal, it is equally clear that this non-racial definition is not widely accepted or understood. This is not surprising, but it is an important fact to recognize and address with a specific strategy.

The movement's growth is dependent ultimately on the ability of the people of the North to address this question of racism, not academically but in relationships of struggle. The existence of racism among the Dene and non-Dene goes naturally with the day-to-day experience where both sides of the relationship accept its demeaning assumption of racial superiority/inferiority. In short, racism and colonialism go together, and one will not cease until the other is erased. There has been a tendency on our part to react to the suggestion of others, of Dene racism, defensively. This is probably an error



since it denies reality. There should be no harm in admitting that those who grew up in a racist reality will initially define things in racial terms. What is important, while recognizing this fact is to emphasize the prospect of development to the non-racial plane of the struggle for self-determination. Certainly, racism only can be eliminated if it is first recognized as a natural outcome of the existing colonial reality. Publicly admitting the existence of racism is not an admission of guilt but a necessary part of the further definition and demystification of the colonial reality that is alive and well in the Northwest Territories today.

Such public recognition will contribute to the growth of consciousness both among the Dene and non-Dene while it completely undermines the power of the opposition to manipulate racist fears to its advantage. Denial of the existence of racism simply denies the experience of everyone in the North today, whether conscious or not.

#### Metro Model Developed In 1977

I want to refer briefly in this section to the so-called metro model which was developed in 1977 and studied extensively and then abandoned as our understanding of self-determination grew. This model would have divided the Northwest Territories into several distinct groupings, Dene, Inuit, non-Dene and so on. There would have been an umbrella type government for common concerns but the divisions would have been entrenched. The real point of the metro model however, is to underscore, as forcefully as I can, the difference between stated positions as part of the process of developing our understanding and the hardening of each position, until the process of real human development and understanding is achieved.

If one looks back over the recent history of the Dene struggle what we are struck by most is the characteristics of change and development. Each major public statement concerning the position of the Dene grew out of a strategic context of struggle. We came to understand that only those who assumed the right to define themselves, to take the initiative, to act rather than react, to decolonize, only they truly had a strategy. It is important to know that what you are doing and why you are doing it if decolonization is the objective. With this in mind each major statement of the Dene position was necessitated by the particular stage of the struggle at the time. Each statement was an effort to describe the Dene interests, given the particular historic conditions. At Fort Good Hope the "land claims" possibility was seized to state an opening position which appeared to reflect the older people's understanding of the treaties, that is, no land had been given up nor was any to be given up.

As the ability to undertake struggle grew internally the emphasis shifted to the essentials of political development and decolonization, institutions created by the peoples themselves and the right of the Dene and every individual to determine their relationships through negotiations. Statements reflecting this growing awareness included the already mentioned Dene Declaration, the proposed agreement in principle, the metro model and most recently the discussion paper on Dene government. The latter reflects the best understanding we have, to date, of what negotiated relationships would be at the social level and the level of a Dene/non-Dene society and its political jurisdictions. As such it is a learning tool.

One of the major gaps in perception of the Dene struggle for self-government is the misunderstanding by many Canadians, especially I am afraid, the federal government, of the Dene as simply another ethnic group in the multicultural Canadian mosaic like the immigrants who settled in various parts of this country. Government says that ethnic groups have no right to establish separate institutions within our political and constitutional system and we agree. We are a nation of people. We are a nation not as an independent nation state in the sense Canada is a nation state, but in the sense that we see and declare ourselves to be a nation and meet certain internationally accepted objective criteria, that is, we are a people who share a common territory, language, traditions and belief systems. Most of all it is a feeling perceived by our people in relation to nationalism that comes from within, that is, an active sense of belonging together and of being a distinct people, distinct from other groups.

#### Rights As The Majority Of The Permanent Population

But we must also disagree that we are not merely another ethnic group. We have aboriginal rights. Therefore, we have the right to have a major say in the establishment of the system of government that is going to exist in our homeland, especially since we are the majority of the permanent population in our homeland. The concept of aboriginal rights evolved as part of the process of the colonization of this country. Modern perceptions of the rights of people have evolved to include amongst the rights of nations the right to self-determination. Thus it is wrong to say that the rights of the Dene are restricted to rights in respect to the land and that beyond that the right to self-determination of the Dene cannot include the exercise of that right in Dene institutions.

The prior question is: What serves the end of self-determination? It is a question that must be posed and answered in the concrete factual situation. If Dene institutions are required then they must be created and designed to serve the end of self-determination. It is no answer to say that ethnic groups do not have the right to their institutions, therefore, the Dene cannot. The Dene are not an ethnic group. We are a nation of people. Nor are the Dene merely racially defined. We are a nation. Ethnic and cultural groups have relevance to the concept of multiculturalism which is described as an alternative to the melting pot concept of the Americans, neither of which have relevance to aboriginal peoples. The philosophy of multiculturalism is to the effect that immigrants can and should retain their cultural and ethnic identity. The Dene are not immigrants.

#### Recognition Of Unique Status Within The Constitution

Moreover, there is specific recognition of the unique status of our aboriginal people in the constitution of this country. The recognition of that unique status is observed in the existence of the Indian reserve system. While it is correct to say that exclusive political jurisdictions for ethnic, cultural and racial groups have never been recognized, it is wrong to say that the same applies to native people. An exclusive political jurisdiction is spelled out in the Indian Act in respect to a defined people, the band, and the defined territory, the reserve. With respect to that people and that territory there is a government, the band council. Whatever the failings of the reserve system, it shows that exclusive jurisdictions for native peoples is not incompatible with the Canadian political system.

The second main area I would like to address today is the present Dene provisions. We were heartened by the draft of the sessional paper on a redefinition of the role of the Northwest Territories Legislative Assembly in the constitutional and claims process. We regret that it was not dealt with by this present

session of the Assembly. It is important, as the recommendation suggested in that sessional paper, that the negotiations for recognition of Dene rights and the establishment of just government for our land be carried on between the federal government and the Dene. The Inuit Tapirisat of Canada insists on this. So do the Dene, who are pleased to note so does this Assembly, if the sessional paper's recommendations by James Wah-Shee, Minister of Local Government are accepted. We agree, however, that this does not mean the Assembly has no interest in the negotiation of political rights with the Dene. Indeed, we insist that everyone in the North has a mutual interest and what we must try to achieve is a consensus here in the North on political rights and constitutional development because we believe, as I am sure you do, that self-government is in everyone's best interest.

---Applause

About a year ago almost to the day the Dene Nation revealed during the northern native rights campaign its latest position paper, a paper which we said was for discussion and education. We believe now that the title of that paper which refers to the recognition of the Dene Nation through Dene government is perhaps unfortunate in that it does not tell the whole story. Perhaps it would more accurately read "recognition of the Dene Nation through a just government for the Mackenzie Valley". This dispels any notion of a racial state, although undoubtedly it would have to reflect traditional Dene values and decision making.

#### Underlying Philosophy Will Not Change

However, regardless of the title of our latest position, we want to try to explain to you the intent or underlying philosophy of this paper, for while its specific proposals could be changed, the philosophy will not change. It is for this reason that while we have not issued a formal position on the Nunavut proposal of the Inuit, we do support ITC's desire for such a government of their land that reflects the wishes of most of the people through a single form of government of Inuit land. Similarly, the Dene have been saying for some time now, despite misunderstandings and deliberate misinterpretations by many, including the previous territorial Assembly, the federal government and the present Member of Parliament for the Western Arctic, that we seek a single form of government on Dene land, a system of government which would for once reflect the Dene majority, both in the make-up and style of government.

That is why, with all due respect, we cannot plug into the present form of government which is a perpetuation of colonialism; that is, it is an imposed system of government. No matter how enlightened or how many alterations may be suggested, no matter what its racial make-up might be, we must reject the present system because it would be building on old forms of government, a mere alteration of an externally defined system of existing colonial framework.

#### Previous Assembly's Position On Constitutional Development

The first step in the political development of the Northwest Territories must be the federal government's recognition that the Dene and Inuit have a right to political self-determination; that is, we have a right to define the kind of government by which we want to run our affairs. The sessional paper has already put forward proposals as to how this goal can be achieved. We are open to discussing with you the various proposals to determine which will be the most effective and mutually satisfactory. We join ITC in requesting



that this Assembly withdraw the position paper on constitutional development for the Northwest Territories which was endorsed by the previous Assembly. That paper, which was drawn up entirely without input from native organizations, and which totally ignored our positions, is a legacy of the colonial era. We applaud the recommendation of the Hon. James Wah-Shee that proposes revoking this paper. The Assembly's rejection of that previous position represented an act of good faith that will allow us to enter into discussions on political development in a new spirit of co-operation.

We, like ITC, are proposing that the existing Northwest Territories be divided into two separate jurisdictions. We encourage all Assembly Members to seriously consider and support this proposal in the same manner and respect we will give your proposals. While we clearly want a system of government which reflects Dene values within our traditional Dene territory, and which incorporates traditional Dene methods of decision making such as consensus, this does not mean we intend to negotiate a form of government whose major function would be simply to promote Dene interests. Just government, which is our goal, must have the task of administering equal justice to all communities of people rather than promoting the interests of any particular people.

One of our criticisms of the present form of government, in addition to its reflection of colonial tradition, is that it promotes the interests of a privileged few in our society, the economically and culturally powerful. The less economically and culturally are pushed aside.

The problem is not that the institutions of the federal government and the various provincial and territorial governments are political embodiments of a particular people, mainly the British, the problem is that those institutions are put to work to entrench a particular set of values rather than to treat the values of each distinct community of people equally. There is no question that the style and form of government, including the type of institutions set up to govern are, themselves, crucial. A form in which decisions is decentralized will also lead to a decentralized system of education, health care and a decentralized community based economic system. It is clear that in the Northwest Territories or at least in our portion of it, the style and form of government should be Dene, in that it reflects traditional Dene values. But once the framework of the stage is set up in this manner, I suggest that the government's task is to make sure that all close value communities enjoy equal rights.

#### Meaning Of Full Political Rights

For example, the preferential tax treatment given to multinational corporations and other large businesses, compared to the way small businesses are treated, is another example of why governments in Canada favour certain business principles and discriminate against others. In our discussion paper we say that the Dene will recognize the rights of all residents to full political rights within the Dene institution. We go on to say that because people will have more to say in the functioning of government, the non-Dene would have more rights that they now have with the existing territorial government. By full political rights we not only mean the right to vote and to hold political office, but also to go beyond that and establish for instance, schools, health care and other institutions which reflect non-Dene values and which could exist side by side with institutions set up in accordance with Dene traditions and values. Of course, this may not necessarily happen but none the less it should be an option that is clearly open.

In concrete terms, the non-Dene would be free to set up their own school system if they choose. In that case the non-Dene would give up their rights to participate in the Dene educational system; that is, they could not vote or hold office or enrol their children and would hold those rights in another system set up to promote their own values and traditions. In conclusion on this area, in general there are several key principles upon which our discussion paper is based. We are committed to the creation of a single government which represents all residents in our homeland, Dene and non-Dene. Our goal is to create a government structure that reflects northern traditions as well as British parliamentary traditions, a government structure that places powers in the hands of the people and not just in the hands of an elected few, a government structure that all people in the North can accept and work within and, furthermore, a fair division and sharing of powers between the federal government and the government that will be set up in our homeland. I urge you to study seriously our latest position, particularly the areas which describe our philosophy, the right to self-determination, the basis for just government in the Dene homeland, our history of government and their traditions and the division of powers we envisage. I remind you again, while the specifics and details may change with negotiation and with our development, the underlying philosophy will remain the same.

#### Response To Drury Report

The third area I would like to share with you is our response to the Drury report on constitutional development. In responding to the report of the Hon. C.M. Drury, which has just been released, we must remind you why the Dene and Inuit chose to ignore the inquiry from the day the Prime Minister issued his policy paper on northern development, because we recognized immediately that Mr. Drury's mandate was to maintain the status quo and bury forever the landmark Berger report.

---Applause

Mr. Drury has not disappointed us. I would like to take a little bit of time to give you our analysis of that federal government policy I referred to, of August 1977, and it is as follows: The federal government policy statement must be seen as a response to the Dene defeat of the Mackenzie Valley pipeline proposal. The Dene, the strength of the Dene had been seen as a challenge to the maintenance of colonialism in the Northwest Territories. Rather than support the decolonization of northern people the cabinet opted for the entrenchment of a colonial regime.

The cabinet paper attempted to ignore years of history and was an attempt to reverse the progress of northern peoples in the struggle for their rights. It was an attempt to undercut the great progress in human relationships symbolized by the Berger report. The undisclosed rationale of that policy was to preserve the stranglehold of the federal government over northern resources and to make virtually impossible the exercise of self-determination by native and non-native residents in the Northwest Territories. The cabinet had attempted to unilaterally abolish the right of the Dene and other northern peoples to negotiate their place in confederation by trying to separate political rights from the aboriginal rights negotiation process. Once again solutions were to have been imposed on native peoples against their wish and interest.

Fifthly, in the place of self-determining jurisdictions the cabinet had proposed a proliferation of meaningless boards, committees and advisory councils all controlled by the federal government. Sixthly, hypocrisy was a theme of the paper. On the one hand the possibility of a Dene government is dismissed because "ethnic governments" are viewed as un-Canadian. On the other hand, the Dene are welcome to take reserves. It appeared that ethnic governments are not un-Canadian as long as they are powerless and impoverished. Lastly, the cabinet document suggested that there is no relation between political rights and the survival of culture. Such a statement is absurd. How can culture exist and grow without self-determination?



