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SPEAKER: THE HONOURABLE M. JAMES RUSSELL

The House met at 11:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

STATEMENTS BY MINISTERS:

MR. SPEAKER: The honourable Minister of Health.

DR. A. ROWE, Minister of Health: Mr. Speaker, I would like to clarify any misunderstanding regarding a recent statement made by me in this honourable House regarding acupuncture.

The media have indicated in reporting my statement that I had stated that there was no great demand for acupuncture. This, Mr. Speaker, is not correct. There is a considerable demand and many people are benefiting from acupuncture in our Province at the present time. What I did say is that I had not received any great individual demand to me as Minister of Health, and in fact our records show that we have had only thirty letters in the past year from individuals requesting this service and out of the, I understand, several hundred who received the treatment that this could not be considered a heavy demand. Actually in the past two days since the statement appeared in the press and on the media, I received a number of enquiries and I received a delegation from the Acupuncture Society of Newfoundland and also in the mail yesterday I received some seventy-nine post cards, each the same, signed by different individuals and all posted the same time and each post card has the wording that, "I support immediate recognition by the Government of Newfoundland of Acupuncture as a medical act to be carried out under the supervision of qualified physicians and dentists and each card is signed by a different individual."

Now it is accepted that acupuncture has a very definite place in the relief of pain and has certain anesthetic qualities, but I should like now to indicate to the honourable House the departmental policy with regard to acupuncture.

Acupuncture is a medical or a dental act, In other words it is a procedure which must be performed by fully registered physicians and dentists who have had an approved course of training in acupuncture. In practical terms the likely minimum period of this training in acupuncture would be

three months full time. Acupuncture at the present time in Canada is practiced on an experimental basis. This means that its effect on relief of pain in the long term, its place as a substitute for general anaesthetic in minor and major surgery and its value in therapy is not yet fully proven in the Canadian context.

Accordingly acupuncture must be practiced in a setting where rigorous scientific evaluation is possible. An appropriate setting then during this experimental period is a clinic in an approved or accredited hospital, preferably one which is affiliated with a faculty of medicine. And during this experimental period, remuneration for approved physicians practicing in an approved setting should be on a sessional basis and there are precedents for this already in Canada, notably the Vancouver General Hospital.

The Associate Deputy Minister of the Department of Health, Dr. Suttie, attended on behalf of the department, the National Conference on Acupuncture in January of this year and is now discussing with representatives of the Newfoundland Medical Association and the Newfoundland Dental Association, and the faculty of medicine of Memorial University, the appropriate next step which should be taken for the regulation of the practice of acupuncture in this Province.

I would wish it to be known that the Department of Health, in co-operation with these other associations and the university, have proceeded and will proceed in the manner which we feel will be to the greatest benefit of Newfoundlanders who require acupuncture.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, with reference to the minister's statement, I do not need to add anything to the first part of it where he dealt with a clarification of a report that had been carried widely in the press and I think it was not so much an error of the press as the fact the minister had not made himself as clear initially as he did subsequently.

I am very pleased to hear that the minister at long last is moving on the acupuncture question. I think there are two aspects to the problem, Sir. The first is the one in which we must act immediately and that is the area in which the minister is apparently going to act, namely to bring acupuncture in this Province under a degree of control and regulation. The second area where governments eventually must and I believe will act is to include acupuncture within the insured services spectrum whether it come under the Hospital Insurance Programme or under the Medical Care Insurance Programme, the two programmes under which health services are made available to the people of this Province at no direct charge to those people.

Now, Sir, the important one, the initial step, the step which must be taken, and I would urge the minister to take it immediately, is to bring acupuncture under regulatory control in the same way as any other medical procedure is controlled by the appropriate bodies. There are precedents in Canada, perhaps the most relevant would be the Province of Ontario where, and I have a statement here made by the Minister of Health in Ontario, the honourable Mr. Miller who interesting enough at one stage was a chemistry teacher at St. Andrew's College while I was a student there in the late 1950s. We used to call him the Jolly Miller. I do not know if he still has the nickname of not. But the honourable Mr. Miller made a ministerial statement, Sir, in Ontario on January 8, two or three months ago in which he said that he viewed with favour the intention of the College of Physicians and Surgeons of Ontario to enforce strict medical control of acupuncture in the Province of Ontario. I quote now, the minister said, "I believe that the new acupuncture regulations which the college will be issuing limiting the practice of acupuncture to registered physicians and in the case of lay practitioners to those who have passed examinations set and conducted by the college will provide an essential measure of protection to the public from unskilled and unqualified practitioners."

Mr. Speaker, I believe that is an important step forward and it is

one which I think we should take immediately in Newfoundland. The Ontario College and the Ontario Government have not, as I understand it, taken a definitive stand on the merits of acupuncture or the specific medical situations to which it would be applicable and desirable but they have moved to provide that its practice may only be carried out by duly qualified people acting within the scope of regulations.

I understand there is some danger in Newfoundland that unqualified people may set up as acupuncturists and offer their services or pretend to offer or hold themselves out as being qualified. We have a couple of doctors who are practicing and there is no question of them. But the fact remains that any other person, Sir, - Your Honour, you could set up this afternoon or I could set up as an acupuncturist and there is no way the public at large have any reason to know that we are not qualified. It is the duty of the government to insure that only people who are qualified are able to offer services. Ontario has shown the lead. The Canadian Armed Forces have adopted essentially the same position and I think we should in Newfoundland. There is no need to wait for any reports or any studies to do this. That is just the basic minimum protection which the state affords in all of the so-called professions and that is to insure that a person who holds himself out as being qualified is in fact qualified.

So I would urge the minister, I am not sure the precise legal steps, I would think it would be an Order in Council or perhaps a ministerial order, but I would urge the minister without delay to take that step and then once that is done then there will be time to look into the merits of the practice as to exactly where acupuncture can be valuable, it can certainly be valuable in some cases, define those and then we can tangle with the question of making it an insured service within the meaning of those programmes. The only thing I would add, Mr. Speaker, is that the minister said only thirty letters have been received. I know that thirty letters is not a lot of letters piled up and I do not have access

April 25, 1975.

Tape 1778

RH - 3

to the minister's correspondence, of course, the present minister, but I would say that to receive thirty letters on any given medical subject would be as many letters as the minister has received in total on all medical subjects in any comparable period of time. It is a lot of letters, Sir, and I would take that as a very real indication of a great deal of public interest. There is a lot of public interest in acupuncture and I think, Sir, the public interest of this Province requires immediate action by the government to insure that those people who do offer acupuncture are qualified to do so and are doing so within appropriate and proper terms of reference.

PRESENTING PETITIONS

MR. SPEAKER: The honourable Member for Bonavista South.

MR. MORGAN: Mr. Speaker, I beg leave to present a petition from the residents of the communities of Southern Bay and Princeton in Bonavista South and the prayer of their petition is that the road leading from the main Cabot Highway down through the Peninsula, that road leading down through the Southside of Bonavista Bay be reconstructed.

Mr. Speaker, the Southside of Bonavista Bay, there are nineteen communities, and there is one main road serving these nineteen communities and that road is a very rough, winding, gravel road. It is the main road, forty miles of rough, winding, gravel road. And this petition is asking for the top end of that road, serving all these communities, the nineteen communities and all along the shore and Southside of Bonavista Bay, be reconstructed. They are not asking for paving, they are asking for reconstruction this year. And this petition, Mr. Speaker, has my one hundred per cent, because as the prayer of the petition points out, there has been little or no work done on that shore down there for twenty-six years, twenty-six years since the road was initially constructed down there. It is the same old, narrow, winding, rough, gravel road.

AN HON. MEMBER: The Cabot Highway -

MR. MORGAN: No, this is the south - they call it the Shore Road. It serves all the communities.

AN HON. MEMBER: - up the Cabot Highway.

MR. MORGAN: No.

AN HON. MEMBER: No. It was one time.

MR. MORGAN: No. It was the Cabot Highway at one time. It was the Cabot Highway going down through to Bonavista and then the federal officials decided in co-ordination with the provincial government of the day that the main road going down to Bonavista would go down through the Peninsula, away from the communities. Of course that was a DREE road. It is going down to the middle of nowhere, really, but it leads down to the tip of the Peninsula to Bonavista.

Whereas all these communities at the time, nineteen of them, had

delegations in with the government of the day, met with the federal officials also and they were strongly opposed to that DREE road going down through the middle of the Peninsula because it would not serve the nineteen communities along the Southside of Bonavista Bay. And they felt they were going to be neglected and forgotten and in fact that is the situation, they have been neglected and forgotten.

So this road, Mr. Speaker, is of the utmost importance to the whole economy of Bonavista South and when I say Bonavista South I mean the Southside of Bonavista Bay, all nineteen communities, small communities but viable communities, important communities.

In the last three years we have seen a new school built in King's Cove, a new high school, another new school, elementary school built in Plate Cove, along that side of the Bay, and the school bus transportation is used extensively back and forth, and that is one important factor, but the other very, very important factor is this road is the only link to the outside world, and it is of the utmost importance to have a transportation system to serve all these nineteen communities. So this petition is only from two communities along that shore but the two communities I am referring to in this petition are the two at the top of the road. In other words, from the turn off from the DREE road, the main highway going down to the peninsula, turning off to go down to serve the nineteen communities on the Southside of the bay

I sincerely hope, Mr. Speaker, that this year that there will be a reconstruction contract let from Southern Bay, down as far as Summerville and this is approximately six miles. It is not too much to ask for. They are not asking that the road be reconstructed all in one year. We did do some reconstruction on this road last year. A contract was let in the Summerville area which is in about the middle of the road, down the shore. They did some reconstruction and overcome the hazardous sections of that road and took away some elevations which were hazardous to school bus operation.