Drury Report Already Outdated

The present result of that policy at this stage is, of course, the Drury report. Mr. Drury's report is already out-of-date and lacks any innovative or imaginative suggestions. On March 7th, Charles Lynch, the Ottawa bureau chief of Southam Newspapers, wrote in his daily column distributed across Canada, that this report should be consigned to the nearest snowdrift and described it as "an inflammatory document". Mr. Lynch, never noted as a supporter of the Dene Nation or even a writer of radical thoughts, dismissed most of Drury's report and especially made mockery of the suggestion that "the small size of the population in relation to the land mass of the Northwest Territories, fiscal dependency, strategic location and the northern economic and environmental circumstances pose real limitations on the potential for political independence of the Territories." Lynch argues that this is the same lie that "White Rhodesians and South Africans will recognize that line, having used it for so long themselves." He also effectively refutes Drury's suggestion that as long as Ottawa is putting up the money for the territorial government that it must call all the shots. He says: "The federal government contributes a major portion of the budgets of Newfoundland, Prince Edward Island, New Brunswick and Nova Scotia, and puts great gobs of money into Quebec, yet nobody would dare talk to the peoples of those regions the way Drury talks to northern natives." He goes on to say "Who but a bureaucrat-politician would dare to claim that efficient government exists, anywhere in Canada?"

---Applause

We rarely find ourselves supported by someone of Charles Lynch's political persuasion, which is usually supportive of the federal positions, but we think he could have also pointed out, to dismiss Nunavut and the Dene Nation's proposals as racist, when Mr. Drury did not have the input from the two organizations, who together represent approximately two thirds of the Northwest Territories population and fails to mention this omission, is less than honest. In our news release of March 6, 1980, we described the report as outdated, unimaginative and suggesting constitutional changes which were too little, too late. What is needed are imaginative and bold new ideas. Drury's main point is that the Territories are not ready for responsible government. His assertion that the small size of the population in relation to the land mass, the fiscal dependency, the economic and environmental circumstances pose real limitations on the potential of political independence of the Territories is a clear example of such unimaginative and old ideas.

Stifling Of Potential Creativity

He goes on to say: "These real limitations to political autonomy are not yet fully appreciated in the Northwest Territories. The challenge facing residents and governments in the Northwest Territories will be to adjust their expectations to the realities." We say "nonsense"! What a stifling of potential creativity! The whole country is questioning the federal system and the relationship of the various levels of government and Drury wants the people of the North to adjust our expectations to the realities defined by him and the federal government?

---Applause

We already know that we do not have the population and therefore the tax base to provide social services and become economically self-reliant by pursuing that approach. We will not have the required population for such a tax base for at least 40, perhaps 100 years from now. Are the people of the North expected to wait that long for self-government? What about our resources? One matter seems crystal clear. The federal government is committed to the rapid economic development of the North. Their rationale is such: Northern resources are increasingly important to the whole of Canada because money from their sale will help reverse Canada's deficit balance of payments. According to the feds, the North is now a financial albatross around the neck of the Canadian economy. Too much money is flowing north in the form of transfer payments and too little is coming back to the federal coffers. Of course, they conveniently forget to mention that Northwest Territories resource revenues mainly flow south directly into the coffers of multinationals often headquartered in the United States. The time has come to look at and work towards new fiscal arrangements. If Northwest Territories resource revenues or at least a sufficient portion of them were to remain in the North, then we would have the financial capacity to indeed be self-reliant.

---Applause

We would not have to depend on a large population for purposes of a tax base to provide services. This is but one example of new approaches that people of the North should examine seriously. There are ways to become self-reliant and thus achieve responsible government in the foreseeable future. We do not have to wait for some unforeseeable time in the future to have responsible government.

#### Harmonious Relationships With Assembly

Mr. Chairman, Members of this Assembly, I urge you, especially in the light of new and harmonious relationships which have marked this new Legislative Assembly and the Dene Nation and ITC, to dismiss this report as a document portraying a tiny segment of the past that is otherwise irrelevant. It, in no way, encompasses the present realities of our people and our relationship to you.

The final area I would like to address is the area of Dene aboriginal rights negotiations with the federal government. The Dene Nation has been committed to the principle that there should be one organization of all the original people of the Mackenzie Valley. We are still totally committed to that premise, believing that it accurately reflects the wishes, desires and realities of all people of Dene ancestry who are one and consider themselves to be one, especially at the community level. Many of our communities have moved to Dene band councils where people are eligible to participate in every way regardless of status. At the national level the Dene Nation constitution has been formally amended to reflect this reality and all people of Dene ancestry, regardless of status, are eligible to vote, hold office and fully participate in any settlement of claims.

We have devoted many hours, months and years working to achieve this unity. We have devoted enormous amounts of energy and resources trying to make unity a fact at the organizational and national levels. While most Dene affiliate themselves with the Dene Nation, the fact is that we have been unsuccessful in our talks with the Metis Association of the Northwest Territories in persuading all of them of the value of a single organization. We are convinced, as I am sure you are, that we must do all we can to get the negotiations going again as soon as possible with great urgency, Mr. Chairman, and bring the federal government to the table. If we cannot persuade the

Metis Association to join us in presenting one position to the federal negotiators, then we feel obliged to fulfil our right to negotiate for all Dene as quickly as we can get Ottawa to start those negotiations. We are ready. We assure you that if we begin negotiations that, at all times and under every circumstance, those who still retain membership in the Metis Association and who are of Dene ancestry will be fully protected and their interests taken care of.

#### Negotiation Process For A Single Claim

Before I close I would like to outline for you our position on why the federal government should again commence the negotiating process with the Dene Nation for one single claim for all descendants of the Dene in the Mackenzie Valley. There is only one aboriginal nation in the Mackenzie Valley, and that is the Dene Nation, whose members are descendants of the five linguistic groups in the valley and the Great Slave Lake south; Loucheux, Slavey, Dogrib, Chipewyan and Cree. It is the position of the Dene people, first officially proclaimed in the joint general assembly in Fort Good Hope in 1974, that there should be one single organization to represent all descendants of the Dene in the negotiation of an aboriginal rights settlement with the federal government of Canada. The chiefs and band councils are the traditional leadership of the Dene and with the signing of the treaties their leadership was formally recognized by the Government of Canada through the Indian Act. The right of the Dene Nation leadership to represent the descendants of the Dene in aboriginal matters has been recognized in legal precedent. The chiefs and band councils, the traditional leadership of the Dene, are the only authority mandated to negotiate an agreement with the federal government on behalf of all the Dene.

The great majority of descendants of the Dene view themselves as part of the Dene collective, although many are legally considered non-status because of marriage, disenfranchisement or failure to participate in the treaties. Members of the Metis Association who are descendants of the Dene and non-Dene derive their claims to aboriginal rights only from their Dene heritage. The Metis Association does not have any tradition of representing the descendants of the Dene and has no mandate from the chiefs or the communities to negotiate an aboriginal rights settlement on behalf of the descendants of the Dene. The membership of the Metis Association includes native people who are not descendants of the Dene, thus are not eligible to be a recipient of an eventual settlement. The Dene chiefs have taken every possible step to ensure that all descendants of the Dene have full rights in the Dene Nation and, through a series of constitutional changes, full participation at every level of decision making in the Dene Nation has been ensured to all descendants of the Dene, status, non-status, Metis, regardless of political philosophy.

Within the Dene Nation, any individual of Dene descent has full rights to present an opposing point of view and to run for office if he or she does not agree with the direction the Dene Nation is taking. For these above reasons, we propose therefore, that there will be only one aboriginal rights settlement in the Mackenzie Valley and that negotiation of that settlement shall be undertaken by the Dene Nation on behalf of all the descendants of the Dene.

#### Rights And Interests Of Members Of Metis Association

Secondly, we propose that the rights and interests of the membership of the Metis Association who are of Dene descent will be protected as guaranteed below:

(a) Members of the Metis Association who are descendants of the Dene will be fully included in the process of arriving at a final position on aboriginal rights settlement in the same manner as the membership of the Dene Nation always has been;

(b) Members of the Metis Association who are descendants of the Dene will be fully included in the ratification process of any agreement in principle;  
(c) Any individual descendant of the Dene or group thereof will have the option, through a written agreement, to divert on a pro rata basis, a portion of the cash settlement to the control of any agency or corporation which they chose.

We believe we must get the negotiation started by summer at the latest.

---Applause

We intend at the very earliest possible time to urge the new Minister of Indian and Northern Affairs to resume funding us by way of loan for a start-up period from three to six months to allow us to prepare our negotiation position.

Mr. Chairman, Members of this Assembly, I urge you and respectfully request that this Assembly formally support us in our efforts to get the negotiation process going again. I trust my remarks today will serve to enlighten you on our position and I thank you for your careful attention. I want to end on the same positive note with which I began, expressing the hope and our commitment to end the era of confrontation and polarization. We are deeply grateful to those individuals in this Assembly who have done so much to try and understand our position and respect our differences. It is my real hope that this presentation today will serve as the basis for a deep and sincere dialogue. I pledge myself and my colleagues to make ourselves available to you for consultation and to answer questions. I trust you will do the same. Thank you, Mr. Chairman and Members of this Legislative Assembly.

---Applause

THE CHAIRMAN (Mr. Patterson): Thank you, Mr. Overvold. Mr. MacQuarrie.

A Desire For Consensus In N.W.T.

HON. ROBERT H. MacQUARRIE: Thank you, Mr. Chairman. As chairman of the special committee on unity that was established by this Assembly to try and come to a consensus with the peoples of the North, I would like to thank Mr. Overvold for coming today and giving us a very clear and forthright presentation of the philosophy and position of the Dene Nation. His presentation shows that there are many hard issues that have to be resolved in the months ahead, but I would say that the establishment by this Assembly of the committee which I chair, by the obvious desire of the Executive Committee in its sessional paper, to try to come to an understanding with the native peoples of the North, with Mr. Overvold's visit to this Assembly today, there is an indication, no matter how hard the issues might be to resolve eventually, there is a desire to address these most difficult problems, to meet them face on and to try and achieve a consensus in the Northwest Territories. I can only say that our committee looks forward with pleasure to the invitation that was extended at the end and that is, to talk directly with Mr. Overvold and the directors of the Dene Nation in order to try and get that process of consensus under way.



THE CHAIRMAN (Mr. Patterson): Thank you, Mr. MacQuarrie. Anyone else?  
Ms. Cournoyea.

MS. COURNOYEA: I would like to thank Mr. Overvold for appearing on behalf of the Dene Nation and also to say that many of the things he said are part of all the people who take part in trying to forward the native people's position, to bring them to a state where we all feel comfortable in this changing northern society. As a Northwest Territories Assembly Member, I would say to Mr. Overvold that it is very easy to be a territorial Member. We have the situation where we can make a need in a community known to the territorial government, because they hold the purse strings of the facilities that are prepared for the living community in the Northwest Territories. I think sometimes we could get removed from the real issue of community development among people, and certainly the Dene Nation and their past record can only be applauded, to the kind of involvement that they have had at the community level. They have had no water trucks to offer their people; they have had no hamlet council offices to give to their people; all they have had is a desire to build confidence and build a life for their people where they feel that in the long run the people are going to be part of society.

#### Special Jurisdictional Powers Of Members

It is not easy when you have nothing to hand out to a community. I have been involved with the native movement for many years and we have never been able to come into a community and make promises and say we will go to a territorial Assembly session and we will see what we can get for you. There is a budget there and we can bring home to you various things. So, it is an established state of being, that is there before we are even elected, and I hope that in our efforts to work with all the native groups in the Northwest Territories, and to be open and meaningful, that none of us as territorial Assembly Members get lost in the promises we can bring to our communities and in the facilities we can bring to our communities which is offered through this special jurisdictional power that is known as the Northwest Territories government.

We have a long way to go, and I think the biggest part of development is within the people themselves. In the last while, Mr. Overvold, we have been talking about native involvement in the government structure and I must say that on the everyday basis we have not been very successful. Some of the things you said today I think are very meaningful and provide a lot of those answers why we have not been successful and I for one certainly appreciate those comments.

THE CHAIRMAN (Mr. Patterson): Thank you. If you wish to respond, Mr. Overvold, please let me know. Are there any other comments or questions? Mr. Sibbeston.

#### Motion To Urge Reinstatement Of Loans And Negotiations, Dene Nation

MR. SIBBESTON: Mr. Chairman, I wish to make a motion, and maybe this will result in some discussion: I move that this Legislative Assembly urge the Minister of Indian and Northern Affairs to: (1) reinstate loans to the Dene Nation in order that the Dene Nation can complete preparation of their formal negotiating positions respecting the aboriginal rights of the Dene people and their descendants in the Northwest Territories; and (2) permit to begin formal negotiations with the Dene Nation after a start-up period of approximately six months after funding is provided by the federal government.

THE CHAIRMAN (Mr. Patterson): Mr. Sibbeston, can I suggest that number two read: "Make a commitment to begin formal negotiations"? Is that what you meant?

MR. SIBBESTON: Yes.

THE CHAIRMAN (Mr. Patterson): I will read the motion again: I move that this Legislative Assembly urge the Minister of Indian and Northern Affairs to: (1) reinstate loans to the Dene Nation in order that the Dene Nation can complete preparation of their formal negotiating position respecting the aboriginal rights of the Dene people and their descendants in the Northwest Territories; and (2) make a commitment to begin formal negotiations with the Dene Nation after a start-up period of approximately six months after funding is provided by the federal government. To the motion. Mr. Sibbeston.

MR. SIBBESTON: I would just say this motion is as a result of the request from Mr. Overvold and the Dene Nation requesting this Assembly's support to get the negotiations under way and, as Mr. Overvold stated, they are prepared to begin and hopefully this motion from this Assembly will result in the Minister reacting quickly to the Dene Nation's request and also to indicate to the Minister that definitely the Dene Nation does have our support with regard to the whole aboriginal rights negotiations.

THE CHAIRMAN (Mr. Patterson): To the motion. Are there any other comments on the motion? Are you ready to vote?

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Patterson): All right. It has been moved by Mr. Sibbeston that this Legislative Assembly urge the Minister of Indian and Northern Affairs to: (1) reinstate loans to the Dene Nation in order that the Dene Nation can complete preparation of their formal negotiating position respecting the aboriginal rights of the Dene people and their descendants in the Northwest Territories; and (2) make a commitment to begin formal negotiations with the Dene Nation after a start-up period of approximately six months after funding is provided by the federal government.

Motion Carried

All in favour of the motion? Opposed? The motion is carried unanimously.

---Carried

---Applause

MR. OVERVOLD: I would just like to thank again, Members of this Legislature for that show of support.

THE CHAIRMAN (Mr. Patterson): Are there any other questions or comments? Mr. Butters.

HON. TOM BUTTERS: Just very briefly, Mr. Chairman, to congratulate Mr. Overvold on his presentation. Obviously he had a message and that message was not only for this chamber, but for many other groups and agencies who would be listening. I would just welcome the offer made by Mr. Overvold on behalf of the Dene Nation, to consult and meet and discuss and debate these most important issues. As he indicated in his opening remarks, there will be differences of opinion and there is nothing wrong with differences of opinion. I think what is wrong is when those differences of opinion are not stated and are not communicated to the people who hold those differences and I think

that it is very encouraging that Mr. Overvold, as the representative from the Dene Nation, indicates that he is willing to meet with the Members of this House and discuss these. "A deep and sincere dialogue" were his words and that is a very sincere invitation and I think that will be accepted.

THE CHAIRMAN (Mr. Patterson): Thank you, Hon. Mr. Butters. Are there any other comments? If not, perhaps I will suggest that we have coffee for 15 minutes and we will briefly again call for questions and comments after coffee, in case anyone has any more discussion. We will now rise for 15 minutes for coffee and resume this discussion after coffee.

---SHORT RECESS

THE CHAIRMAN (Mr. Patterson): Committee of the whole will come to order. We are still continuing discussion on the presentation of Mr. Bob Overvold. Do any Members have any questions or comments? Hon. Mr. Braden.

Changes In Role Of Commissioner

HON. GEORGE BRADEN: Thank you, Mr. Chairman. First I would like to thank our guest, Mr. Overvold, for coming today and delivering a very eloquent and well prepared set of remarks. I think that there is a lot of potential in the future and I am pleased that a representative of the Dene Nation has appeared in this committee and in this House to discuss that organization's views. I have one question, Mr. Chairman, which I would like to direct to Mr. Overvold and it concerns the motion which was made I believe by yourself in the House last Friday, concerning the role of the Commissioner of the Northwest Territories as the chairman of the Executive Committee of the Government of the Northwest Territories. We voted in this House that we would like to have the Executive and the government report back in the fall on how change or if change could be made with respect to the Commissioner's role and having an elected official assume the role of the chairmanship of that senior committee. There is another motion which went through concerning the authority of appointed officials of the Government of the Northwest Territories and as I recall it the motion requested that the appointed officials be divested of all departmental authority that they had. What I would like to ask our guest is what the Dene Nation's views would be on a change of that magnitude within the existing structure of the Northwest Territories government. Thank you.

THE CHAIRMAN (Mr. Patterson): Mr. Overvold.

MR. OVERVOLD: From my personal point of view it would be a step in the right direction but to me it does not represent a significant change. All you are doing is this, if I could try to make a parallel, is change the driver of a car or the institution per se and the system is still virtually the same, but it would certainly be a step in the right direction.

HON. GEORGE BRADEN: Thank you very much.

THE CHAIRMAN (Mr. Patterson): If there are no more comments, thank you very much, Mr. Overvold. We will go on to other business. We are on the Department of Justice and Public Services and I think the witnesses would be welcome to return again. Chief Superintendent Buttler and Mr. Victor Irving. May I ask if any Members might be willing to relieve me in the chair?

Department Of Justice And Public Services, O And M, Directorate

THE CHAIRMAN (Ms. Cournoyea): We will continue to discuss the Department of Justice and Public Services, the directorate, operations and maintenance. Joe Arlooktoo.

MR. ARLOOKTOO: (Translation) Madam Chairman, I wanted to make a comment earlier directed to the witnesses at the front. When they were discussing the RCMP I thought I heard -- we have the RCMP -- they used to transfer RCMP's and we have people from our community. I do not want to see a person that is happy in the community, transferred. If they are going to transfer the RCMP in my community I do not want my constituents to be without a police force. We were discussing this. Just because our community does not have a very large population I do not like the police force to be taken away. I do not want the police force in Cape Dorset and Lake Harbour to be removed from our communities. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters, do you want to comment on that?



HON. TOM BUTTERS: I have no comment, Madam Chairman. I think Chief Superintendent Buttler may wish to, but it seems to be more of a comment than a query from the Member.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, there is certainly no thought of removing the RCMP from Lake Harbour or Cape Dorset. We did have an unfortunate incident a short time ago at Cape Dorset and in the near future the detachment strength at Cape Dorset will be back up to three members. It has two at the present time and we are shortly positioning another man there.

THE CHAIRMAN (Ms. Cournoyea): Are you finished?

MR. ARLOOKTOO: (Translation) I have another comment. The RCMP have aircraft in Frobisher Bay...

THE CHAIRMAN (Ms. Cournoyea): Could you start over, Mr. Arlooktoo? The translators would like to catch up with you. Could you start over again?

MR. ARLOOKTOO: (Translation) Madam Chairman, I just wanted to comment to Chief Superintendent Buttler or Mr. Irving concerning the RCMP plane which comes from Frobisher Bay and goes to different communities. Nobody can get on it unless they work for the RCMP. Maybe the Members of the Legislative Assembly would be able to board the plane if they wanted to in Cape Dorset. That is my question to the witnesses at the table. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I understand that the response is yes, a Member would be able to board, provided that it would not interfere with other charter airlines providing service between those communities.

THE CHAIRMAN (Ms. Cournoyea): Mr. Arlooktoo, does that take care of your question now?

MR. ARLOOKTOO: Yes. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Mr. Ludy Pudluk, if you still have a question there.

#### Importance Of RCMP In Grise Fiord

MR. PUDLUK: (Translation) Madam Chairman, it is not a question. It is sort of a reply. Grise Fiord was mentioned by Mr. Patterson. He said that the population was not very large. I do not want to speak along the lines of the comment that was made. Grise Fiord is visited by the people from Greenland by dog team. I think sometimes they hunt polar bear over the Canadian border. The police in Grise Fiord might look into that matter. If the police were taken out of Grise Fiord maybe the North Pole would be taken away by the Greenland people.

---Applause

Concerning that, I do not want Grise Fiord to be thought of as being not very big as a community so they would not have any RCMP. I want them to have RCMP. They have a concern at the present time in Grise Fiord but I do not want to mention that at the present time.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, we accept the Member's comments with interest and note them.

THE CHAIRMAN (Ms. Cournoyea): Mr. Sayine. Are you okay? You said your question was answered earlier and are you still firm on that?

MR. SAYINE: Yes.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

MR. PATTERSON: Madam Chairman, I would like to ask what the present rotation policy is for RCMP in the Northwest Territories, and whether or not that policy is under review with a view to encouraging members to stay for longer periods of time in communities? Perhaps a related question, why is it that RCMP special constables invariably work away from their home communities in the Northwest Territories?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: I would be grateful if Chief Superintendent Buttler would respond to that.

Special Constables Working Away From Their Home Community

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, in response to the last question concerning special constables working away from their home community, I would state that in the majority of cases this is at their own request and where we transfer other members from isolated positions to built-up areas the special constables are afforded the same rotational transfers as the regular members, in so far as within the Territories is concerned. When I speak of rotational transfers for the regular members, these are usually to outside points whereas with the special constables they are rotated mainly within the Eastern Arctic.

Now, when you mentioned whether there are rotational transfers, if the one for our regular members is under review, it is always being looked at for new ways to improve on it but in the Eastern Arctic most of the detachments are for a two year posting subject to the member's own wishes. There have been occasions when they have stayed for three years but at the present time it is for two years and then they move on to the highway system; in other words, say from Igloolik to Yellowknife, Fort Simpson and that sort of type of transfer. In so far as other places in the Western Arctic, it is for three years and the Central Arctic is for three years. Now, other than points such as Eskimo Point, Baker Lake, Rankin Inlet, it is a two year posting.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

Motion To Permit RCMP Posted In The N.W.T. To Stay For Extended Periods Of Time

MR. PATTERSON: Yes, Madam Chairman. I would like to make a motion: That this Assembly urge the Commissioner of the Northwest Territories to negotiate conditions in the Police Services Agreement which will permit RCMP members posted in the Northwest Territories to stay for extended periods of time, provided the local council or municipality approves, and further, to provide incentives for such extended services.

THE CHAIRMAN (Ms. Cournoyea): A motion is on the floor, that this Assembly urge the Commissioner of the Northwest Territories to negotiate conditions in the Police Services Agreement which will permit RCMP members posted in the Northwest Territories to stay for extended periods of time, provided the local council or municipality approves, and further, to provide incentives for such extended services. To the motion.

MR. PATTERSON: Madam Chairman, maybe I do not need to speak to this motion but I think that in all aspects of public services in the Northwest Territories it may well be agreed that one of the most difficult problems facing local communities is the question of transients and turnover of persons who are in a position to influence and aid the affairs of the community. The problem with the turnover in the RCMP, in my opinion, Madam Chairman, is that it takes a considerable amount of time for anyone who is not born in a community to learn the ways and customs and outlook of the people of those communities, and all too often just when the two year term of members of the RCMP is coming to a close,

just when those members are finally fully aware of the occurrences in the community and are accepted by those communities and knowledgeable of the people in those communities, just when they are in a position to be most effective policemen, the existing policies require them to move.

Now, in my experience, or from my knowledge of some members of the force there are some members who would wish to stay, even in remote communities, for example, on Baffin Island and I am happy to say, there are some members who communities would like to have stay, who, if you ask the community council or the community as a whole they would say, "We like this particular member of the RCMP, he understands us, he respects us and is doing a good job." But they too, must move.

#### Familiarity With The People

Finally, Madam Chairman, I believe, and perhaps this is contrary to the policy of the RCMP, but I believe that there is no disadvantage in familiarity with the people one is serving as a police officer. In fact, I suspect that a lot of the difficulties between police and citizens in the Northwest Territories could be avoided simply if there was a better knowledge of the person who is being served by the policemen and the policeman, as on a human level. All too often people see the uniform and not the person, the man in the uniform, and I think ultimately perhaps the only way of curing this problem is to train local people who will want to become or who will want to remain permanent residents of communities to supplement the work of the RCMP in the Northwest Territories. However, in the meantime, let us urge our representatives in negotiating the agreement to attempt to develop incentives for policemen staying in communities because my belief is the longer a policeman stays in a community the more he is liked, and provided he wants to stay. That is an unwritten assumption in the motion that the member would want to stay, but the longer he stays the more effective a policeman he can be, the more wisdom with which he can do his job, the more effectively he can exercise his discretion, to charge or not to charge. So, Madam Chairman, this motion urges I think a change in the present policy of the RCMP and it asks that that be considered and it will improve policing in the Northwest Territories.

THE CHAIRMAN (Ms. Cournoyea): Mr. McLaughlin.

MR. McLAUGHLIN: I would like to speak in favour of the motion because in Pine Point we have had similar circumstances where, just when a constable becomes involved in the community and joins various clubs and begins to build up a rapport with the people in town, especially with juvenile aged people in town who look on the RCMP as being something that only enforces rules, once those members have been in the community for a while they realize that the RCMP officer is a person as well as being an enforcer of the law and they tend to respect that person a lot more. I certainly am in favour of some change in the regulations that would allow members to stay in a community for three or four years if they desired it and so did the community.

THE CHAIRMAN (Ms. Cournoyea): To the motion, Mr. Fraser.

MR. FRASER: Thank you, Madam Chairman. I am not quite clear on the motion. The mover of the motion has indicated in his remarks what Mr. McLaughlin was concerned about and I am concerned about. However, I think the motion reads "that if the community council so wishes..." I think maybe we should give some respect to the member himself. My question then would be directed to the witness, if he can see any problem as to why a member has to leave after two years, if he wishes to stay any longer would there be any problem in changing those rules? My second question would be, do those rules apply to Yellowknife as well as the communities?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

Applicable To All Northern Communities

HON. TOM BUTTERS: I would expect that possibly the mover of the motion might be able to explain but the way I heard the motion it would apply to all northern communities, wherever the force is providing a service. Maybe the mover might correct me if I am wrong on that point.

THE CHAIRMAN (Ms. Cournoyea): I think Mr. Fraser's question to you was, would this provide a problem to the police force in regard to this motion?

HON. TOM BUTTERS: I cannot think of a problem at the present time. I believe that some Members during discussion, either today or yesterday, noted that there may be changed procedures and degrees of service which might occur in organized municipalities and incorporated municipalities and certainly these matters are being looked at now, but I do not see there would be any difference in the type of service that would be suggested for the North.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Ms. Cournoyea): Mr. Fraser is asking of you whether your motion also indicates for all the communities of the Northwest Territories.

MR. PATTERSON: Yes.

THE CHAIRMAN (Ms. Cournoyea): Mr. Fraser.