So, Mr. Speaker, I fully support the petition and I sincerely hope that the Minister of Transportation and Communications and his officials will see fit and hopefully the funds will be available for a reconstruction contract this year on this section of road from Southern Bay down to Summerville.

MR. SPEAKER: The honourable the Member for Labrador North.

MR. WOODWARD: Mr. Speaker, we on this side of the House support the prayer of the petition presented by the Member for Bonavista South. Indeed, Sir, Princeton is a community that I know of. I know of some of the people in the community. As a matter of fact, some of the people have worked with me over the years from that area. I might add that there are some very good people along that stretch of the road.

We think that the onus is on the Minister of Transportation and Communications. I do not know if he has taken a look at it or what communications the Member for Bonavista South has had with the Minister of Transportation and Communications, his colleague. No doubt that he must have talked it over with him. I do not suspect, Mr. Speaker, that this petition came out of the blue. But, we feel that something should be done in that respect. We feel that if there are nineteen communities involved, it is only a matter of the upgrading of six miles of road or reconstruction of six miles of road -

AN HONOURABLE MEMBER: Forty miles.

MR. WOODWARD: Forty miles.

MR. MORGAN: the Long Harbour Road.

MR. WOODWARD: Whatever the conditions are, Mr. Speaker, we feel that the minister should at least give some consideration this Summer with his \$100 million budget to do some reconstruction on that road for the Member for Bonavista South.

MR. SPEAKER: The honourable Minister of Transportation and Communications.

HON. J. ROUSSEAU (MINISTER OF TRANSPORTATION AND COMMUNICATIONS): Mr. Speaker, first of all I would like to say that we will certainly accept the petition and will give it the most sympathetic consideration that is possible. The member has been suggesting the importance of this road. All honourable members of the House tend to keep inferring to me how many roads are not done in their district. I think the Member for Bonavista South is normally in and he is always telling me about how many miles of unpaved road he has, and he had brought this one to my attention. I accept the necessity of this situation especially when nineteen communities are concerned on the South Side of Bonavista Bay.

I unfortunately could not give a commitment to the member but we will certainly give it the most sympathetic consideration, and we will take a look at it within our overall roads programme. But, we certainly will give it consideration especially in light of the great number of people who live in the area. The member has, as I say, brought it up to me personally, not once, not twice, not three times, but about 100 times.

AN HONOURABLE MEMBER: Every day.

MR. ROUSSEAU: Every day. But anyway we will give it sympathetic consideration, as I told the member, I cannot make a commitment and no commitment has been made to him, but we certainly will give it sympathetic consideration. I am sure honourable members realize that if every petition that was sent to the House, if we acceded to that, we would - pardon?

MR. NEARY: When will they get an answer?

MR. ROUSSEAU: Imminently. I do not know when they are going to get an answer really. You know, as the honourable member who has been a cabinet minister knows, to set dates on things - you know, as soon as possible is all I can say. Not instant, the answers do not come instantly. I wish they did really. But we will certainly give it sympathetic consideration and we will look at the petition and we will have officials of the department look at it and see what can be done.

MR. SPEAKER: Are there any other petitions?

NOTICE OF MOTION:

MR. SPEAKER: The honourable Minister of Justice.

HON. A. HICKMAN (MINISTER OF JUSTICE): Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce the following bills:

A bill, "An Act Respecting A Plan Of Legal Aid For The Province."

On behalf of the honourable Minister of Industrial Relations and Manpower, a bill, "An Act To Control The Relationship Between Employers And Employees Within The Province And To Provide Uniform Minimum Standards Of Conditions Of Employment," And a bill, "An Act Further To Amend The Workmen's Compensation Act."

On behalf of the honourable the Minister of Finance, "An Act

Further To Amend The Gasoline Tax Act."

I give notice that I will on tomorrow ask the House to resolve itself into a Committee of the Whole to consider certain resolutions for the granting of supply to Her Majesty.

And, a bill, "An Act To Amend Certain Statutes Of The Province."

MR. SPEAKER: The honourable Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, I give notice that on tomorrow I will on tomorrow ask leave to introduce a bill, "An Act Relating To The Disposition Of Minerals Within The Province," which is the revised Crown Lands, Mines and Quarries Act. The New Minerals Act, I think, will be the short title. Mr. Speaker, I give notice that on tomorrow -

MR. ROBERTS: It will replace the Crown Lands Act.

MR. BARRY: The old Crown Lands, Mines and Quarries Act.

MR. ROBERTS: Crown Lands will become a new heading.

MR. BARRY: Yes, the old Crown Lands, Mines and Quarries Act has been rewritten in effect and will become the new Minerals Act -

MR. ROBERTS: Will that govern the disposition of Crown lands?

MR. BARRY: - which will govern the disposition of mineral rights.

MR. SPEAKER: Order, please! Order, please!

MR. BARRY: I am sorry, Mr. Speaker, but I think it is of value where you have these titles and concern can be caused to the general public, Mr. Speaker, it might, with the leave of the House, be useful just to give a little explanation as to what government is intending.

Mr. Speaker, I give notice that on tomorrow I will ask leave to introduce a bill, "An Act To Amend The Mining Tax Act," and to repeal the Mineral Lands Taxation Act. And finally, Mr. Speaker, I give notice that on tomorrow I will ask leave to introduce a bill, "An Act To Impose A Tax Upon The Land In Respect Of Which Persons Have The Right To Mine." This is the short title. It will probably be the Mineral Lands Acreage Tax, an act designed to encourage the reversion to the Crown of the mineral rights that are held in fee simple or over which the Crown now have very little control.

MR. SPEAKER: The Hon. Minister of Forestry and Agriculture.

HON. H. COLLINS: (Minister of Forestry and Agriculture): Mr. Speaker, I give notice that on tomorrow I will ask leave of the House to introduce a bill, "An Act To Amend The Forest Fires Act," and a bill,

"An Act To Amend The Natural Products Marketing Act," and also a bill, "An Act Respecting The Transfer Of Certain Lands From Reid Newfoundland Limited And Mines And Forests Newfoundland Limited To Her Majesty In Right Of Newfoundland."

MR. SPEAKER: The Hon. Minister of Health.

HON. DR. A. ROWE (Minister of Health): Mr. Speaker, I give notice that I will on tomorrow bring to this House, a bill, "An Act Further To Amend The Hospitals Act," and I give notice that I will on tomorrow bring to this House, "An Act Respecting The Provision Of Funeral Services."

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. SPEAKER: The Hon. Minister of Education.

HON. G. OTTENHEIMER (Hon. Minister of Education): Mr. Speaker, I would like to answer Question No. 51 on the Order Paper today asked by the Hon. Member for Bell Island. Have there been any contracts or agreements or any payments made by the Department of Education during the fiscal year ending March 31, 1974 to date to Cabot Group 4 Limited? And the answer is, no. Therefore, the other parts would not be applicable.

MR. SPEAKER: The Hon. Minister of Health.

DR. ROWE: Mr. Speaker, an answer to Question No. 50 on the Order Paper of the same content. Are there any contracts, agreements or any payments made by the Department of Health during the fiscal year ending March 31, 1974, presumably that means 1974, to date to Cabot Group 4 Limited? The answer is, no.

MR. SPEAKER: The Hon. Minister of Transportation and Communications.

HON. J. ROUSSEAU (Minister of Transportation and Communications): I do not know the number but there has been no involvement with Cabot 4 with the Department of Transportation and Communications. I would think it is either 49 or 48 or somewhere on the Order Paper yesterday. And a couple of other answers by the way, Mr. Speaker, if I may, to questions that were posed yesterday. The Hon. Member for Bell Island

had his ear to the radio and asked me about a report, and it sort of did not tick with me, but actually the situation was in respect to the Bishops Falls Report. Now we do not have it. It was just presented last night which was what was on the radio.

MR. NEARY: Does the honourable minister have a copy?

MR. ROUSSEAU: No. So if I may, because it is, I think, really important so I will just read the information that I have so you will know what it is all about, if you are that interested in it. The Atlantic Provinces Transportation Commission was invited by the Exploits Valley Development Association and the Department of Rural Development to undertake a feasibility study of the Central Newfoundland Freight Distribution operation in the Grand Falls-Bishops Falls area. Now the group wanted to hire a consultant. We were asked whether the A.P.T.C. would do it, and we suggested they would and it was quite a saving. It will probably cost one-quarter or one-third of what it would cost with an outside consultant. So the Atlantic Provinces

Transportation Commission undertook that study. The objective of the study was to determine the economic feasibility of the establishment of the central warehousing and distribution operation in that area. In the course of the study the following subject matters were analyzed; potential market area, major commodity categories and source of supply, inbound transportation alternatives, cost of inbound transportation, outbound transportation alternatives and cost, competition from other distribution centres, and the scale of warehousing and cost.

Now the formal presentation, as I understand it, of the study was done last night in Bishops Falls. And my Director of Transportation was indeed asked to attend the meeting but he did not receive the invitation until about 4:00 or so yesterday afternoon, but there was an official from the Department of Rural Development who attended the meeting and undoubtedly he will be filling in the Director of Transportation. Of course we stand prepared, you know, with any group of this nature to assist him in any way possible in respect to transportation. So should they at some future time request the presence of the Director of Transportation he will be there.

Now if I may also, if the House - I presume this is a question which the honourable members asked yesterday on the Cape Shore Road thing, that was a question that I said I would bring up to date after the officials got back. And I have talked to the officials this morning, there were two of them down there yesterday. And as I understand it yesterday or by this morning they had all the soft areas filled in except two, the areas around Ship Cove and Patrick's Cove, and those areas will be filled in hopefully by this afternoon, but sometime today, and the road hopefully will be passable. The concentrated effort I suggested, Mr. Speaker, yesterday - we have down in the area two dozers, eight trucks, four graders, and two front end loaders. Certainly we do not intend to take the equipment out. Now as soon as the road is passable we will continue doing some ditching and widening of the road down there, and we will try and make the road as we say as passable as possible. As I understand it there

is no problem from, say, Branch to St. Brides, it is just on the Point Verde - St. Brides Road. So by this afternoon all the soft spots should have been filled in, and we will continue to work on the road at that time.