MR. FRASER: Thank you, Madam Chairman. I am not satisfied with the motion itself. I am not sure how it reads, I understand it to be that if the settlements councils agree, but my question was to the witness, does the member have the option of staying if he so wishes? I know some of those RCMP come in and one month later they wished they were out, but does he have an option after two years to stay longer or could he be moved out after two years? The motion does not say that, does it? It says if the community so wishes. Could you read the motion again please, Madam Chairman?

THE CHAIRMAN (Ms. Cournoyea): Mr. Fraser, I believe the answer to your question was stated by Mr. Patterson saying that in the motion it was implicit that the member would have to agree. Do you wish the motion to be read again?

MR. FRASER: If that is the way the motion reads, that is fine with me.

SOME HON. MEMBERS: Question.

Motion To Permit RCMP Posted In The N.W.T. To Stay For Extended Periods Of Time, Carried

THE CHAIRMAN (Ms. Cournoyea): This Assembly urge the Commissioner of the Northwest Territories to negotiate conditions in the Police Services Agreement which will permit RCMP members posted in the Northwest Territories to stay for extended periods of time, providing the local council or municipality approves, and further, to provide incentives for such extended services. To the motion. All those in favour of the motion? Against? The motion is carried.

---Carried

Back to general discussion. Tagak Curley.



MR. CURLEY: I had a second stage question to the other side of the coin, where RCMP are engaged against the wishes of certain groups and so on. I remember during the annual meeting in Baker Lake in 1973, I asked the two extra officers who came in to observe the annual meeting of ITC -- we had a meeting with them asking why they were sent in there. They were not able to give us any answers so I would like to ask the superintendent why he normally sends in extra forces whenever the activities of the native organizations are going on? I remember just recently in Igloolik the RCMP sent in an extra member of its force, a plain-clothes constable was sent in there and mainly the fact that there was this annual meeting going on of the national Inuit organization. Would he tell the committee why he normally sends extra forces whenever the local organizations or native organizations are having their meetings when he does not do that when this kind of Assembly is gathering in certain places or is it because they are a threat to the Canadian security or national interests? Could he explain a little bit as to why he has found it necessary to have a need for extra RCMP members whenever native organizations are gathering in certain places?

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: I do not know whether Chief Superintendent Buttler can answer that question. I think this morning I mentioned I believe, the responsibility for security falls under a different division, but if Members please I will ask him to respond if he is able.

#### Activities Requiring Extra Policing

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, I am not aware of the incident you speak of in 1973, nor am I aware of the incident you speak of at Igloolik, but I would like to inform the Council that there are no steps since my arrival in the North that we are going to give any more activity because a certain group or association or whatever is partaking in a community session, but we will place extra bodies in a community when there is increased activity which could bring about extra policing work to the members. We will often supplement two members or three members, whatever might be at that particular point, by bringing in an extra man from, say Frobisher Bay to Igloolik if that was the case or whether it was at Pine Point and we would take a man out of Hay River or whatnot. That is the only area I would say to increase extra coverage. It is like the Arctic Winter Games held in the Pine Point-Hay River area a year ago. I believe there were some 20 extra bodies placed for assistance in that area.

MR. CURLEY: Supplementary to my question, he did not answer the second part of it. Does the RCMP view the native groups and native organizations of the Northwest Territories -- are they termed such that they are a threat to some extent to the national security of the country?

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, I would like to emphatically state that that is not the case.

THE CHAIRMAN (Ms. Cournoyea): Have you completed your questioning, Mr. Curley?

MR. CURLEY: Yes.

THE CHAIRMAN (Ms. Cournoyea): Mr. Appaqaq.

Searching For People Lost On The Land

MR. APPAQAQ: (Translation) Madam Chairman, I have a comment. I am going to tell you about the problem in Sanikiluaq. Last month at the end of January there was somebody lost during hunting and we could not find him for one whole week. We could not get into the area to rescue the person. I have seen this problem in the past and the RCMP do not seem to be able to do the job properly. In the hamlet of Sanikiluaq we have quite often this problem. We have chartered aircraft to rescue the person who was lost. They kept saying they could not get to the person because they did not have any facilities to rescue the person and at that time the police, the RCMP in our community assumed authority there and they said they could not do anything about it. For myself, I thought about it. This particular authority kept directing me in his own way and not giving me any chance to do anything. I had a dog team then. The RCMP in the community suggested that he was directed by his superintendent to do this kind of work. I think that the local people should be the RCMP in a community.

In the past we were able to get to this person when he is right in the water to rescue the person. I am trying to say there has to be a serious emergency. It is very hard for those people who are responsible to respond rapidly. I also just found out not too long ago, when there were people lost in the North, on the land, we could not get any help. For example, we had to get assistance, a helicopter from Montreal. Although there might be another place that is closer to get a helicopter, we had to go to Montreal, maybe from Great Whale River or Fort George to have another look around, or northern Ontario, we could have got a helicopter from those places. Perhaps they could have tried the other places first but those people who were responsible seemed to be overpowering the RCMP. Maybe if the people would listen to the RCMP in the community more closely this would not happen. Maybe we should ask for help. For example, they have to go on the land and they get lost on the land. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Do you want to respond to that, Hon. Mr. Butters?

HON. TOM BUTTERS: I think the Member said it was a comment he was making. I do not know if Chief Superintendent Buttler wants to add anything.

Availability Of Airplanes

CHIEF SUPERINTENDENT BUTTLER: Just briefly, Madam Chairman, we have one Twin Otter wheel equipped at Frobisher Bay which services all of the Eastern Arctic. I am not aware of the full details concerning these lost people in the Sanikiluaq area, but I do know that our plane is often committed to patrols into the High Arctic and possibly on this particular occasion it was not readily available at this particular time. But even after the subjects were spotted the Twin Otter would not be capable of landing out on the barrens or the sea ice in any event. It would have to mean the chartering of a ski equipped plane or a helicopter as was mentioned.

THE CHAIRMAN (Ms. Cournoyea): (Translation) Do you have something further, Mr. Appaqaq?

MR. APPAQAQ: (Translation) I have a small comment. The airplane for the RCMP in Frobisher Bay, we have asked for that and the people laughed. They had indicated that they could not come to Sanikiluaq because they had other commitments. The hamlet of Sanikiluaq had to ask another aircraft to search for those lost people and they had requested the Northern Quebec Inuit Association airplane to search. They were the only two planes that were available. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Chief Superintendent Buttler would like to comment.

CHIEF SUPERINTENDENT BUTTLER: At that particular time that is being spoken of, I know of at least three searches that were going on during that particular time period. I know there was Sanikiluaq and there was one up at Foxe Basin and another one, I believe towards Hall Beach or Coral Harbour, in that particular area. On one particular occasion I know our plane was storm bound at Pond Inlet, so there is a bit of background to sometimes the plane not being available.

THE CHAIRMAN (Ms. Cournoyea): Does that conclude your questioning, Mr. Appaqaq? Are you finished?

MR. APPAQAQ: Yes.

THE CHAIRMAN (Ms. Cournoyea): We are considering the directorate on the Department of Justice and Public Services, operations and maintenance, \$302,000. Are there any further discussions? Mr. Patterson.

MR. PATTERSON: Thank you.

THE CHAIRMAN (Ms. Cournoyea): Before you go on, Mr. Patterson, may I take a moment to acknowledge the president of the Northwest Territories Native Women's Association, Mrs. Bertha Allen.

---Applause

Proceed, Mr. Patterson.

Native Policing Co-ordinator

MR. PATTERSON: Yes, I have a question, Madam Chairman. Looking at the report on Northern Policing tabled in the Assembly, there is an observation that with federal -- on page one: "With federal-provincial and territorial agreements now in place across the country, Indian and Inuit men and women are being recruited, trained and equipped as full fledged peace officers by provincial-territorial police forces for the purpose of policing their communities and adjacent areas where community interests are involved. The opposite appears to be occurring within the Northwest Territories." I have two questions in connection with that, Madam Chairman. First of all, the paper recommends on page three: "That a position of 'native policing co-ordinator' be re-established within 'G' Division", and this is recommendation number four, and "Involvement by this government...", the territorial government, "...in the selection of the incumbent is recommended." I would like to ask what the views of the witnesses are on that point, secondly, how many positions they can see are currently open in the area of your allocation of special constables in the Northwest Territories.

THE CHAIRMAN (Ms. Cournoyea): Hon. Tom Butters.

HON. TOM BUTTERS: Responding to the first question, it is my understanding that the community relations native policing co-ordinator position has been filled and effective...

---Applause

...earlier this month, that individual was transferred to assume that responsibility on March 7. I will ask, Madam Chairman, Chief Superintendent Buttler to respond to the second question and maybe comment on the first if he wishes.

CHIEF SUPERINTENDENT BUTTLER: Madam Chairman, that is correct, as of this past week the PCR, native policing co-ordinator position was reinstated and has been filled by a senior NCO. Also for the information of the Assembly, each subdivision, Frobisher Bay, Inuvik and Yellowknife, has appointed a public relations co-ordinator within their respective subdivisions.

As to positions which are vacant as to the special constable duties, there are approximately six positions now that have not been filled. There are two that are in the process of applicants being interviewed and there are about four applicants to be interviewed. We are hopeful that these positions will be filled in the near future. I will try and recall the posts that are vacant -- Cambridge Bay, Coppermine, Spence Bay, Rankin Inlet, Cape Dorset and there is one other, at Clyde River, I think. I just cannot recall the other one but those are basically the ones we have right now.

THE CHAIRMAN (Ms. Cournoyea): Mr. Patterson.

MR. PATTERSON: Do I understand that also the police community relations division which was eliminated in 1978 has also been resurrected?

CHIEF SUPERINTENDENT BUTTLER: It was all one position, a three hatted concept you might say.

MR. PATTERSON: I see. May I ask, Madam Chairman, if the paper on Northern Policing, tabled in February, 1980, and which pointed out the absence of this position, if it in any way influenced the appointment in March, 1980?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: I do not know if that is a fair question but Chief Superintendent Buttler wants to answer it.

CHIEF SUPERINTENDENT BUTTLER: It did not influence my decision in any way.

THE CHAIRMAN (Ms. Cournoyea): Are there any further questions on the directorate? Mr. Sibbeston.

Ex-RCMP Or Military Ex-servicemen Within The Department

MR. SIBBESTON: Madam Chairman, in response to a question last fall when this Assembly was sitting here, I was advised on November 15, that in the Department of Justice and Public Services there are eight employees who previously served with the RCMP and six employees who were members of the armed forces. Now, has there been an increase in the number of ex-RCMP or military ex-servicemen within the Department of Justice and Public Services?

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, no.

MR. SIBBESTON: Madam Chairman, would the Minister give an opinion as to whether he thinks that the number of ex-RCMP and ex-military people is extraordinarily high within that department as compared with other departments.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: I have no grounds for comparison. I believe it is close to about nine per cent of the department and that does not seem to be an inordinately large number to me, for such people to be employed in the Department of Justice. However, I have not had the advantage of comparing it with the provincial jurisdictions, so my ability to draw comparisons is possibly somewhat limited.

THE CHAIRMAN (Ms. Cournoyea): Does that conclude your question?



Desired Qualifications Of Ex-RCMP And Military Ex-servicemen

MR. SIBBESTON: No, just starting. Ms. Chairman, I would like to ask the Minister and if he does not know, ask his official whether that department actively recruits ex-RCMP or ex-military people and, if so, what are the characteristics in these people that is desired within that department?

HON. TOM BUTTERS: Mr. Chairman, the Member is quite correct. I do not know. If Members will permit, I will ask Mr. Irving if he might discuss the type of requirement given to Personnel in recruiting for the department.

MR. IRVING: Madam Chairman, in addressing an answer to the hon. Member, dealing firstly with the members of the armed forces, the majority of these people are in our safety division and are used as fire safety inspectors. They attained this expertise in the military and when we recruit people for this type of job you have to look for experience in that area and that is the reason for the majority of the armed forces people in our department. Dealing with members of the RCMP, we do not actively recruit members of the force within the department, but I would say that to find people with a paralegal background, it is rather difficult in the North. The RCMP have been in the North for some time and those members who have been stationed in the North and who have worked in the smaller communities have a great deal of experience and knowledge. I think this question has come up in government circles before, but when you try and find people with some expertise you can go to either the federal government or another government jurisdiction and find people with the experience that is required. They have already been trained at someone else's expense and we can take advantage of this.

The ideal method would be to recruit local native people. Unfortunately, we have not always been able to do this but this would be eventually our true aim, to have people in court services and even in our legal services who have a legal background. As you are aware yourself, there are not that many native people in the North that have a law degree. Hopefully in the future we can recruit more people. However, I think that we are also limited by budget restraints and the ideal thing would be to put lawyers in a number of our positions in the Department of Justice and Public Services, but to hire a good lawyer is expensive and we do have budget restraints. Thank you.

THE CHAIRMAN (Ms. Cournoyea): Mr. Butters.

HON. TOM BUTTERS: I wonder if we might just refer to that matter of the vacancy in the special constable division for one minute and complete that before we go on with Mr. Sibbeston's question.

THE CHAIRMAN (Ms. Cournoyea): Go ahead.

Special Constable Vacancies

CHIEF SUPERINTENDENT BUTTLER: On the matter of the question concerning special constable vacancies, early this month in reply to a question by the territorial government we listed the following vacancies: Coppermine, Cambridge Bay, Sanikiluaq, Pond Inlet, Lake Harbour, Frobisher Bay, Cape Dorset, Clyde River and Rankin Inlet. The Spence Bay special constable has just **recently** been transferred to Frobisher and as a result Frobisher is up to **strength** but Spence Bay is now added to the list. In the last couple of weeks the position has been filled at Lake Harbour, an applicant has been processed for Clyde River, an applicant has been processed for Rankin Inlet. Four other applicants are in the process of being interviewed.