MR. NEARY: Mr. Speaker, I thank the minister for his answers, Sir. All that the people need down there is a political spokesman, that is all.

MR. SPEAKER: Are there any more answers to questions for which notice has been given?

AN HON. MEMBER: Mr. Ottenheimer is going to -

ORAL QUESTIONS

MR. SPEAKER: The Hon. Member for Bell Island.

MR. NEARY: Mr. - does the honourable -

MR. ROBERTS: You can not have the honourable member not ask a question.

MR. BARRY: I was going to ask, Mr. Speaker, if I could have leave to introduce a further bill?

MR. SPEAKER: Does the honourable minister have leave to introduce a bill?

MR. BARRY: Or to -

HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

MR. BARRY: Mr. Speaker, I give notice that on tomorrow that I ask leave to introduce a bill, "An Act To Impose A Tax Upon Income Received By Certain Persons Holding The Right To Mine." And this refers to certain landlords who are recovering revenue, as pointed out in the royal commission, from existing mining operations. And I might also point out, Mr. Speaker, that we hope to be in a position to have these bills released for public consideration, and of course to the members of the Opposition some time around the middle of May if possible.

MR. ROBERTS: Mr. Speaker, if I might ask a question on the Orders of the Day relating to - I guess it should go the House Leader, the Minister of Justice, growing out of this. A number of notices have

been given today that are fairly important, heavy pieces of legislation, The Labour Standards Code and the Mining Tax Legislation and so forth. Now the word in the House is that the House will adjourn, who knows, Wednesday, Thursday, Friday of next week. We will probably conclude this business now before us unless we are to go into the type of legislation of which notice has been given today. I wonder if the House Leader - I do not know if it is a proper question, I will put it. It is a proper matter to raise, and it is a proper place to raise it - could indicate - what I would suggest and request is that the bills be made public, be given first reading, the order to be printed, be made public, hopefully being provided to the members of the House on all sides first, and then I know that other groups - The Labour Standards Code, well the Federation of Labour will certainly wish to be consulted publicly. They may well have been consulted privately on this. The Mining Tax legislation, and the legislation growing out of the Royal Commission on Mining Tax Revenues. In other words what I am asking is, can we agree on a procedure now where these bills will be made public and then when the House meets a month or so from adjournment we will debate them? Or are we to be faced with the prospect of having the bills go through in the same way as would, you know, a more usual, a very small piece of legislation? I prefer the former course, and I think it would give us a better chance on all sides, but if it is to be the latter then we will do our share.

MR. SPEAKER: The honourable Minister of Justice.

HON. A. HICKMAN: Mr. Speaker, the plan or the hope is that today we would debate the, continue with the Address in Reply debate unless, maybe sometime this afternoon a supply bill will get up, but that will not take very long, and then continue on with the Address in Reply debate until it is concluded. Then the House would be asked to debate the various pieces of legislation, none of which are very major.

MR. ROBERTS: They now stand on today's Order Paper.

MR. HICKMAN: They are now on the Order Paper and have been circulated. There may be some more circulated on Monday, again routine bills. The major pieces of legislation of which notice have been given today, the Labour Standards Act and the four mining bills, the others are primarily again -

MR. ROBERTS: They seem to be housekeeping, I would like to see them.

MR. HICKMAN: Housekeeping bills. As soon as these bills have - the drafting have been completed and received a second reading, the bills received from the printer, they will be distributed to members of the House so that when the House reconvenes in June no member of the House will be called upon to be placed in the position to participate in debating in second reading a bill that he has not had an opportunity, adequate opportunity to first study it.

MR. ROBERTS: Can they - will they be made public after they are distributed in the House?

MR. HICKMAN: My understanding is again that as soon as the bills have been made -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: No, the House will not meeting, you see.

MR. HICKMAN: No, the House is not meeting, but as soon as the bills -

MR. ROBERTS: That is the problem.

MR. HICKMAN: - have been printed and circulated to members of the House, that any interesting groups will also have access to the bills -

MR. ROBERTS: They should be made public to the press as well.

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bell Island.

MR. S. NEARY: Mr. Speaker, I wonder if the honourable House Leader, the acting, acting Premier, the Minister of Justice could tell us the whereabouts of the honourable the Premier?

MR. HICKMAN: The honourable the Premier is to go to Grand Falls, the honourable the Member for Grand Falls - heading for the elevator - he will be accompanying him.

MR. ROBERTS: It will be his first visit to Grand Falls in six months.

MR. HICKMAN: And I am having tremendous difficulty holding the honourable the Minister of Education in his seat but he has to be off now to -

MR. NEARY: Is it government business, private, personal or what?

MR. HICKMAN: To open a new school - which school is it?

MR. OTTENHEIMER: The Premier and I -

MR. HICKMAN: What kind of school is it?

MR. OTTENHEIMER: It is an elementary school under the Integrated School Board.

MR. HICKMAN: A new elementary school having recently been built by the Integrated School Board in Grand Falls.

MR. NEARY: Mr. Speaker, a question for the acting, acting Premier.

MR. HICKMAN: (First part inaudible.) leave anything for the Minister of Education -

MR. SPEAKER: Order, please!

MR. NEARY: - Minister of Justice. Would the minister care to tell the House whether or not the liquor store employees walked off the job this morning?

MR. HICKMAN: That question would be more properly directed to the acting President of Treasury Board.

MR. NEARY: Who is the acting President of Treasury Board?

MR. HICKMAN: He is taking his seat right now.

MR. THOMS: School boy debater.

MR. NEARY: Well, would the honourable school boy debater care to tell us -

MR. SPEAKER: Order, please! Order, please! If the honourable Member for Bell Island wishes to ask a question of an honourable minister then he should address the honourable minister in his capacity as minister or the district which he represents.

MR. NEARY: Well, Mr. Speaker, would the honourable Minister of Mines and Energy representing the district of Placentia West, acting President of the Treasury Board please tell the House whether or not the liquor store employees walked off the job this morning, went on strike?

AN HONOURABLE MEMBER: Right on.

MR. BARRY: Mr. Speaker, I might say initially that I do not mind if the honourable Member for Bell Island wishes to insult all school boys and ex-school boys in the Province. That is fine with me. Mr. Speaker, yes, I understand there is a press release being issued by the President of Liquor Corporation to inform the public, I think the public very likely already knows, that as a result of strike action taken by the Newfoundland Association of Public Employees that all liquor stores in the Province have been closed effective today, Friday, April 25.

MR. ROBERTS: A supplementary, Mr. Speaker. Is it the intention of the government to keep the liquor stores closed while the strike is on? It is a lawful strike, I understand. The employees have the right to strike. They have gone through the appropriate procedures. Is it the intention of the Corporation and/or the government, they are the same in this sense, to keep the liquor stores closed for the duration of the strike?

MR. BARRY: Mr. Speaker, one thing that I am not prepared to do is to have the negotiations carried on in the media or in the House and I am not prepared to answer questions that are apparently designed to provoke a situation. The government's position is that this is a lawful strike, that the employees have the legal right to strike. This government believes in the principle of collective bargaining, the natural conclusion of which is that if employees believe that they are not in a position to accept an offer made by their employer, then they are entitled, after following the due process of law, as they have done in this case, they are entitled to go out on strike and I think, Mr. Speaker, that with respect to picket lines, that that is the only statement I am prepared to make.

MR. ROBERTS: Mr. Speaker, I have a further supplementary. The minister knowingly or not completely missed the point. The minister said, and he wonders why we call him the school boy debater, he just gave us an example of it, the minister said that the President of the Liquor Corporation was announcing that the liquor stores were closed. Now there is a difference between a store being closed and a store being subject to a lawful strike, the difference being that if anybody wishes to become a scab and cross the picket line, that he or she can go into that store.

Now there is a difference and I am asking the minister, as the only person we can ask in this House, whether the government or the corporation intend to keep the stores closed. Now there is a difference and it is a very important difference. It has nothing to do with the negotiations or anything else. It is a question of the attitude which management is going to take during what is, we all agree, a lawful strike. So I wonder if the minister could tell us that and the question is asked only because he himself indicated that he had been informed by the President, Mr. Canning, of the Liquor Corporation, that the Corporation were closing their stores. Now there is a difference in that on the one hand and on the other hand -

MR. SPEAKER: Order, please! Order, please! The honourable Leader of the Opposition is continuing to make a speech, not asking his question.

MR. ROBERTS: Your Honour, I have asked a question, and the question is quite simply, and I will repeat it again since the Minister of Justice seems to have been unable to grasp it, and perhaps I am unable to get it - the question is, are the government or the corporation going to close the stores as the minister indicated, or is it going to be simply a situation where the stores are on strike. There is a difference, a very real difference. There is no difference to me, I am not going to cross the picket line. There may be a difference to anybody who wants to cross the picket line, and the question is, are the liquor stores closed or are they subject to strike?

AN HON. MEMBER: That is a good question.

MR. ROBERTS: It is, a very -

MR. SPEAKER: The honourable Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, I am not sure if the Leader of the Opposition is attempting to encourage government to involve scab labour in crossing picket lines.

SOME HON. MEMBERS: Inaudible.

MR. BARRY: I have made my statement, Mr. Speaker. I think it is quite clear and my statement was that as a result of strike action taken by the Newfoundland Association of Public Employees, that all liquor stores in the Province have been closed, effective today, Friday, April 25, and that is all I am prepared to say at this time on that matter. If there are later developments that require further statements, either from the President of Treasury Board, the Acting President of Treasury Board or the President of the Liquor Corporation, they will be made. But at the present time that is the only statement that we are prepared to make with respect to the closing of the stores.

MR. NEARY: Mr. Speaker, a further -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. NEARY: A further supplementary, Am I right in concluding from the minister's remarks that even the managers will not be in the store? Will there be any security in the liquor stores? Will the doors be locked, customers

cannot go in if they want to? Will the manager be there? Will the security people be there?

MR. ROBERTS: Hospitals are not closed for a strike.

MR. NEARY: The minister is not making - would he clarify that for us?

MR. BARRY: Mr. Speaker, the fact that the store is closed will mean that -

MR. NEARY: Nobody is there.

MR. BARRY: Mr. Speaker, the honourable member is putting word into my mouth. The normal security provisions or whatever else is necessary -

MR. NEARY: That is good.

MR. BARRY: - and reasonable -

MR. NEARY: That is it.

MR. BARRY: - when liquor stores are closed will be complied with. I assume -

MR. ROBERTS: - the fact all the stores are closed.

MR. BARRY: I assume, Mr. Speaker, that the management, that the management of the corporation -

MR. NEARY: - nothing to you.

MR. BARRY:, - who have their offices in buildings will presumably be permitted to, as in any lawful strike, to do what management normally does when a strike is on, what is reasonable for management to do.

MR. NEARY: The minister said everything is closed. But you said everything is closed.

MR. BARRY: Supermarkets are not closed.

MR. NEARY: Mr. Speaker, a further supplementary, a further supplementary to the minister, Sir. Would the minister tell the House whether there are any negotiations going on at the moment or is there a standoff between the parties?

MR. BARRY: Mr. Speaker, the corporation has indicated its willingness to continue negotiations but at the present time the parties appear to be at an impasse or a standoff, as the honourable Member from Bell Island describes it.

MR. NEARY: Mr. Speaker, a further supplementary to the minister. Would the minister tell the House approximately the daily loss of revenue as a result of the government closing the liquor stores?

MR. BARRY: Mr. Speaker, I cannot give you the exact - I could get that information. I will make a note of it. But, Mr. Speaker, I would point out that I have been informed that the revenue for the corporation has increased significantly over the last several weeks because, presumably, of people stocking up in anticipation of the strike. I understand that NAPE itself stocked up for its convention, according to Mr. Peddie. So this has meant an increase in the revenue of the corporation. The minister forgot to stock up unfortunately. It could be taken as relying on inside information, so he decided not to.

So, Mr. Speaker, the position is is that the revenue has increased to the extent over the last several weeks that on the average you could assume that there would be no decrease in earnings for the year if the strike were to continue up to a month, I believe is the approximate computation, but it is a very, very rough figure. But the fact that the strike is on today apparently will not mean a decline in revenue for the corporation today or maybe tomorrow or the next day.

MR. ROBERTS: In other words, we are a month ahead of -

MR. BARRY: That is roughly what I understand to be the situation.

MR. NEARY: Mr. Speaker, a further supplementary. Is the minister aware that NAPE, employees of the Liquor Corporation who are members of NAPE are also prepared to continue negotiations? Is the minister aware of that?

If so, how can the parties continue talks at the bargaining table? Is the Minister of Manpower and Industrial Relations, for instance, involved in the discussions? And if the minister is aware of this, could I have his reaction? How do they -

MR. BARRY: When you sit down, you will get it.

MR. NEARY: Yes, okay. I will sit down.

MR. BARRY: Mr. Speaker, I assume that if the corporation has indicated its willingness to continue negotiations and NAPE has indicated its willingness to continue negotiations -

MR. NEARY: What is next?

MR. BARRY: - that the parties, the next step should be for the parties to sit down at the bargaining table.

MR. NEARY: Mr. Speaker, a further supplementary: Is not the acting President of the Treasury Board being penny wise and pound foolish, losing all this revenue for the sake of a few hundred thousand dollars a year? Is it not better to sit down and negotiate an agreement rather than close the liquor stores?

MR. BARRY: Mr. Speaker, we are, the corporation is completely prepared to continue negotiations as it has already stated and I have already indicated that apparently there will not be any loss of revenue for some time for the corporation, to reply to that aspect of the honourable member's question. But apart from that, the corporation is willing and will remain willing to negotiate in good faith, to attempt to arrive at a reasonable settlement.

MR. NEARY: Mr. Speaker, I am dissatisfied with the minister's answer and I wish to debate this matter during the late show next Thursday afternoon and I would like to end up by asking the minister one final question. Did the honourable the gentleman in charge of the Premier's dining room manage to get the stock in down there before they closed the liquor stores?

MR. SPEAKER: Order, please! The question is out of order.

MR. BARRY: I hope so, Mr. Speaker, but I do not know.

April 25, 1975.

Tape 1785

R11 - 3

ORDERS OF THE DAY:

On motion of the honourable Minister of Justice, a bill, "An Act Further To Amend The Summary Jurisdiction Act," read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: On motion 3.

On motion of the Honourable the Minister of Justice, a bill,
"An Act To Adopt An Anthem For The Province Of Newfoundland," read a
first time, ordered read a second time on tomorrow.

AN HONOURABLE MEMBER: Motion 3.

MR. SPEAKER: We just did Motion 3.

On motion of the Honourable the Minister of Finance, a bill,
"An Act Further To Amend The Public Service (Pensions) Act," read a
first time, ordered read a second time on tomorrow.

On motion of the Honourable the Minister of Finance, a bill,
"An Act Further To Amend The Civil Service Act," read a first time, ordered
read a second time on tomorrow.

On motion of the Honourable the Minister of Finance, a bill,
"An Act Respecting The Counting Of War Service As Pensionable Service,"
read a first time, ordered read a second time on tomorrow.

MR. HICKMAN: Order 1, Address in Reply.

MR. SPEAKER: Order 1, Address in Reply. As I understand it the honourable
Member for Hermitage introduced what in essence was an nonconfidence amendment,
I think, to the Address in Reply. The honourable Member for Hermitage is
not in his place. So, he obviously loses his right to continue. So, I
have to recognize another honourable member.

MR. NEARY: Mr. Speaker -

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: I have already spoken. When I say Mr. Speaker that means I
have to carry on.

MR. ROBERTS: Inaudible.

MR. NEARY: Could you give that to the clerk?

Unless it is by leave. If another member wishes to speak, Sir,
then I can speak after. I will be glad to -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes well, Roger is not here and if somebody on that side
wants to speak - (Second part inaudible)

MR. NEARY: Mr. Speaker, I rise to support the amendment made by the
Member for Hermitage which is really, Sir, the traditional vote of
nonconfidence in the government. It was the amendment, Sir, that I

was in the process of moving when I was, shall we say, when I was forced to leave the House on a motion that was made by the Minister of Fisheries, the Government House Leader.

The amendment, Sir, has to do with three major items, three matters that I consider personally to be top priority items, three matters, Sir, that for some reason or another the government have chosen to ignore during this current session of the House of Assembly. The amendment, Sir, has to do with lack of action by the administration to come to grips, to provide solutions to the problem of the rising cost of living in this Province. The amendment regrets the failure of the administration to introduce programmes to reduce the constantly increasing number of persons who are unemployed, and further regrets the inadequacy of measures to deal with the dramatic increases in work stoppages as a result of strikes and lockouts, both legal and illegal, and regrets further the lack of concern and of measures to research and deal with the rising tide of vandalism and criminal activity which is on the upsurge daily in urban areas throughout Newfoundland and Labrador.

Now, Mr. Speaker, it is my intention to deal with the last item first, the matter of the rising tide of vandalism and criminal activity which is on the upsurge daily, Sir, in this Province. I do not think, Mr. Speaker, that any honourable member of this House, any citizen of this Province will deny the fact, Sir, that vandalism, criminal activities in this Province, lawlessness, lack of respect for law and order is on the upswing. Well, the minister may deny it if he wants to. Mr. Speaker, you can hardly pick up a paper today in this Province but you do not find an item, Sir, that would almost shock you out of your shoes. Now, I am not trying to create alarm, Sir. I do not think there is any need for alarm. But there is need certainly for concern over this problem, Sir.

The minister may get up when I sit down and say, well, anybody who talks about vandalism, increase in crime and lack of respect for law and order, lawless general, casual lawlessness. He may be unpatriotic. He may be doing Newfoundland a disservice. The minister said that about me a few weeks -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, Sir, the minister did when I brought this matter to his attention. The minister said that anybody who would talk about this was doing a disservice to the people of Newfoundland and Labrador. The minister indicated, Sir, that the government had no plans, the minister had no plans to deal with this matter, that the minister admitted that he could not state publicly any plans that he might have to cope with the growing incidence in Newfoundland of vandalism. The minister said that, Sir, attacked me personally, resorted to the old technique of character assassination. Anybody, he said, who talks about this publicly is doing a disservice to Newfoundland. Yes, Sir. I do not have the clipping here. I wish I did.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Speaker, that is an indication of the weak-kneed, if you want to call it that, Sir, attitude of the administration and the weakness of the man who is at the head of the provincial Justice Department. In these days, Sir, of growing crime, sex-linked crimes, drunkenness, disrespect for law and order, gang attacks, attacks on the police, in this day and age, Sir, you need a strong man at the head of the Justice Department. In these days, Sir, when the traditional morality is under constant attack by intellectual weirdoes from things that children see, and not only children, adults see on the television screens - I will deal in a little more detail with that later - that we cannot afford, Sir, to spend our time with legal niceties and coddling prisoners and coddling those who break the law.

We have to resort I am afraid, Mr. Speaker, to strong enforcement of the statutes that are presently on the law books. And I do not mean -

AN HON. MEMBER: (Inaudible).

MR. NEARY: Is the honourable minister coming over?