THE CHAIRMAN (Ms. Cournoyea): Mr. Sibbeston.

MR. SIBBESTON: Madam Chairman, I would not want anyone to take personal offence when I questioned you about having ex-RCMP people in the department, I am just concerned that the Department of Justice be independent and because they are involved in administering justice in the North, it is important for them to be truly independent and with ex-military and ex-RCMP in there, it could give the impression that there is a certain bias in the department. I think it is probably true to say that as RCMP officers, their job is to be suspicious of people and, you know, they have a certain mentality that goes with the work they do. I do not know how long, once you become an "ex", how long it takes to change so that you do not have or do not continue that mentality. So, I am concerned that the public do not think that the Department of Justice is just filled with a bunch of ex-RCMP people and they are really not there to administer justice but to kind of spy on the North and keep everybody in check. It is a bit like the Commissioner's secret service force.

---Laughter

So, all these things, it has been suggested and been talked about, it has been raised, it has been mentioned and so somebody in the North has this suspicion already. It is not an extreme or unfounded suspicion. So I would just like to hear what Mr. Irving, in particular, has to say about that and whether as an ex-RCMP he takes any particular measures, for instance not to continue his relationship with the RCMP, he is not buddy-buddy with Mr. Buttler and they confer every noon or night talking about justice and the way things are done in the North.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Madam Chairman, I do not know about appearances. The hon. Member has to make what he can of the appearances he sees but I think the most important factor is that Mr. Irving works for me and the members of the department work for me. If there are any problems, I will take care of those problems. If I do not, there is a very simple remedy, it is a want of confidence motion and if the Member has any concerns about what he says about prying or coercing or hounding people, let me know and I will investigate it.

#### Hiring Of Natives In The Department

MR. SIBBESTON: Thank you. Madam Chairman, I am aware of the activities of the Department of Justice as regards the court circuit and it has always occurred to me that it is obvious that there are no native people who work with the court party that goes around. It seems to me that while certain of the jobs, for instance, the court reporters, that requires a certain amount of skill and, of course, the judge has to be a bit skilled, but I always thought that the clerk for instance, that is a job that does not require a great deal of skill. That is the person who carries the judge's briefcase and says "Yes, sir" and yells out in court when it is time to open up the court. So it does not seem like it would be a difficult role for a native person to have. I wonder if the Minister could say something as to whether he agrees that it is an area that perhaps could be done by native people and whether he could at least commit himself to trying to fill the present jobs when the present people either retire or leave for any other reason.

THE CHAIRMAN (Ms. Cournoyea): Hon. Mr. Butters.

HON. TOM BUTTERS: Yes, Madam Chairman. The hon. Member makes an excellent point. It is a lack which the department is very concerned about and it is an opportunity which the department hopes to fill with not qualified people, but people who can be trained and fill the job the hon. Member has described. I think that probably it is a little bit more than carrying a bag and calling out "Court is in session". I think it is a responsible job and we recognize that there are young native people in the Territories who have had increasing experience and training in legal work and paralegal work. We are hoping we can

find within this growing group of young people more employees of the type that the hon. Member has indicated. In so speaking, I would like to indicate to the House that it was through a motion and through the assistance and persistence of the hon. Member when he served in the Seventh Council that the Native Court Workers who are working so actively in the Territories came into being so that we recognize the Member's interest in involving native people in the justice system. I promise him and I promise Members of this House that I will do everything I can to increase the number of native people who serve in the administration of justice.

---Applause

THE CHAIRMAN (Ms. Cournoyea): Mr. Sibbeston, you have overshot yourself by two minutes. Do you want to give the floor to someone else or have you got something that is brief and quick to handle before the coffee break?

MR. SIBBESTON: After.

THE CHAIRMAN (Ms. Cournoyea): Are there any further questions on this area of the Department of Justice and Public Services? Mr. Patterson.

MR. PATTERSON: I have a motion, Madam Chairman, which I perhaps should save until after the break.

THE CHAIRMAN (Ms. Cournoyea): Let us take a 15 minute break and then we will get back to discussions on the Department of Justice and Public Services.

---SHORT RECESS

THE CHAIRMAN (Mr. Pudluk): (Translation) The committee will come to order. We are on page 6.02, the directorate, \$302,000. Mr. Patterson.

Motion To Establish A Territorial Police Advisory Commission

MR. PATTERSON: Mr. Chairman, while we are discussing this Northern Policing paper I would like to make a motion concerning a recommendation in that paper. The motion is: That this Assembly urge the Executive Committee to establish a territorial police advisory commission including the interests of all native groups within the Northwest Territories, which will determine the form that a northern police force should take and advise the RCMP on policies and practices for their current operations.

THE CHAIRMAN (Mr. Pudluk): To the motion, Mr. Patterson.

MR. PATTERSON: Mr. Chairman, I would like to say that I am pleased that the administration and the Minister of Justice have prepared a paper since a request was made at the fall session of this Assembly. This is a considerable challenge and it points out some of the questions that must be grappled with before we consider alternatives to the present arrangement with the RCMP. It gives a rundown on what has been done in other parts of the country and makes a recommendation that the option 3B program be implemented in the form of a pilot project in a particular area of the Northwest Territories. The first recommendation, though, Mr. Chairman, is that a territorial police advisory commission be set up and I think that before anything else is done, that this commission should be established.

Some Members may well ask about the cost. I would only observe that in answer to that we are spending now, some approximately seven million dollars on police services in the Northwest Territories per year. Since 1972 and undoubtedly before, the Seventh Council and subsequent Assemblies of this House asked that alternatives to the present policing in the Territories be investigated. I think they expressed a concern that is still current, that the police force in the Northwest Territories be more representative of the people of the Northwest Territories and be controlled by the people of the Northwest Territories, in order that it be effective. Perhaps I can just briefly observe that on page three of the recommendations the Northern Policing report says, in recommending the setting up of a commission in the conclusion of the recommendations section: "...the overriding fact remains that to be effective in protecting northern interests, northerners must be directly involved in policing themselves. Only by participating in the development of their own protection under the law can communities in the Northwest Territories ever hope to exercise their right to influence the law-making/law-enforcing process. This is not occurring under the present policing service." I agree with those sentiments, Mr. Chairman, and I think if Members of this Assembly agree, we should take the first step and urge the establishment of a territorial police advisory commission. It would consider the northern policing paper which outlines options.

Establishing And Controlling A Northern Police Force

It would consider some of the questions brought up in that paper such as: How will the Legislative Assembly establish and control a northern police force? What powers will be available to the Government of the Northwest Territories in appointing a separate police force? What the role of the RCMP would be and what model, including the 3B option, is most suited to the needs of the Northwest Territories? The motion asks for native representation on this police force, Mr. Chairman, simply because native persons are, unfortunately, more significantly involved in conflict with the law in the Northwest Territories than any other part of the population and therefore they have a special interest in the form of a northern police force.



I have also suggested, Mr. Chairman, in the motion, that that police advisory commission, in looking at alternatives to the present system could and should quite logically advise the RCMP through this Assembly, on policies and practices for their current operations and aid the Commissioner in his negotiations with the RCMP commissioner in the Police Services Agreement for as long as that agreement should continue to operate in the Northwest Territories.

Motion Carried

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. There is a motion on the floor. To the motion. The question has been called. The motion reads: That this Assembly urge the Executive Committee to establish a territorial police advisory commission including the interests of all native groups working in the Northwest Territories, which will determine the form that a northern police force should take and advise the RCMP on policies and practices for their current operations. To the motion. All those in favour of this motion? Let me see your hands up. Opposed? The motion is carried.

---Carried.

Let us go back to the directorate on page 6.02. O and M, \$302,000. I believe Mr. Sibbeston was on the list.

Motion To Take Action To Employ Dene And Inuit In Justice And Public Services

MR. SIBBESTON: One little motion. If we just pass it quickly, it is just that I move that this Legislative Assembly recommend to the Executive Committee Member responsible for Justice and Public Services that he take affirmative action to employ persons of Dene or Inuit descent within his department and that he report on the progress made, during the fall session.

THE CHAIRMAN (Mr. Pudluk): To the motion.

SOME HON. MEMBERS: Question.

Motion Carried

THE CHAIRMAN (Mr. Pudluk): The question has been called. All those in favour of this motion? Opposed? The motion is carried.

---Carried

O And M, Directorate, Agreed

All right, page 6.02, directorate, \$302,000. Agreed?

---Agreed

Capital, Directorate, Agreed

Capital, \$57,000. Agreed?

---Agreed

O And M, Court Services

Thank you. Page 6.03, court services, O and M, \$1,466,000. Mr. Noah.

MR. NOAH: (Translation) Thank you, Mr. Chairman. I have a question to the Minister. The people who commit offences for the first time, I want to find out what they do with them, whether they give them a fine right away or what they do with them. I would like an answer. Thank you.

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, the hon. Member is asking of me with regard to court procedure and I do not have a great deal of experience in that area. I have seen in many cases though, where a first offence is committed and the person is given a suspended sentence and is required to keep the peace for a certain period of time. If the committee agrees I could possibly ask my Deputy Minister who may have more experience than I in this area.

THE CHAIRMAN (Mr. Pudluk): Mr. Irving.

MR. IRVING: Mr. Chairman, if the party was found guilty, the judge or the adjudicating body could either provide for a suspended sentence or even an absolute discharge, which would mean that the offender would not have a criminal record. There are those two provisions. It would depend on the offence itself.

THE CHAIRMAN (Mr. Pudluk): Mr. Noah.

MR. NOAH: (Translation) Thank you. A supplementary question. The justices of the peace as they are called, maybe it was last year or the year before, there was a young person who broke into a house and it was his first criminal offence and the justice of the peace who was presiding at the time sent the youth for about a week, probably to Yellowknife. The justice of the peace who was presiding at the time, he was breaking the law, I asked that before and you have given me good information. I thank you very much but the RCMP people have worked very well in the Northwest Territories and I congratulate them and thank them very much. You have done a very good job.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Noah. Mr. Minister, do you have any remarks to make on that? Mr. Patterson, I am sorry but Mr. Sibbeston is first. Oh, he is not around, so Mr. Patterson you have the floor.

Court Services Staff

MR. PATTERSON: Mr. Chairman, I would just like to make an observation as one who has worked with the courts on circuit. First of all those people who work in the court services staff, the ones who are on the road all the time, and I am talking about the courtreporters, the court clerks, the sheriff and the support staff for the courts are, to my mind, an extremely dedicated and hard working loyal group of public servants who deserve our gratitude for the sort of working conditions they have to work under. I should not forget the judges and the crown prosecutors as well. I do not know how they can survive with such a tremendous amount of time away from home and working long hours and travelling in drafty planes, etc.

Mr. Chairman, I have already approached the Minister about this problem, but I would like to say publicly, that there does seem to be a serious problem with morale in the court staff and the charge is that generally they are not getting the sort of support from the administrative side of the Department of Public Services that they should be getting. In ordinary language I guess it is often heard that they are being nickelled and dimed to death on their expense accounts, for example. While it is a virtue to be strict about these

sort of things, it seems that there is a significant feeling amongst the court staff that this department does not really appreciate the sort of sacrifices those members of the public service make, and is being unduly strict about little things when, in fact, we would find it very difficult to replace these long-time public servants by younger people who probably just would not put up with those sort of working conditions. I am wondering if the Minister has had a chance to look into some of these complaints and whether or not changes might be made so as to protect, or preserve these people in these positions and make them feel that they are appreciated and not give them quite so difficult a time from the administrative point of view.

HON. TOM BUTTERS: Mr. Chairman, I heartily endorse the comments of the Member regarding the dedication and the attendance to duty and responsibility that is exhibited by the members of the court parties, the judge and the various people who serve him and fulfil a responsibility in that area. I recognize the conditions he indicates they have to work under are extremely difficult and I have requested that the concerns that he brings to our attention be investigated and that any niggly bureaucratic or administrative difficulties associated with the service they are providing be removed from them so they can concentrate on the main responsibility they have which is taking justice to the people of the North. So, yes, I have looked into it and I hope the situation which we both heard of a couple of weeks ago has now been ameliorated.

MR. PATTERSON: Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Anybody else?  
Mr. Patterson.

Motion To Train And Equip Justices Of The Peace To Handle  
Summary Conviction Trials

MR. PATTERSON: Mr. Chairman, I have some motions concerning justices of the peace. I should warn the House that there are three in number and the first one, and I have copies, is: That this Assembly urges the Department of Justice and Public Services, and the administration, to take necessary steps to train and equip justices of the peace to handle summary conviction trials.

THE CHAIRMAN (Mr. Pudluk): To the motion. Mr. Patterson.

MR. PATTERSON: First of all, Mr. Chairman, I should say the motion does not imply that justices of the peace presently do not receive training, but I will say that we need to give them more training so that they cannot only be sentencing courts, but actually have the confidence and ability where required, and where they agree to take summary conviction trials throughout the Northwest Territories. There are many reasons for this motion, Mr. Chairman, and the first one would relate to the individual justices of the peace themselves.