- I do not mean, Mr. Speaker, that we should go to the other extreme. I maintain that we have to keep things in their proper perspective, but, Sir, we have heard for the last four or five years or ten years, four or five, I say, years, we have heard nothing from the Bleeding Hearts Organization, from the various organizations that represent so-called human rights, We have not heard anything from them, Sir, but the rights of the prisoner, the rights of the accused. We have heard very little, Sir, about the rights of the victims. And things have gotten a little bit out of perspective in my opinion, Sir. And what we need to do, Mr. Speaker, is to get things back on the rails. What we need to do is get things back in their proper perspective and that does not mean, Sir, that we have to come down on the prisoner and the accused like a ton of bricks. But we have to, Sir, start thinking about the rights of the victim. He does have some rights. He is the taxpayer. He is the person who is paying the minister's salary and paying the magistrate's salary and paying the salaries of all the staff and the judges of the courts.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Pardon?

AN HON. MEMBER: (Inaudible).

MR. NEARY: The rights of the victims, the safety and security of the ordinary person of this Province must be protected. They must be allowed, Sir, to walk their streets without any fear of being attacked or having their purse snatched or going down to the stadium as we saw the other day, Sir, I will read the headlines for the honourable

minister if he does not think there is an increase in crime in this Province - every day you pick up the paper - I will read the minister a few: Night Of Violence, this one says, Trail Of Blood At The Stadium. The minister says there is nothing to be alarmed about, nothing to be concerned about, nothing to be concerned about. How about this one, Sir? Is the minister concerned about this? Police Headquarters Robbed Of Guns And Drugs, headlines of Police Headquarters. What next? How about the headline, Police Assault Case Defendent Charges Fight Was Provoked? More Witnesses Heard In Police Assault Case. These are only a few clippings I picked up this morning. Vandals Ravage Primary School.

Mr. Speaker, do you know that several months ago there was an item in one of the newspapers, I do not have it here with me, where one of the school boards said that it is costing \$1,000 a day -

MR. HICKMAN: (Inaudible).

MR. NEARY: No, Sir, a day, \$1,000 a day. The minister should go and check it or get his glasses.

MR. HICKMAN: One thousand dollars a day. That is \$365,000 -

MR. NEARY: Yes, Sir, that is so for damage done to schools -

MR. HICKMAN: That is \$350 million -

MR. NEARY: - all over the Province.

And here is another one from my friend's district of Gander, Arson To ^AMatrasses Causes Evacuation Of Patients and then yesterday we heard about the minister tell us about a line-up to get in jail.

MR. HICKMAN: (Inaudible).

MR. NEARY: Now, Sir, the police are doing a good job. They are doing a good job, and we have, so the minister tells us, a high rate of apprehending the criminal and bringing him to justice. Well I would not say, Sir, that we have a good reputation of bringing him to justice. It takes a long while to get a case into court in this

AN HON. MEMBER: (Inaudible).

MR. NEARY: But, Sir, let us say they are lined up. Let us say that you have to queue up to get into jail, to get into the penitentiary. That is not an argument against an increase in vandalism and crime in this Province, Sir, and lack of respect for law and order. And it is not an argument against it. We have first of all to establish the fact that there is an increase and the minister apparently is arguing, no, there is not. It is backed up by the Chief of Police who makes a statement once in a while that, no, there is no increase in vandalism and crime in the city of St. John's. I have seen that in the newspaper. So I call upon the Minister of Justice now to prove to us that we are wrong, prove to us ordinary taxpayers, ordinary laymen, that we are wrong by producing facts and figures for the past five years showing the incidents of vandalism, casual lawlessness and other forms of crime, show us the statistics, show us the figures for the last five years. And then if the minister is proven wrong, then show us his plans and proposals to deal with this rising increase in violence and crime in this Province.

Mr. Speaker, various people across this Province have expressed their own personal views on why they think crime is on the upswing in Newfoundland. Why they think it is, Sir.

MR. HICKMAN: Did you hear about the meeting called in Grand Bank on vandalism?

MR. NEARY: Some people, Mr. Speaker, will say that it is due to the fact that we do not have sufficient recreation facilities in the Province. Some people will argue that the courts are too lenient with the accused. Other people will argue that the trouble is in the home, that the children, especially, are not properly disciplined in their home. Others will argue that there are too many teenagers roaming the streets at night. There are different reasons, Sir, put forward by the ordinary people of this Province of why vandalism and crime is on the increase in Newfoundland.

Now, Sir, let us deal first of all with the courts, the insinuation, I suppose, the accusation that has been made by a number of people that the courts are too lenient. Well, Mr. Speaker, from my advantage point, from my observation, Sir, there is a element of truth in this. I do not know why the courts are too lenient, whether they have been brainwashed by the Bleeding Hearts or whether they have been carried away by the crusade of the various Human Rights societies or whether they are being swayed by the psychiatrists. Whatever the reason, Sir, or whether different magistrates in different parts of the Province have different punishment to suit different crimes, whatever the reason, Sir, from my advantage point the courts have been too lenient with the accused. And Mr. Speaker, I will tell you something else that concerns me very much and I want the minister to pay particular attention to this. There seems to be a law for the rich and a law for the poor in this Province and the sentences are not always the same for the same charge, identical charges. The sentences are not always the same. And now, Sir, whether or not this is because different magistrates have different views, have different feelings on sentencing or not, but it is very discouraging, Sir, for the ordinary person. The ordinary person, compared to the wealthy person, the well-to-do person is not getting a fair shake in my opinion.

I know a case, Sir, recently, I know a case recently where a certain well-known gentleman was picked up for impaired driving and right directly behind him was another gentleman, an ordinary person like myself, picked up for impaired driving, charged and brought before two separate magistrates and the sentencing was as far apart, they were miles apart, why? The

well known gentleman got off with a very light sentence, while the poor old ordinary fellow had to pay the price. Why?

AN HON. MEMBER: The same judge.

MR. NEARY: No, Sir, two different magistrates. I want the minister to explain it, there may be justification for it, I do not know. I am not accusing anybody. But, Sir, -

MR. HICKMAN: If you are not accusing anyone you are coming dangerously close...

MR. NEARY: I certainly am because I, Sir, make no bones about the fact that I think there is a law for the rich and a law for the poor.

AN HON. MEMBER: That is bull.

MR. NEARY: It is not bull. A poor old fellow, Sir, that has not got any connections, who is not well known he will get the boots put to him everytime. And the poor little ordinary fellow who is out paying his taxes, trying to get along in the world commits the same offence he will get the boots put to him.

AN HON. MEMBER: You got off. You got off, boy.

MR. NEARY: Mr. Speaker, as far as recreation is concerned, if that is a reason, some people say that it is, then, Sir, I would submit that what we should be doing in this House instead of wasting our time on some of the things that we have been discussing in this session of the House that we should be talking about building more recreational facilities.

Mr. Speaker, now let me give the House an example of what I am driving at. Down here at Argentia, Sir, is one of the most beautiful recreational complexes on the East Coast, I suppose, of Canada, it is laying there idle on the North side of the Argentia Naval Base or the Argentia Military Base, laying there idle. The government a few years ago, Sir, when the one down at Torbay became idle, as my honourable friend knows, I think he goes down there playing handball or volleyball or swimming - the government took over that recreation centre, placed it under the jurisdiction of the Department of Rehabilitation and Recreation, and under Mr. Graham Snow's direction they run the centre. And I believe we did the same

thing in Stephenville, where you had a great recreational complex. But down here in Argentia, Sir, there is a beautiful building, housing, believe it or not, three basketball courts, three handball courts, there is room enough to put an ice surface inside of it. A magnificent structure. A magnificent complex. It is going to waste. And yet we hear people say that the reason we have this rising tide of vandalism and crime in our Province is because we do not have enough recreational facilities.

AN HON. MEMBER: It is still under the control of the Americans.

MR. NEARY: It is still under the control of the Americans, Sir, but the Americans as the minister knows have consolidated the Base and this building that I am speaking of is on the North side and has no connection whatsoever with the operation of the Base at the present time. And, you know, Mr. Speaker, there is a swimming pool in it, I forgot to mention that. A magnificent Olympic size swimming pool, heated.

AN HON. MEMBER: Where?

MR. NEARY: In Argentia.

AN HON. MEMBER: Inaudible.

MR. NEARY: No, Sir, it is empty. There is not a drop of water in it.

AN HON. MEMBER: Inaudible.

MR. NEARY: There has not been a drop of water in it for years.

AN HON. MEMBER: Inaudible.

MR. NEARY: I wish the Member for Harbour Grace would dive in while the pool is empty.

AN HON. MEMBER: Inaudible.

MR. NEARY: But, Sir, here is a golden opportunity if the minister concedes this is one of the reasons, and I am inclined to think that this could be, possibly, one of the minor reasons why - our teenagers are roaming around the streets with nothing to do. That could serve that whole area.

AN HON. MEMBER: Inaudible.

MR. NEARY: Could serve that whole area of -

AN HON. MEMBER: Inaudible.

MR. NEARY: Sir, the - let me say, Mr. Speaker -

MR. SPEAKER (DUNPHY): Order, please!

MR. NEARY: - let me give credit to the Development Association in that area. They have written the Minister of Recreation asking the minister to start negotiations with the Americans to take over that building. But, I submit, Sir, to this honourable House that that building not be turned over to any individual association, as good as they are, or individual group, or any group of individuals; that the building be taken over by the minister's department and operated the same as the complex at Torbay and at Stephenville, operated as a provincial recreation centre. And that could, Sir, service the whole area of Freshwater, Southeast, Placentia, Jerseyside, Dunville, and even right down the Cape Shore, Sir, and even Fox Harbour. A magnificent opportunity, one that the government would be foolish to let pass through their fingers. Because the day will come, Sir, if something is not done about it, when that building will meet the fate of other buildings on the Argentia Base, It will be demolished, torn down. Now that is another reason, Sir, why people think there is an increase in crime in this Province.