Presently they have jurisdiction to hear the summary conviction or less important cases in the Northwest Territories. In criminal cases such as common assault, willful damage, and they also have considerable jurisdiction under territorial ordinances including the Wages Recovery Ordinance where they can decide whether an employee has been wrongfully dismissed or whether an employee should be paid wages which an employer withholds. They have the power to interdict a person under the Liquor Ordinance, they have the power to award maintenance under the Maintenance Ordinance, they have the power to determine child welfare cases under the Child Welfare Ordinance, but unfortunately to date, Mr. Chairman, very few justices of the peace have actually acted as justices, in the sense of being able to hear disputes and hear trials. There are a number of reasons and I am aware and pleased that

the department is proceeding to provide recording equipment for justices of the peace and proclaiming the Recording of Evidence by Sound Apparatus Ordinance so the justice of the peace courts will be courts of record, enabling them to hear trials within the laws of the Northwest Territories and the rules of court of the Northwest Territories.

#### Reasons For Training

Also, Mr. Chairman, they need to have training in the art of holding trials and one of the reasons for training, Mr. Chairman, is that many justices of the peace in the Northwest Territories are in a position to be influenced by the police prosecutor. This is through no fault of anybody's, but the policeman, in effect, acts as the crown prosecutor, has training in that area, has the criminal code and is often looked to by the justice of the peace as the source of advice for conducting his affairs. We need to train justices of the peace so they will know they are independent of the RCMP and in fact, can conduct a case according to simple procedures which could be acquired by training. The reason for encouraging justices of the peace to take summary conviction trials, Mr. Chairman, is that if we do not do so, then we will be forced to appoint more territorial court judges and spend a great deal more money sending those judges to small settlements where people wish to have their day in court and exercise their right to plead not guilty, which every accused person has a right to, a trial.

Now, in order to avoid that from happening, Mr. Chairman, we have to rely on the backbone of our justice system, the justices of the peace and the study in Frobisher Bay suggested that over 80 per cent of the criminal offences heard in Frobisher Bay are summary conviction cases and can be heard by a justice of the peace and be disposed of by a justice of the peace rather than being heard by the more expensive territorial court.

So what I am suggesting, Mr. Chairman, by this motion, is that if the administration takes steps to equip and train justices of the peace to handle these trials, it would be an investment in reducing the cost of justice by providing justice available at the local level and, furthermore, giving the justice of the peace some dignity and respect in their community. So that they will not merely be sentencing courts who give out punishments but they will also be courts that can hear disputes and give an individual the right to his day in court immediately after the offence has taken place or soon after the offence has taken place without the expense and delay of having to wait for the territorial court to come in. Those are the reasons for the motion, Mr. Chairman.

#### Motion Carried

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. To the motion. The question is being called. All those in favour of this motion? Down. Opposed? The motion is carried.

---Carried

I believe Mr. Sibbeston is on the list. He is not here again. Page 6.03, court services, 0 and M...



Motion To Encourage Appointments Of More Justices Of The Peace

MR. PATTERSON: Mr. Chairman, I have another motion which goes along with the previous one and I have copies. The motion reads: That this Assembly urge the Department of Justice and Public Services and the Commissioner to actively encourage appointments of more native justices of the peace in native communities, and further, to encourage local justices of the peace who so desire, to sit together in groups of two or more when performing their duties.

THE CHAIRMAN (Mr. Pudluk): To the motion, Mr. Patterson.

MR. PATTERSON: Mr. Chairman, a significant percentage of the population in the Northwest Territories who get into trouble with the law are native persons. They get into trouble with the law and are punished by the law in far greater proportions than their proportion to the entire population. For this reason, Mr. Chairman, it would seem very important, that especially at the summary conviction level in communities throughout the Northwest Territories, that those persons who go to court be judged by respected members of the community and not by people who do not speak their language or who may not be permanent residents of the community. My investigations on the subject of appointing justices of the peace in Frobisher Bay and elsewhere and my discussions with the Department of Public Services, who have tried very hard to attract native persons to become justices of the peace with increasing success in the Northwest Territories, is that none the less, one of the obstacles to the appointment of a large number of justices of the peace is that native people generally are reluctant to sit in judgment by themselves, to sit in judgment of their peers. One reason is that in small communities they are very likely to face relatives or friends when they sit in court and another reason may well be that native persons have values which, as Mr. Drury observed in his report and I hate to quote Mr. Drury's report again, but in the introduction to his study, Mr. Drury observed that generally native persons in the Northwest Territories have a collective outlook as opposed to an individualistic outlook of the non-native society, that decisions are made by consensus, by groups of people and not individually. It would perhaps explain why individual justices of the peace are unwilling to sit as individual judges in cases but would, I believe, be willing to sit in groups of more than one.

Not A New Idea

This is not a new idea, Mr. Chairman. Very often in Indian reservations in southern Canada and in the United States there have been established courts where groups of people assist in the task of judging offenders in a community and in fact in the Inuit tradition this is probably the way that social problems were handled in a community, by groups of elders. My understanding of the law is that there is nothing in the law that would prevent more than one justice of the peace from sitting together in judgment on a case, provided that one justice of the peace was the spokesman and took responsibility for making the decision. I know that some judges in the Northwest Territories have made a practice of including the local justice of the peace on the bench to advise this judge and provide some local input into his decision making. The motion simply seeks to encourage the appointment of native justices of the peace and encouraging them if they do not want to sit alone, encouraging them to sit together to perform their duties and take advice from other justices of the peace.

This would not cost a great deal of money, Mr. Chairman, since justices of the peace are not terribly well paid and I again would say that if we can encourage the justices of the peace to take a more active role in justice in their community, instead of passing summary conviction cases on to the territorial court and overloading that court with small business, then in fact, we will be saving money in terms of the very high cost of sending those courts throughout the Territories. So this motion is partly designed to localize justice in communities and encourage justices of the peace, including native justices of the peace, to take a responsibility which they desire to have to look after persons in their communities who might need help or punishment through the courts. Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. To the motion. Mr. MacQuarrie.

HON. ROBERT H. MacQUARRIE: Thank you, Mr. Chairman. I would ask the Minister, if he would, to comment on some of the administrative and legal implications in that latter part of the motion. I know Mr. Patterson did address them in his remarks, but I certainly would appreciate amplification by the Minister.

#### Number Of Native Justices Of The Peace

HON. TOM BUTTERS: Thank you for the opportunity. I thank the hon. Member from Frobisher Bay for the commendation and recognition that the department is moving toward the appointment of a greater number of native justices of the peace. For the record, of the 99 justices of the peace currently available to sit, 46 are natives.

With regard to the question from the hon. Member from Yellowknife Centre, the department has this recommendation now under advisement and it would appear that there is no problem in implementing that recommendation and we would be happy to move in that general area.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mr. Noah, to the motion.

MR. NOAH: (Translation) Mr. Chairman, concerning the motion, we are not worried about whether they are natives or not natives for justices of the peace. My concern was that those learning to be justices of the peace be able to do this right and do the proper job. They have more responsibility given to them. In the Frobisher Bay area the Inuit people who are justices of the peace, when they become justices of the peace, a lot of times they are convicting their relatives or close friends and it becomes a problem. We are not concerned about whether they are non-natives or natives. I am just concerned about whether they can handle the responsibilities given to them. This is what I wanted to say. Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Noah. Mr. Fraser, to the motion.

MR. FRASER: Thank you, Mr. Chairman. I was just wondering, Mr. Chairman, on a matter of interest, if the rules were changed in the House so that we allow a Member to talk more than ten minutes on one motion?

#### Motion Carried

THE CHAIRMAN (Mr. Pudluk): Mr. Fraser, he did not. It was under ten minutes. Now to the motion. Question has been called. All those in favour of the motion? Down. Opposed? Opposed if there are any? Thank you. The motion is carried.

---Carried

Court services, page 6.03, 0 and M, \$1,466,000. Mr. Patterson.

Motion To Provide Increased In-service And Other Training Opportunities For Justices Of The Peace

MR. PATTERSON: Mr. Chairman, I will certainly try to be brief and I warned the committee that I had one other motion and here it is: That this Assembly urge the Department of Justice and Public Services to provide increased in-service and other training opportunities for justices of the peace in the Northwest Territories.

THE CHAIRMAN (Mr. Pudluk): To the motion, Mr. Patterson.

MR. PATTERSON: Mr. Chairman, presently there is one regional training session in each part of the Northwest Territories for justices of the peace. This motion seeks to increase the sort of training that is provided to the justices of the peace to recognize the difficult job that they have and also to recognize that many of the justices of the peace need continual help in determining what their role is, as Mr. Noah suggested. I would like to mention that there are a number of ways that training opportunities could be made for justices of the peace. I believe that it would be possible for the department to make arrangements with lawyers who are travelling on circuits to provide short training sessions in regions, for justices of the peace who might need training in a particular area. It is also recommended that lists of the circuit court schedule be sent to justices of the peace and that they be invited and encouraged to make contact with the territorial judges when they are in a region or in an area so that they can sit, perhaps sit with the territorial judge and more important have an opportunity to get advice from the judge.

Also, it may be possible for the department, through the Legal Services Board, to arrange for justices of the peace to participate in training that is being given for native court workers and native paralegals where they so desire and also to find ways of involving, where they so desire, police in these training opportunities.

The reason for the motion, Mr. Chairman, is that many justices of the peace feel they are not getting enough training in spite of the efforts of the department to date. They are not getting enough information on ongoing development in the law and this motion seeks to recognize that they are the backbone of our legal system and give them more support and different kinds of training, more often than they are getting now. Thank you.

SOME HON. MEMBERS: Question.

Motion Carried

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Do I hear the question? The question has been called. All those in favour of the motion? Down. Opposed? The motion is carried.

---Carried

O And M, Court Services, Agreed

Now, we are still under court services, \$1,466,000. Agreed?

---Agreed

There is no capital.

SOME HON. MEMBERS: Agreed.

O And M, Safety, Agreed

THE CHAIRMAN (Mr. Pudluk): Now, page 6.04, safety, \$696,000. Agreed?

---Agreed

O And M, Motor Vehicles

Thank you. Page 6.05, motor vehicles, \$410,000. Mr. Curley.

MR. CURLEY: Mr. Chairman, I have one question to the Minister or his officials there. I would just like to ask a question about the licence plates we normally see around the Northwest Territories. I realize the polar bear figure is very popular, but I never find it quite safe because you have all those edges and everything there and if it is loose flying around there is always some danger that kids or whatnot might cut their hands. I am wondering whether or not it could really be improved even though with the polar bear figure you could have perhaps a little bit more acceptable frame so you do not have loose edges on that plate. It seems a simple question but that is the question I have and I wonder whether or not that has ever been thought of as something that is not quite safe.

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: From my experience I do not know of complaints of the type that the hon. Member has suggested might occur. I would like to ask the Deputy Minister whether he might respond in a more specific manner.

THE CHAIRMAN (Mr. Pudluk): Mr. Irving.

MR. IRVING: Mr. Chairman, we have not had any complaint of that nature. We have had Executive direction with regard to the particular shape of the plate and the colour, and that is what we have now. I appreciate the Member's remarks and we can certainly take another look. I think what he is talking about is that he would like to see a square shape with the image of the polar bear thereon, if that is what I understand.

MR. CURLEY: Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Irving. Mrs. Sorensen.

People Involved With Registering And Licensing Of Motor Vehicles And Drivers

MRS. SORENSEN: Thank you, Mr. Chairman. I wonder if you could tell me how many of the 13.3 people are directly involved with registering and licensing of motor vehicles and drivers.

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, I am advised that all of the man years shown are involved in this category and they are all working in the motor vehicle area.

MRS. SORENSEN: Can you perhaps explain to me why it requires so many people? I am not familiar with the job that is involved in motor vehicle registering and licensing and perhaps you could enlighten me.

HON. TOM BUTTERS: To save time I might be grateful if I could ask Mr. Irving to respond to this.

MR. IRVING: That also includes our weigh scale operation, Mr. Chairman, at Enterprise, where we have five man years and since we took over the driver testing on the Mackenzie system that includes two driver testers for examining drivers.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Irving. Mrs. Sorensen.



MRS. SORENSEN: In other communities you have given the responsibility of registering and licensing of motor vehicles to private enterprise. Have you considered that for Yellowknife?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Yes, that procedure has been considered. However, the personnel are required for the driver testing and as the people are here they can perform that function, as well of licences.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mrs. Sorensen.

MRS. SORENSEN: I was not clear on your answer. Did you say the driving testing could not be done by private enterprise as well?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: I am sorry. I misunderstood the question. I will ask the Deputy Minister to respond, I am not sure, but perhaps Mr. Irving could answer.

MR. IRVING: Mr. Chairman, the area of driver testing has been a particular problem. Up until recently it was done by the RCMP and they have wanted to get out of it. As a matter of fact they were not doing the written tests or the eye examinations. We have been forced into it, although we still have the RCMP do it in the smaller communities. As a result we have two driver testers who have some expertise in that area and they do the driver testing in the Mackenzie Valley system or on the highway system. I do not know of any other jurisdiction where that type of work has been farmed out to non-government personnel. It requires some expertise. There is a piece of equipment for the eye examination and where we run into a particular problem is with the other jurisdictions, in that it requires a particular level of expertise to maintain proper examination of drivers so that the Northwest Territories drivers' licences are acceptable in those other jurisdictions.

THE CHAIRMAN (Mr. Pudluk): Mrs. Sorensen.

MRS. SORENSEN: It is possible, however, to separate the driver testing from the registering and licensing, is it not? They are actually two separate programs or services.

HON. TOM BUTTERS: Yes, Mr. Chairman.

Moving Registering And Licensing Into The Private Sector In Yellowknife

MRS. SORENSEN: What barriers would exist for your department to move the registering and licensing into the private sector in Yellowknife?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: There would appear to be some problems in doing that, but again I would ask Mr. Irving to respond.

MR. IRVING: Mr. Chairman, I suppose the main problem is that it is a very small operation. When the driver testers are not doing driving testing they are doing other motor vehicle work and when we are not selling licence plates, as we are this month because of the fiscal year, there is a matter of maintaining the registry and doing the other motor vehicle functions, which includes work with the Highway Transport Board and those kinds of things. If we farmed out the sale of motor vehicle licences and registrations, there would be some administration functions that could not be done by somebody else and it is within that small operation, it seems to work well. That particular staff also administers the areas throughout the Territories where we have private individuals or agencies selling the plates. So, I suppose in summary, the small motor vehicle operation we have, it is the responsibility centre, to keep the rest of it going.

MRS. SORENSEN: Okay.

THE CHAIRMAN (Mr. Pudluk): Thank you. Mr. Patterson.

MR. PATTERSON: I would like to ask: The present registrar of motor vehicles, was he hired following a competition?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Yes, I understand he was hired through the Personnel service of this government.

THE CHAIRMAN (Mr. Pudluk): I would like to warn you, this House, when you speak before I call your name, please wait for me to call you because of the translation. Have you anything else, Mr. Patterson?

MR. PATTERSON: No.

THE CHAIRMAN (Mr. Pudluk): Mr. Appaqaq.

MR. APPAQAQ: (Translation) Mr. Chairman, I have a small comment to make about myself, a comment about myself.

THE CHAIRMAN (Mr. Pudluk): Do the Members agree for a personal concern?

SOME HON. MEMBERS: Proceed.

THE CHAIRMAN (Mr. Pudluk): Are Members agreed?

---Agreed

Go ahead, Mr. Appaqaq.

MR. APPAQAQ: (Translation) I would like you to know I have a problem at the moment because I have to leave tonight because my wife has been admitted to hospital, or she was today and I would like to go and see her if possible. I hope everything will be going well at the next session. Thank you very much for giving me a chance to speak.

THE CHAIRMAN (Mr. Pudluk): (Translation) Mr. Appaqaq must be going and Mr. Appaqaq, we will see you at the next session.

---Applause

Next on my list is Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. I just wanted to point out I may have a conflict of interest in relation to motor vehicles and I would just like the record to show that I have not spoken and will not vote on the estimates for that division.

SOME HON. MEMBERS: Shame, shame!

O And M, Motor Vehicles, Agreed

THE CHAIRMAN (Mr. Pudluk): Page 6.05, motor vehicles, \$410,000. Agreed?

---Agreed

O And M, Consumers Services

Thank you. Page 6.06, consumer services, \$259,000. Mr. Patterson.

MR. PATTERSON: Mr. Chairman, I am wondering why consumer services -- I forgot to ask why motor vehicles are not on the computer system, the expensive computer system that we have? Is there any reason why this has not happened?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, I would like the Deputy Minister to respond to this question. It has some bearing.

MR. IRVING: Thank you, Mr. Chairman. We have three areas within the Department of Justice and Public Services that we were looking at to computerize. One was the motor vehicles records, the second was the records and vital statistics and the third one was our public library system records. These were put in estimates and there was an Executive decision, when looking at the financial computer operations late last fall, where these three areas were cut because of financial restraints and that is where we lie right now. I might add that we are the only jurisdiction in Canada, that in regard to motor vehicle records, is not computerized.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Irving. Consumer services, \$259,000. Agreed?

---Agreed

Mr. Fraser.

Handling Of Business Licences

MR. FRASER: Thank you, Mr. Chairman. The Department of Justice and Public Services, do they handle business licences in that department? Is that the right place to talk about business licences?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: No, sir. Mr. Chairman, possibly once again I will prevail upon Mr. Irving's knowledge of the situation.

MR. IRVING: Mr. Chairman, that particular function is handled by Mrs. Helen Roberts and she is within the division of consumer services. This is the professional registries office, which does handle business licences.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Irving. Mr. Fraser.

MR. FRASER: Thank you, Mr. Chairman. Is it this department that handles business licences? Am I correct?

MR. IRVING: Yes, that division.

HON. TOM BUTTERS: Yes, Mr. Chairman.

MR. FRASER: Thank you, Mr. Chairman. I just wanted to get this straight. I phoned the business licence office, this department here a few days ago and I was told to go to city hall. I guess I will go back and try again.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Fraser.

HON. TOM BUTTERS: Mr. Chairman, the arrangement is that if it is a business within Yellowknife, obviously they must seek to obtain that licence from city hall. I wonder if the Member made it clear that the business he wished to license was outside of the municipality or the city?

MR. FRASER: Mr. Chairman, I asked them what city hall had to do with a business licence in Norman Wells and they said "I am sorry, sir, that is where you have to get your licence."

THE CHAIRMAN (Mr. Pudluk): Mr. McLaughlin.

Lottery Licences

MR. McLAUGHLIN: I would like to ask the Minister if it is under consumer services that lottery licences are issued?

HON. TOM BUTTERS: Yes, Mr. Chairman.

MR. McLAUGHLIN: I would like to ask on behalf of the Royal Canadian Legion whose territorial executive is pretty concerned about those lotteries they have. I do not know how you describe them. Where you rip open the windows and they come in boxes where you get a certain percentage that ends up going to the house. Because a lot of them derive a certain amount of revenue from that, they would like to have some very clearcut policy descriptions so that they can know exactly what they are supposed to do and clearly outline all the deadlines and types of reports they have to submit. Apparently this is currently under only federal legislation and just a few internal department regulations governing them right now.

THE CHAIRMAN (Mr. Pudluk): I think he is talking about the Nevada tickets. Did you want to speak, Mr. Minister?

HON. TOM BUTTERS: I will try to respond and if the Member is not satisfied, I will direct the question to Mr. Irving. I understand that the tickets that he has referred to are governed by the Criminal Code of Canada and prosecutions from an illegal use of those are enforced by the RCMP. I understand that the department recognizes that there is some concern with regard to the sale of these tickets now and is in consultation and communication with the Legion to attempt to resolve the problem.

MR. McLAUGHLIN: You do at present issue licences to allow that though, out of your department? What I was worried about was that some of the groups using these tickets seem pretty unclear as to the types of forms. I would suggest that when you make up these regulations that before you put them into force you maybe consult with the Legion and the various groups to make sure they are practical for them to operate under.

HON. TOM BUTTERS: The Member's point is well taken and we will attempt to clarify and seek an early resolution to the problem.

O And M, Consumer Services, Agreed

THE CHAIRMAN (Mr. Pudluk): Thank you. We are still on the consumer services, \$259,000. Agreed?

---Agreed

There is no capital. I would like to ask this House if they would like to go to page 6.12, Police Services Agreement, before the other items. Chief Superintendent Buttler has nothing to do with those.

---Agreed

O And M, Police Services Agreement

Let us move on to page 6.12, the Police Services Agreement, \$7,500,000. Mr. Patterson.

MR. PATTERSON: I would like to ask the Minister, Mr. Chairman, whether or not he has considered the matter of complaints against the RCMP and particularly whether or not the Government of the Northwest Territories considers it desirable that there be an independent body created for receiving and considering



complaints against the RCMP? Perhaps Chief Superintendent Buttler may have some comments as well. I think there might be many members within the force who would feel that such a body might give them some advantages in terms of the right to counsel and right to a hearing that they might not presently enjoy under the existing internal disciplinary system in the force, which is why I am suggesting that he may well have comments as well.

HON. TOM BUTTERS: Yes, Mr. Chairman. A voice in my ear advised me I do have a comment. As the Member knows, there is no such body in existence in the Northwest Territories now. It seems that recently I agreed to attend a conference, which and I think will be held later this year, of provincial justice ministers. The type of arrangements and mechanism which the hon. Member has suggested would be receiving consideration. I understand it will be placed on the agenda of that meeting, as other jurisdictions are seeking a similar type of arrangement, so at that I would probably be expressing the desire and the wish of the Northwest Territories to be similarly involved and similarly served.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. I would say that I am pleased to hear that the Minister is attending such a meeting and I am sure that he will report to the House if he feels that any useful proposals can be applied to the Northwest Territories since it is an interest of mine and I believe some of my constituents. Thank you.

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

HON. TOM BUTTERS: Yes, Mr. Chairman.

THE CHAIRMAN (Mr. Pudluk): Page 6.12, Police Services Agreement, \$7,500,000. Mr. Patterson.

Design Of The New Police Services Agreement

MR. PATTERSON: Mr. Chairman, just one final question. I know that the Police Services Agreement for the Northwest Territories will not be renegotiated until March, 1981, and please correct me if I am wrong, but when would those negotiations begin, leading up to the signing of a new agreement? The reason I ask the question is, will there be another opportunity for this House, assuming that there is a police advisory commission set up, and assuming that there is a session in the fall or in the spring or both, will there be another opportunity for this Assembly to make recommendations to the administration concerning the design of the new Police Services Agreement for March 31, 1981?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, the Member is correct. The target date of the agreement to be signed is March 31, 1981, but the negotiations would begin almost immediately as I think I indicated earlier on in this debate. Yes, the House would have an opportunity to look at the proposed agreement. It would be my expectation that that proposed agreement, that proposed draft would be ready for examination by Members during our fall session, I will try, if such a draft is in my hands, to see that Members get this before they come to the session, if that is at all possible, so they will have had a chance to study the provisions in it and give it some thought before actually arriving here and being required to discuss the specific proposals.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Minister. Mr. Curley.

Surveillance Of Native Leaders

MR. CURLEY: Thank you. I would just like to ask a couple of questions as we are about to conclude the Police Services Agreement. I would just like some assurance in the third stage of my question, that the RCMP will not in any way be carrying on any surveillance through this agreement and that the RCMP will not engage at all with wiretapping of any of the native leaders of the Territories through this appropriation that we are about to consider voting on.

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: Mr. Chairman, I realize this matter is of some concern to the hon. Member as he has raised it on two or three occasions. I pointed out I think each time, that in my experience, and to my knowledge, the function he was concerned about is not covered under this agreement; it is a security service function and is carried out by a group that is not directly related with the northern policing responsibility. Possibly I should confirm that that is correct and I might ask Chief Superintendent Buttler, am I correct?

CHIEF SUPERINTENDENT BUTTLER: Mr. Chairman. The question raised which I have answered earlier, in the Territories, to my knowledge, no surveillance, and there was mention of a wiretap in this last conversation. All I can do is assure the Member again that that is not taking place to my knowledge.

MR. CURLEY: Mr. Chairman, one last question I have of Chief Superintendent Buttler. To your knowledge, has there ever been surveillance on the leaders and the organizations in the Northwest Territories?

HON. TOM BUTTERS: Mr. Chairman, I assume that the Member is addressing his question through you to the chief superintendent. I have no knowledge, obviously, myself and would just ask the officer if he might be able to respond.

No Surveillance Going On

CHIEF SUPERINTENDENT BUTTLER: Mr. Chairman, this could go back over a good number of years and all I would like to assure the Member is that, to my knowledge there is no such action going on at the present time or in my reign, since I arrived here. So, as to how many years the Member wishes to refer to, it is difficult for me to answer on, but I want to assure him that that is not transpiring at the present time.

THE CHAIRMAN (Mr. Pudluk): Ms. Cournoyea.

MS. COURNOYEA: Just to clarify a point. You said this kind of police action is handled by the office in Ottawa. So, if it is not handled by yourself, or you have no knowledge; that means the particular division which has its beginning point in Ottawa, could be participating in this kind of activity and you would not know. Is that what you are saying?

HON. TOM BUTTERS: Mr. Chairman, I would ask the Chief Superintendent Buttler to clarify if he may.

CHIEF SUPERINTENDENT BUTTLER: Mr. Chairman, it would appear that there is some misconception here, that this is going on. All I can say is that it is not going on and it is not controlled out of Ottawa, I am the commanding officer of the division. If it is going on, I should know it is going on and I want to assure everyone that it is not. As to whether something transpired in the past, that I am not at liberty to discuss, but I certainly want to assure the Member that it is not transpiring at the present time and it is not controlled out of Ottawa. If there was such action going on, in my position as commanding officer I would certainly be aware of it.

THE CHAIRMAN (Mr. Pudluk): Let us go back to the Police Services Agreement. You guys seem to be making comments of a general nature. Mr. Patterson.

Plain-clothes Observer Of The RCMP

MR. PATTERSON: Mr. Chairman, I would like to ask, was there a plain-clothes observer of the RCMP at the fall session of this Assembly?

THE CHAIRMAN (Mr. Pudluk): Mr. Minister.

HON. TOM BUTTERS: I do believe I did see someone who looked like Kojak at the fall session for a couple of minutes but perhaps I can ask the chief superintendent if he knows.

CHIEF SUPERINTENDENT BUTTLER: I have no knowledge of that. He could have been here. We have a member in the security service and he is at liberty to travel where he wishes and if he wishes to attend this Council session he is quite at liberty to do so.

THE CHAIRMAN (Mr. Pudluk): Mr. Commissioner.

COMMISSIONER PARKER: Mr. Chairman, I think this is a serious matter. I have spoken to the gentleman in question and he was here simply as an individual and a newcomer to the North, trying to put names to faces and trying to determine how government works in the North. I know that that raised questions and it was for that reason that I had a very serious conversation with him. He felt very badly, that it was seen as him being here on duty and having anyone under surveillance and I can give you the assurance that that most certainly is not the case.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Commissioner. On the Police Services Agreement, Mr. Curley.

MR. CURLEY: Thank you. Some time ago I was briefed by a former member that the RCMP had a record, and by a very senior level of the government, that that individual had a certain police record which was not really an acceptable standard. Would the superintendent tell me whether or not he has the same list of the records on the Members of this House, particularly the native representatives of this House, to his knowledge?

CHIEF SUPERINTENDENT BUTTLER: Mr. Chairman, I have no knowledge of that whatsoever.