There are other people, Mr. Speaker, who seem to think that the cause of the decline in morals, the new morality which is really the old immorality, that the chief reason for this is violence on the television screen. Sir, I would say there are probably more people think this is the reason than in the other categories. And the Tory Member of Parliament for St. John's East thinks so, and I must say, Sir, I have to go along with this. Mr. Speaker, I will show our Provincial Minister of Justice here what the Attorney General of Ontario says about this matter of violence on the television screen, and I would like to get the views of our own minister on this. Attorney General John Clement was speaking to the Ad and Sales Club recently in Toronto -

AN HON. MEMBER: Inaudible.

MR. NEARY: Yes he is a P.C. Attorney General. He says, turn off violence. "Violence presented as entertainment is out of proportion to violence in real life, Attorney General John Clement told ASC at its March 25 luncheon. Studies showed that by age fifteen an average child exposed to television will have witnessed more than 13,000 murders." Mr. Speaker, let the members stop and think about that for a moment, the average child, my four young children before they reach the age of fifteen will have witnessed on television 13,000 murders, Does the minister not think that that is going to have a drastic effect on the child's mind? There are more murders, so the Attorney General of Ontario says, in a few hours of prime time television than there are in all of Toronto in a whole year. Just think about it. Sit down for a couple of hours in front of your television screen and you can watch more murders than take place in the City of Toronto in a whole year. Heroes and villains alike are run down by cars, shot in the head, stabbed, pushed over cliffs, and thrown out of helicopters. Am I making this up, Mr. Speaker? Am I? Does Your Honour watch television?

AN HON. MEMBER: He cannot afford one.

MR. NEARY: And today you can watch all this in living colour. Does the minister himself watch television? What is the minister's reaction to this matter of violence on the television screens? I have never yet, Sir, in my lifetime heard the minister state either inside of this House or outside of the House what his views are on this subject. And, Mr. Speaker, is it any wonder then, is it any wonder, Sir, that people link the increase in vandalism and crime with the violence that is seen on the television screen? I think the relationship, Mr. Speaker, is a very substantial one.

MR. EVANS: Come on Billy Graham, you are doing fine.

MR. NEARY: I am coming, Mr. Speaker, to a gentleman that I admire very much to talk about how crime can be stopped, Garner Ted Armstrong, Ambassador College.

MR. NEARY: What we have to do is to develop, not censorship, Sir, the minister will get up and say, well what do you want us to do, censor the television stations -

MR. HICKMAN: It has to be done by parliament.

MR. NEARY: Well I do not care who, but the minister certainly has it in his power to register protests with the Government of Canada, the Parliament of Canada, and the minister has not done that.

MR. ROWE: They take credit for getting money out of Ottawa.

MR. NEARY: They take credit, Sir, for getting - they tried to horn in on the credit, the good things Ottawa do, but they never take the initiative themselves.

MR. HICKMAN: Try and stop them from passing...

MR. NEARY: And Mr. Speaker, I am not one who is recommending censureship, I think what we should do, Sir, is develop some good taste on our television screens. Mr. Speaker, I would suggest that if every Canadian, if every Newfoundland, Sir, who feels this strongly, feels as strongly as I do about violence on the - (Could I have a glass of water?)

MR. EVANS: Inaudible.

MR. NEARY: - about violence on the television screen, Sir, that they shut off their sets and the advertisers, the people who sponsor the commercials and the television stations themselves, will soon get the message if the television sets are shut off.

MR. EVANS: What are they going to do to -

MR. NEARY: Certainly, Sir, if we could not rectify this situation, in my opinion if we took - the drastic measures that are necessary by shutting off the television sets, violence would certainly be toned down on the television screen, And I firmly believe, Mr. Speaker, that it is up to the parents to exert more control over the programmes that their children watch.

I am not blaming the Minister of Justice, Sir, The fault lies, I would say, in the home. The home, Mr. Speaker, the home, the home is the breeding ground for criminals. Oh ha, ha, ha, ha, very funny! I will bet, Sir, the Member for St. John's East, knows where his children are twenty-four hours a day. I keep a close watch on mine when I am home. You will find out,

Mr. Speaker, that a lot of the trouble, a lot of people, a lot of children who develop into criminals, you can trace it right back to the home. And so the only way, Sir, that I can see that we can tone down this matter is to take drastic steps and the parents themselves will have to watch over this.

Mr. Speaker, not a sound, not a word, not a - what is it the Minister of Fisheries says? not a jot, not a tittle, not a murmur, not a whisper out of our Minister of Justice. The present government, Sir, have failed to face up to action on this front as they have failed to face up with the other real problems of the people of this Province, Sir.

AN HON. MEMBER: Inaudible.

MR. NEARY: It is a typical example, Mr. Speaker, of the present government's ostrich, head-in-the-sand attitude, to anything concerning the real needs or security of the ordinary people of this Province.

Mr. Speaker, I have here in my hand a little booklet, titled Crime Can Be Stopped - Here Is How, and I would recommend this booklet to our own Minister of Justice and to any other member of this honourable House who is interested in this subject, Sir. Crime Can Be Stopped - Here Is How, Ambassador College Research Department.

These are some of the suggestions and ideas, Sir, that have been put forward by Ambassador College after careful research through their spokesman, Garner Ted Armstrong. They say, Sir, that in connection with the worldwide crime picture, that crime is not limited within the United States, each nation has its own unique problems with crime. And then they go on and examine the problems in the various nations around the world. And then they go on and talk about the reasons for increased vandalism and crime and lawlessness and lack of respect for law and order.

The simple reason for all the violence is plain, so we are told. Human nature, that is what they say, Sir, human nature, uncurbed human nature, human nature allowed to run rampant. Crime stems from lack of character, not a lack of money. When people are allowed to think, and even taught to think like criminals, the end result is quite obvious, Sir,

people will become criminals. And that is what we are learning today from the television.

They go on then, Sir, and talk about how you can protect yourself against crime and here is a very important item in this little booklet, respect for your police, see what they say about that, Sir. The first thing every citizen needs is a healthy respect for constituted authority and for the local police. Too many people regard policemen as their enemy and I am sure if my honourable friend could stand in my place on the floor of the House of Assembly, would concur with that statement. That statement was made after very careful research.

Then they go on to say that the policemen should be one of your greatest friends because he is protecting you against property damage and against life itself or protecting your life itself. A lot of people are getting fed up, so they say, too many Americans view their policemen as their enemies. They recoil at the sight of that black and white or marked automobile with the red light and siren. They are suspicious that the police are somehow out to get them, out to hamper or impede the average citizen in his normal pursuits of life. Well the Minister of Justice may say, is that happening in Newfoundland? I would submit, Sir, that it is. That we are seeing more attacks on the RCMP trying to discharge their duty, and we are seeing more abuse and more attacks members of the Newfoundland Constabulary in the normal pursuits of their duty.

But is the policeman, Sir, an enemy? Not so, says this little booklet. After all, if you are all that innocent, if people are that innocent, what do they have to hide? What do you have to fear from the police? We, the people, are paying the police to protect our properties and to protect our lives. So why should they be considered by anybody to be enemies. They are our friends. Do innocent citizens merely strolling through the park in pursuit of a day's fun in the sun, do they have to be afraid of the policeman? And the answer is no, Sir.

Then it boils down to what I referred to a few moments ago as the discipline in the home. See what they say about that. And the Member for St. John's East let out a little snicker as if it was something to

be laughed at, something funny, something to be jeered at. Here is what Ambassador College says, know where your children are at all times.

MR. EVANS: Inaudible.

MR. NEARY: That is good, sound advice. This common-sense rule is broken all too often. Its violation is the cause of many a heartbreaking situation. Infants and young children at home should be within an eyeshot of the parent. Take your children to school. Arrange to meet them when school is out. Do not allow your children to roam the streets by themselves. Does the honourable the Premier agree with that advice given by Garner Ted Armstrong, Ambassador College -

AN HON. MEMBER: Billy Graham.

MR. NEARY: - after very careful research. Teach

children not to go to strangers or to report and to report suspicious persons to you.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Well, probably he does. I do not know but, Sir, it is certainly very sound advice and I would recommend that booklet to anybody to read, Sir, especially the Minister of Justice who has failed miserably to come to grips with this great problem in our society, Sir, this problem of vandalism and rising crime in this Province. We should deal with it now, Sir. It may not be a matter to be alarmed about at the moment but it is something to be concerned about, Sir, the wilful destruction of property over the past five years and the minister should outline his programme to deal with this deteriorating situation of organized crime and casual lawlessness before it becomes a way of life in this Province.

Mr. Speaker, we hear reports daily, Sir, about - and I do not want to pinpoint the areas, if the Minister of Justice is doing his job he could almost figure out where I am talking about. There are four or five or six troubled spots right here in the city of St. John's where you have groups, where you have organizations, where the police are having a very trying time enforcing law and order.

Now, Mr. Speaker, having dealt with that particular matter I want to come to the matter of strikes and lockouts and productivity. Sir, some time ago I put a resolution on the Order Paper dealing with this particular subject. I know, Sir, we cannot discuss that motion at the moment but I would like to draw honourable members attention to it because I think, Sir, it deserves the consideration and the -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: That is strikes, illegal and legal, work stoppages, work interruptions. We cannot discuss the motion because the motion is on the Order Paper but I want to draw it to members' attention because it does warrant merit and consideration of honourable members in this House and my suggestion to the honourable the Premier both

inside and outside of this House to establish a productivity council bringing together representatives of labour and management and other sectors of our society to deal with this matter of productivity that we are hearing so much about these days. The answer does not lie in the kind of statements that Mr. Mercer made the other day to the Board of Trade where he polarized the labour movement. What you have to do, Sir, is put the blame where it belongs.

MR. HICKMAN: How about your spokesman?

MR. NEARY: What spokesman?

MR. HICKMAN: The Member for Twillingate.

MR. NEARY: Ah! Sir, I am the spokesman on labour and productivity on this side of the honourable House and the Member for Twillingate was merely echoing sentiments that I had already expressed in this resolution.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, Sir, he was not. Mr. Speaker, I think that the sooner - and the honourable the Premier, Sir, the honourable the Premier has an appearance of being interested in this matter. Maybe the honourable Minister of Justice is not. He has his eye on the bench and that is all he can think about these days. But, Sir, before this session adjourns, in my opinion, it would be a very, it would be a very smart and wise thing indeed for this honourable House to set up a select committee of the House -

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. NEARY: - to look into this matter, Sir, of productivity in the Province and work stoppages, both legal and illegal- not lay the blame on everybody- bring together the representatives of labour and management and other sectors of our society to deal with this very serious problem.

MR. SPEAKER: Order, please! I just want to interrupt the honourable member and tell him that he has approximately two minutes left to finish.

MR. NEARY: Mr. Speaker, the other matter that I wanted to deal with, and I will probably have to leave it to one of my colleagues, is the high cost of living, Sir. We have dealt with everything in this session of the House except vandalism and crime, record unemployment, high cost of living. We have dealt with everything else, Sir, except the things that affect the ordinary lives of our ordinary Newfoundlander, the everyday lives of our ordinary Newfoundland.

Mr. Speaker, back last Fall we have a Food Prices Review Board Report submitted to this Province that made ten recommendations, eight of which fall under provincial jurisdiction, not one iota, not one even teeny weeny bit of action has been taken by the administration. They have chose to ignore the report after all the bellyaching we heard about the Minister of Provincial Affairs wanting that report from Beryl Plumtre. This is another matter, Sir, that demands clarification and explanation by the minister and I hope that the honourable the Premier will get into this debate on the amendment and tell us what his administration is going to do about these three major problems that I have dealt briefly with this morning with the limited time that I have at my disposal, namely, Mr. Speaker, increasing vandalism and lawlessness, record unemployment and the high cost of living in this Province.

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, may I refer rather briefly to some of the nonfactual statements that have just emanated from the honourable the Member for Bell Island, statements suggesting that vandalism and crime is daily on the upsurge in this Province, statements that are designed to indicate to the people of Newfoundland that this is indeed an unsafe part of North America in which one should live.

MR. NEARY: I did not say that, but it will become that if you let it become that.

MR. SPEAKER: Order, please!

MR. HICKMAN: These statements, Mr. Speaker, statements such as that crime is on the upsurge daily, daily in Newfoundland. Let me read first, Mr. Speaker, the results of the McReynolds report prepared, completed only a few months ago for the federal and provincial, the Government of Canada and the Government of Newfoundland. Here is the way they start out.

Mr. McReynolds had access to all of the records, crime, vandalism in Newfoundland and Canada, all the statistics of the Solicitor-General's department at his disposal. He and his staff spent several months in the Province. Here is what he says in starting out. "It is with some humility that correctional experts from Mainland Canada analyzed Newfoundland's correction system, which not only has one of the lowest incarceration rates in the nation, but also in the world. The Canadian average for person sentenced to jail in 1970 was 2.4 per cent of summary and indictable offences while Newfoundland's was 0.94 per cent. The percentage of convicted persons going to penitentiary was 0.05 per cent as compared to the Canadian average of 0.14 per cent.

"Furthermore the number of convicted person on probation was higher than the national average, 1.8 per cent compared to 1.2 per cent although many were unsupervised."

Now, I did not dream this up. I did not get these facts and say, see if you can come up with a set of statistics which will help me in an argument. This happens to be the truth. This was just recently finished.

Then we had in the City of St. John's - mind you, it has

been primarily the City of St. John's that we have heard the talk of vandalism. So, I had a meeting, a very good meeting with the St. John's M.H.A.'s and the St. John's City Council late last year, and they were presented with figures, facts which they were delighted to receive and which seemed to indicate that things were not as bad as people would wish them to be.

So, I asked for the report on vandalism up to that point in 1973 and comparing 1972, 1973 and 1974 now here are the figures. Now, remember in every city in North America vandalism is increasing. In some the graphs are going way up. In Victoria - I saw the reports to Victoria or Vancouver recently and the percentage of increase was very frightening. From January to the end of October, 1972 - these were the comparative figures that we had to use for that meeting with the City Council - there were 787 reported acts of vandalism and malicious damage. Now, remember vandalism was the whole gamut from breaking a window in a school, from pulling up somebody's carrots, from walking over a flower bed, from ringing a doorbell and running away to smashing several windows on Water Street. All malicious damage falls in the category of vandalism, and they are mainly all reported. In fact, the minor ones seem to be the majority of the reports. That was 787.

In 1973 that increased from 787 to 817. Now in 1974 this was the year of the great increase in vandalism according to the rumormongers and those who wanted to stir up fear and apprehension in the people, the citizens. Was there an increase? Was there an increase over 1973? No. Lo and behold there was a decrease, 768. That was not only below 1973 but it was below 1972- not very much. I give the House these figures and these facts simply to indicate that in an era any city is growing, as is St. John's, vandalism and malicious damage are increasing right throughout the world. But for some strange reason St. John's did not increase. Now if we can only hold the increase in this city to something below the national average we may be accomplishing something. But we managed to do this. This year, I cannot predict what the figures are going to be for 1975, but whatever they are I will suggest that they still will be the lowest of any comparable city in Canada.

Now, Mr. Speaker, this does not mean, and I do not want the press to interpret or any honourable member of this House to interpret that we have not got vandalism in the city of St. John's or that we have not got some in the Province of Newfoundland. Of course we have. Anybody would be silly to say that we have not got it. How do you deal with vandalism? What do you do? And bear in mind that most of the acts of vandalism, a very high percentage of them are committed by a very small percentage, a very small percentage of people who are juveniles. A high percentage, a very high percentage of the acts of vandalism are committed by a very small number of individuals who are juveniles. Do we use the John Birch approach, the Hon. Member for Bell Island, or do we show some compassion? Do we refuse to coddle these young people and follow the recommendation of the Hon. Member for Bell Island -

MR. NEARY: What was the recommendation?

MR. HICKMAN: That we cannot - these are the words - that we cannot coddle prisoners or those who break the law.

MR. NEARY: (Inaudible).

MR. HICKMAN: The words were, cannot coddle prisoners or those who break the law.

MR. NEARY: (Inaudible).

MR. HICKMAN: My view, Mr. Speaker, is that when young people are in conflict with the law the first responsibility of the state upon apprehending these young people is to try and use every rehabilitative approach known to man short of incarceration. If that does not work, and regrettably at times it does not, if that does not work, then unfortunately and regrettably some of these young people do find themselves in institutions such as the Boys Home at Whitbourne and the institution down at Pleasantville.

Mr. Speaker, I think this is a fact which will indicate to this House and to the people of Newfoundland that the Moores Administration is indeed very conscious of its responsibilities insofar as the administration of justice is concerned. The first budget that was brought down by the Moores Administration three years ago, almost just three years ago, voted \$9,002,200 to the administration of justice in Newfoundland. Three years later the vote this year is \$20,155,900.

Some of these dollars may be inflation but most of them, Mr. Speaker, are new dollars, additional dollars. We are paying, for instance, will pay this year, Mr. Speaker, \$9 million for police protection, \$9 million for police protection. I would be bold enough to suggest, Mr. Speaker, that there is not a Province in Canada spending that much money on a per capita basis for police protection. Maybe, Mr. Speaker, it is because we do have strong police forces, two strong police forces, maybe it is because we are prepared to spend some money on policing, that the crime rate in Newfoundland still continues to be away below that in other parts of Canada and in other parts of North America.

Now, Mr. Speaker, I wanted to give the House some facts as to the number of policemen we have in the Province. The city of St. John's is policed by the Newfoundland Constabulary with a force of 215 men. The per capita police in the city of St. John's is 2.02 compared to the national average of 1.07, 2.02 for the city of St. John's to 1.07 for the rest of Canada. So, one could hardly argue that we are not providing an adequate number of police for the city of St. John's. The rest of the Province is policed by the Royal Canadian Mounted Police, There are 582 officers and men. This means, Mr. Speaker, that we have in Newfoundland approximately, all told, approximately 800 policemen for 500,000 people. I say that we have in this Province two strong, well-equipped, dedicated police forces. This year, and I know there are arguments, before I get - there are arguments galore, I have heard arguments that the city of St. John's should take over the Newfoundland Constabulary. Maybe they should. I am one of those who do not subscribe to that view. But those people who argue that way will point out that the city of Halifax, the city of Sydney and Moncton, St. John, Fredericton, indeed practically all Canadian cities with the exception of part of Vancouver who use the R.C.M.P., these cities are policed by city police forces. This relieves the Province of a great deal of financial responsibility. Now, the financing of it is attractive. I heard a suggestion that if the St. John's City Council

took over the Newfoundland Constabulary that it meant collected taxes from the Province, that this would not be of any great financial consequence to the city of St. John's. That is not the way it works. That is not the way that the administration of justice in the other Provinces works at all, where the cities are responsible for their own police. There is no tax paid by the crown in the right of Nova Scotia to the city of Halifax. There is no grant, to my knowledge, given to that city by the government. Indeed, the reverse situation prevails, say, in that province which is a good comparison to make. They have got in the city of Halifax a provincial court building that would make any Attorney General from the Atlantic Provinces drool with envy. It is a building that if one wanted to put it up in the city of St. John's today, where we do need a new provincial building courthouse, it would probably cost in the vicinity of, by today's standards, of, say, \$20 million or \$30 million.