THE CHAIRMAN (Mr. Pudluk): Thank you. The Police Services Agreement, \$7,500,000, only if there is agreement.

SOME HON. MEMBERS: Carry on.

THE CHAIRMAN (Mr. Pudluk): Go ahead, Mr. Fraser.

MR. FRASER: Maybe I can clear up some of the talk that has been going around about this private detective. I tried to phone the Queen at one time and maybe they were checking on me.

---Laughter

O And M, Police Services Agreement, Agreed

THE CHAIRMAN (Mr. Pudluk): The amount is \$7,500,000. Agreed?

---Agreed

Thank you very much.

---Applause

Before we go back to the legal registries, page 6.07, I would like to thank Chief Superintendent Buttler for being here and we hope to see you again next year at the same time and in the same place.

---Applause

0 And M, Legal Registries, Agreed

Now, Mr. Minister, do you wish to say anything? All right. We are on page 6.07, legal registries, \$150,000. Mr. Curley.

MR. CURLEY: No, all right.

THE CHAIRMAN (Mr. Pudluk): Is it agreed?

---Agreed

0 And M, Legal Services

Now, there is no capital. Now, legal services, page 6.08, \$491,000. I think I will turn it over to Mr. Patterson again.

MR. PATTERSON: I promise, Mr. Chairman, this is my last motion of the day.

---Applause

Motion To Establish A Strong Law Reform Capability Within Justice And Public Services

That this Assembly urges the administration and the Department of Justice and Public Services to develop a strong law reform capability within that department which will, among other things, review and update existing territorial legislation, examine ways in which aboriginal customs, values and rights can be discovered, recognized and protected by territorial laws, and develop proposals for new legislation to meet the special needs and circumstances of northerners, as directed by the Assembly from time to time.

THE CHAIRMAN (Mr. Pudluk): To the motion. The question.

SOME HON. MEMBERS: Question.

THE CHAIRMAN (Mr. Pudluk): All right, Mr. Patterson.

MR. PATTERSON: Mr. Chairman, just a few words in speaking to this motion, since it may give the department some guidance in explaining the motives for the motion. First of all, there is a considerable concern amongst lawyers and other actors in the justice system in the Northwest Territories that there is an urgent need for reviewing and updating our existing territorial legislation. In many respects our legislation has been modified from the legislation in the provincial jurisdictions and it is now time I suggest for the Territories to come of age and develop its own legislation because in many ways the provincial models and the Alberta model does not apply to the Northwest Territories. So, the first part of the motion would call for an effort on reviewing and updating the existing legislation. I suggest that the ways in which aboriginal customs, values and rights can be recognized by our territorial laws is because I think truly there is a need, in a government where a significant part of the population is composed of aboriginal people, to recognize that in fact there are values and customs and traditions, and as the Baker Lake decision and other court cases have recognized, certain peculiar rights which attach to aboriginal persons in the Northwest Territories and our laws should give recognition and respect to those laws.



MR. FRASER: Question.

MR. PATTERSON: I have ten minutes, Mr. Fraser. I would like to see the work that has been done in Australia for example, in the area of recognizing the aboriginal customs of those persons, to be undertaken in the Northwest Territories. For example, the impact of the Baker Lake court decision, on our existing game legislation and policies.

Finally, Mr. Chairman, developing proposals for new legislation. There is an ad hoc law reform committee that has been recently set up by the Department of Justice and Public Services without any direction from the Assembly. This motion seeks to recognize that direction as it has already been taken and encourage the department in this area as a priority of this Assembly. Thank you.

THE CHAIRMAN (Mr. Pudluk): To the motion.

SOME HON. MEMBERS: Question.

Motion Carried

THE CHAIRMAN (Mr. Pudluk): Did I hear the question? The question. All those in favour of the motion? Down. Opposed? The motion is carried.

---Carried

Legal services, \$491,000. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, I must advise the Members that I provide services to the Legal Services Board by providing legal services to people who need legal aid and I derive fees for this service.

THE CHAIRMAN (Mr. Pudluk): I think you are talking about the next page 6.09. We are on 6.08, legal services.

MR. SIBBESTON: Sorry.

THE CHAIRMAN (Mr. Pudluk): O and M, \$491,000. Mr. Curley.

MR. CURLEY: Thank you, Mr. Chairman. I have a motion that I would like to move: That this Assembly urge the Executive Committee -- where are we?

MS. COURNOYEA: We are still on legal services.

O And M. Legal Services, Agreed

THE CHAIRMAN (Mr. Pudluk): We are on page 6.08, legal services, \$491,000. Agreed?

--- Agreed

O And M, Legal Services Board

We will move on to the next page, 6.09, Legal Services Board, in the amount of \$845,000. Mr. Sibbeston.

MR. SIBBESTON: It says here that I must say that I provide services to the Legal Services Board occasionally, by providing services to people who need legal aid and I derive fees for this service and because of a possible conflict situation I will not be voting or partaking in the debate on this allotment.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston. Mr. Patterson.

MR. PATTERSON: Mr. Chairman, I earlier indicated that I had a conflict in this area because of my association with Maliiganik Tukisiiniakvik and also the contract I have with the Legal Services Board.

THE CHAIRMAN (Mr. Pudluk): Thank you. I believe Mr. Curley wants to make a motion.

Motion To Increase Financial Support To Maliiganik Tukisiiniakvik

MR. CURLEY: Mr. Chairman, thank you. I have a motion: That this Assembly urge the Executive Committee and the Department of Justice and Public Services to provide increased financial support to Maliiganik Tukisiiniakvik legal services centre, and further, that the grant policy for legal services centres and native court workers be reviewed in consultation with those groups.

THE CHAIRMAN (Mr. Pudluk): To the motion.

MR. CURLEY: Mr. Chairman, I think it has been proven with respect to Ms. Cournoyea's question asked earlier in the House, the legal services centre, Maliiganik Tukisiiniakvik, in Frobisher has contributed quite a bit to the public service needs of the legal aid requirements of the people of the Northwest Territories but the funding has not been large enough to allow them to fully represent the people in terms of their legal needs. So in effect, they have been limited to operating with a small operation base and I believe that the Government of the Northwest Territories has not increased its funding for quite a while. They give a \$50,000 grant to these kinds of organizations but when you consider all the legal advice and the kind of work that they do in those regions and communities, you will find that you cannot really represent your clients with only \$100,000 operations and maintenance fund. So I would urge that the Members support this so that the legal aid needs of the people in the communities can be met and the fact that it is very expensive to hire a lawyer from Yellowknife. When you are not eligible for legal aid programs of the government it becomes a very expensive case. So I would urge the Members to support this simple motion. Thank you.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Minister.

HON. TOM BUTTERS: Just by way of information, Mr. Chairman, I would draw the attention of Members of the committee to the fact that the executive director of the Legal Services Board, Mr. John Bayly, is in the House and probably would be available to assist the committee if Members so wished.

THE CHAIRMAN (Mr. Pudluk): Does this House agree?

---Agreed

Mr. Bayly, would you come in, please? I believe Hon. Mr. MacQuarrie is next.

HON. ROBERT H. MacQUARRIE: Thank you, Mr. Chairman. We did receive a letter, I think each of us, from Maliiganik Tukisiiniakvik, indicating that they felt that there were budgetary constraints this year that would make it very difficult for them to operate. I have some questions with respect to the information that we received and I would hope that perhaps Mr. Bayly could answer them. Can you tell me first of all, do you have statistics on the case load of this firm? Has it increased significantly the number of cases handled from the previous year to this year?

Number Of Clients Served By Maliiganik Tukisiiniakvik

HON. TOM BUTTERS: Mr. Chairman, I will ask Mr. Bayly if he will reply to the hon. Member's question.

MR. BAYLY: Mr. Speaker, I have prepared a return to a question asked by Ms. Cournoyea with regard to the amount or the number of clients who were served by Maliiganik Tukisiiniakvik and that return I think is before you. I do not have the actual figures for previous years. I understand in talking with Mr. Patterson, who has been a director of this project since 1974, that the use of their services is increasing. The answer to the question provided also does not include the public education programs that have been started by this project which reach people through the media and through pamphlets and personal contact in the Baffin region communities. I do not know if the numbers are significantly increased from the beginning, but the other services provided are not just to the individual people who are in trouble or conflict with the law, but the Maliiganik Tukisiiniakvik paralegal...

THE CHAIRMAN (Mr. Pudluk): Mr. Bayly, will you slow down?

MR. BAYLY: I am sorry. I will go more slowly. The paralegal workers are also involved in assisting lawyers from Yellowknife who go over on court circuits.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Bayly. Mr. MacQuarrie.

HON. ROBERT H. MACQUARRIE: Thank you. The figures we have with respect to contributions show that in 1979-80 this government contributed \$100,000 to that organization. This year there is an indication that \$50,000 is the amount that we will be giving but I understand that there is sort of a different financial arrangement being instituted between the government and this organization. Could you tell us something about that new financial arrangement and indicate whether the amount that is actually going to that organization from this government this year is an actual decrease?

HON. TOM BUTTERS: Mr. Chairman, Mr. Bayly will reply, please.

A Cost Shared Program

MR. BAYLY: Mr. Chairman, I shall reply this way. The program Maliiganik Tukisiiniakvik is cost shared still between the federal and territorial governments. The allotment of \$50,000 for the year just ending is the territorial contribution and the projected \$50,000 for 1980-81 is an identical contribution presumably to be cost shared as well by the federal Department of Justice. There is a little bit of history here. The federal funding for 1979 ended December 31, 1979. At that point the board of directors of Maliiganik Tukisiiniakvik through Willie Adams, a member of the board, of both that group and the Legal Services Board, requested that the Legal Services Board agree to fund Maliiganik Tukisiiniakvik for the first three months of 1980, to bring us up to the fiscal year we are just about to start. The Legal Services Board agreed and a contribution of \$12,500 was made by the territorial government and the federal Department of Justice agreed to participate up to \$10,500. That was apart from the services rendered by Dennis Patterson who, as he has told you earlier, is paid on a contract to do legal aid work for that three month period.

The second part of your question was with regard to whether this was a decrease. The separating of Dennis Patterson's contract from the Maliiganik budget is proposed to continue for 1980-81 because Dennis Patterson is going into private practice in Frobisher Bay and has agreed to provide contract services

to the Legal Services Board to represent people who are eligible for legal aid. So the \$100,000 approximately, that you see in your budget, does not include Dennis Patterson's allotment; whereas in the previous year the \$100,000 that was given by the two governments was to include Dennis Patterson's amount. Having said that, the Legal Services Board when it met last Friday recognized that because the Maliiganik Tukisiiniakvik workers are paid less than their counterparts in equivalent positions in Frobisher Bay and that operations and maintenance costs are increasing there, that to properly run that project at the present level, exclusive of Dennis Patterson's service, would cost approximately \$120,000.

A little bit of history. The Legal Services Ordinance was passed by this Assembly in the spring of 1979. It came into force in the fall of 1979 and the Legal Services Board had its first meeting in September, an organizational meeting, and its first business meeting in November. I tell you that because the estimates were prepared before the Legal Services Board came into being and you have the letter before you from the Maliiganik Tukisiiniakvik board and they I think are properly concerned with the amount that was allocated, but the board felt that it wanted to work as closely within the figures estimated as possible so as not to take money from other projects that come under its jurisdiction to treat the various projects equally.

THE CHAIRMAN (Mr. Pudluk): The time is 6:00 o'clock and would this House like to continue or report progress? Would this House like to report progress?

SOME HON. MEMBERS: Progress.

THE CHAIRMAN (Mr. Pudluk): It is now 6:00 o'clock. Is it agreed?

---Agreed

I will report progress. At this time I would like to thank Mr. Bayly and Mr. Irving also, and we hope to see you tomorrow again.

MR. SPEAKER: The House will come to order. Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF BILL 1-80(1): APPROPRIATION ORDINANCE, 1980-81; AND REPRESENTATIONS BY DENE NATION \_\_\_\_\_

MR. PUDLUK: (Translation) Mr. Speaker, the committee of the whole was speaking with the Dene Nation and also we were dealing with the appropriations, Bill 1-80(1), and we wish to report progress.

MR. SPEAKER: Thank you, Mr. Pudluk. The Hon. Mr. Butters.

HON. TOM BUTTERS: May I have unanimous consent of the House to return to Item 5, tabling of documents?

MR. SPEAKER: Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Is it agreed?

---Agreed



REVERT TO ITEM NO. 5: TABLING OF DOCUMENTS

HON. TOM BUTTERS: I would like to table the following:

Tabled Document 33-80(1): Annual Report of Territorial Accounts, Government of the Northwest Territories, Fiscal Year 1978-79.

MR. SPEAKER: Thank you. Announcements, Mr. Clerk, and orders of the day.

CLERK OF THE HOUSE (Mr. Remnant): There will be a meeting of the standing committee on finance at 11:30 a.m. tomorrow in room 303.

ITEM NO. 10: ORDERS OF THE DAY

Orders of the day, March 12, 1980, 9:30 o'clock a.m., at the Explorer Hotel.

1. Prayer
2. Oral Questions
3. Questions and Returns
4. Petitions
5. Tabling of Documents
6. Reports of Standing and Special Committees
7. Notices of Motion
8. Motions: Motions 31-80(1), 32-80(1)
9. Consideration in Committee of the Whole of Bills, Recommendations to the Legislative Assembly and Other Matters: Bill 1-80(1), the estimates of the Department of Justice and Public Services and of the Legislative Assembly; Bills 2-80(1), 3-80(1), 4-80(1), 5-80(1)
10. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 9:30 o'clock a.m., March 12, 1980, at the Explorer Hotel.

---ADJOURNMENT

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