The one

that was built in Halifax a few years ago, I discovered the other day that the total contribution by the Province of Nova Scotia was \$250,000, and \$50,000 from the federal government. Who paid for the rest? The City of Halifax. It accommodates the provincial courts, the supreme court, the appellate court, the federal court. So, Mr. Speaker, you know, those who advocate in City Hall that they should take over the police force and the Newfoundland Constabulary and assume responsibility for their salaries of - well, the salaries alone are approximately \$3 million plus the other costs. I do not think really they understand the cost factor that is involved.

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: That is not the reason why I believe that the Newfoundland Constabulary should remain a provincial force. As Attorney-General of the Province I have responsibility under the BNA Act for the enforcement of law and order throughout the Province. Outside of St. John's this is done through the R.C.M.P. Within St. John's it is done by the Newfoundland Constabulary.

Now, I could, under the act, under the British North America Act and following the pattern of all the other Attorney-Generals say to the City of St. John's, you are going to pay the total shot. But under the act I must still maintain control. I could do that. It is done in other places. It is done in other cities. But, this would not be, in my opinion, financially responsible. We would bankrupt the City of St. John's. There is no question about that at all. It would be very discriminatory against the people who live in this area because we do pay the cost of policing the entire Province.

So, Mr. Speaker, all I implore people who talk about policing and talk about the Newfoundland Constabulary is to use a bit of common sense and to take a look at cost, to take a look at what the Province is indeed contributing this year for instance to the policing of the capital city. There is not only the cost of the Newfoundland Constabulary, the salaries and the operating costs which are in excess of \$3 million, but on top of that this year we are starting for the first time - I am very proud of this - construction of the first police headquarters ever built

for the Newfoundland Constabulary since that force was established in Newfoundland more than a century ago.

SOME HONOURABLE MEMBERS: Hear! Hear!

MR. HICKMAN: I find it inconceivable that - but can I fight the St. John's City Council when they unanimously say we want to take over all of this?

MR. NEARY: They want the money to do it, too.

MR. HICKMAN: But they do not get the money to do it. The other Canadian cities do not get the money to do it.

AN HONOURABLE MEMBER: They expect to get the money to do it.

MR. HICKMAN: Nor do they have the final control over the - say the city police force of the City of Fredericton is vested in the Attorney-General of New Brunswick even though the Fredericton council pays the cost.

I hardly - I find it inconceivable to accept the fact that the City of St. John's wants to do that. But, I have never heard from them officially, and until I do I am assuming that they are sensible people, that they are sane people, that they want the Newfoundland Constabulary to continue with the responsibility for policing their city. I can assure the people of the City of St. John's that I am not prepared to abdicate that responsibility to the City Council at this time.

Now, Mr. Speaker, the question of sentencing in the courts: The honourable the Member for Bell Island made a very disturbing statement. He talked about a law for the rich and a law for the poor. If that law exists - and I have had more than twenty-five years in the practice of law, and I have not seen any evidence of it in this Province -

MR. ROUSSEAU: I got enough traffic tickets this Winter to prove it.

MR. HICKMAN:

The courts will continue and must continue to be totally independent. I have not the right, and even if I did I would not exercise it, to tell a magistrate as to what kind of a sentence he should impose. When the crown appears before a court, the crown has no greater rights than the accused, nor should they. Indeed, that would be a totalitarian state, if I through a crown prosecutor had greater rights than the accused, if I had the right to suggest, to tell a magistrate what a sentence must be. The only responsibility, the only right that the crown has through the crown prosecutors is to draw to the attention of the courts following a conviction the nature of the crime and the seriousness of the offense and indicate the kind of sentence that the crown prosecutor feels is appropriate or to respond to a plea in mitigation of sentence by counsel for the accused and this we have done. This we have done.

It became apparent last year that more severe sentences for convictions for impaired driving should be contemplated by our courts and the crown prosecutors were instructed by me to ask, to bring to the attention of the courts the seriousness of that kind of offense. There is no doubt in my mind at all that the sentences that are presently being imposed upon those convicted of impaired driving are most appropriate and in keeping with the obligation to protect society. The conviction rate for impaired driving, Mr. Speaker, in Newfoundland is increasing very, very rapidly and I will give these figures and then conclude this afternoon.

In 1969 there were 1,033 motorists convicted in Newfoundland of the offense of impaired driving. In 1970, 1,189; in 1971, 1,487; in 1972, remember now, that is when I became Minister of Justice under this administration, you know, the man who coddles those who break the law, 1972, 2,348; 1973, 2,810, 2,810; in 1974, 3,870-3,870. If the present trend continues of convictions for impaired driving in Newfoundland, in 1975 there will be at least 4,900 motorists convicted in Newfoundland this year of impaired driving.

We have also in the last few months resisted, the crown prosecutors have, the granting of restricted driver's licenses to motorists convicted

April 25, 1975.

Tape 1795

RH - 2

of impaired driving and very few have been issued since the crown has taken this position.

MR. SPEAKER: Order, please! I wonder would the honourable minister like to call it one o'clock.

MR. HICKMAN: Yes, Mr. Speaker.

MR. SPEAKER: It now being one of the clock, I leave the Chair until three of the clock this afternoon.

The House resumed at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please! Before I recognize the Hon. Minister of Justice who adjourned the debate, I would like to welcome to the galleries today some twenty Grade XI students from the Centennial High School at Gander Bay with their teacher, Mr. Fraser Lush and Mr. Fisher. On behalf of all members of the Legislature I welcome you to the galleries today, and trust that your visit here is most interesting and most informative.

The Hon. Minister of Justice.

MR. T. A. HICKMAN: Mr. Speaker, when we adjourned for lunch I was answering some of the allegations made by the Hon. Member for Bell Island concerning crime and vandalism as allegedly occur in the Province of Newfoundland. And whilst I have no intention of repeating the things I said this morning I do draw to the House's attention that in 1973 there was again the usual spring controversy over vandalism in St. John's, and the City Council convened a great conference to prepare a report on vandalism. The conference was held at City Hall, attended by very competent people in the field of law enforcement, and many, many ordinary citizens from all walks of life. And they met on all of April 2, 1973. And pursuant to their terms of reference there was a report prepared by Dr. James M. Hildegarde of the Psychology Department of Memorial University. And I recall the conference, I was there for part of it, and nobody could quite understand why the conference was called. Their finding was that St. John's appears to have a lower overall crime rate than most cities its size on the Continent. And they kept looking for it, and they said, yes there obviously is a sort of vandalism of break and entry that you will find in any city, but the rate is so favourable compared to other areas that we do not quite know what it is we are suppose to recommend.

So they prepared a long report. They dealt with the responsibilities of the family, and the responsibility of the schools, the recreational facilities, and the need for more recreational facilities aimed at the young. And they pointed out that in many areas where you have recreational facilities there seem to be a higher rate of vandalism.

But, Mr. Speaker, where I do take strong issue with the Hon. Member for Bell Island is with respect to his comments concerning the attitude, the new morality he calls it, the attitude of Newfoundlanders in their respect for law and order. I say without any hesitancy and without any fear of contradiction that the 520,000 souls living in the Province of Newfoundland have as much if not more respect for law and order, for the law enforcement agencies than you will find anywhere in North America. That is why, Mr. Speaker, that fortunately to date we have escaped any organized crime in Newfoundland.

MR. NEARY: What about that big drug case?

MR. HICKMAN: That is why, Mr. Speaker, that great drug or organized crime as it relates to drug trafficking - which incidentally the Province has no jurisdiction, has not even the right of consultation on, which I think is wrong, but we have not - have not got that kind of problem that they have in British Columbia and Ontario and Quebec and maybe in the Prairie Provinces. We have not seen this kind of organized crime. And this is why I would like to spread the word that we have nearly 800 police officers in Newfoundland, that the Province of Newfoundland is a rather difficult place to escape from quickly if anyone should decide to become involved in that kind of nefarious activity.

MR. NEARY: What about the one they caught last week for ...

MR. HICKMAN: In the hope, in the hope, Mr. Speaker, and I never comment, nor has anybody in this House the right to comment, in fact it is in contempt of court and it is in contempt of the rules of this House to ever comment on a case that is still before the courts.

MR. NEARY: No it is not.

MR. HICKMAN: Anyone who does that is aiding and abetting the accused. Because it provides, it provides, it provides -

MR. NEARY: (Inaudible)

MR. HICKMAN: It provides, Mr. Speaker, a defence to an accused person, who has a perfect right to stand in court then and say, my right to a fair trial has been prejudiced. And they have done it, done it successfully. The honourable gentleman from Placentia West, the honourable gentleman from St. John's East, honourable and learned gentlemen, I am sure would agree with me that if they were defending a client today who has not yet come to trial that there is nothing they would like more than to hear somebody in this House start commenting on the case. Because obviously they have got the grounds to move for a dismissal because there has been undue publicity and unfair comment made and it has happened.

SOME HON. MEMBERS: Inaudible.

MR. NEARY: You just brought it up.

MR. HICKMAN: I did not bring it up. The honourable gentleman raised -

MR. NEARY: You did. (Inaudible)

MR. SPEAKER: Order, please! Order, please!

AN HON. MEMBER: Inaudible.

MR. HICKMAN: And what I am saying, Mr. Speaker, is that so far in this Province, because we have maintained two efficient police forces, and because we are prepared to spend \$20 million on the administration of justice, that we have managed to maintain law and order without adopting the John Birch attitude of the honourable the Member for Bell Island. I cannot get that far to the right.

MR. NEARY: Mr. Speaker, that is unparliamentary.

MR. HICKMAN: I just cannot get that far to the right.

MR. SPEAKER: Order, please! Order, please! The honourable members to

my right may not agree with some of the things that the honourable minister is saying. The Chair feels that what the honourable minister is saying is not unparliamentary, while honourable members to my right may disagree with what he is saying, nevertheless the honourable minister does have the right to be heard in silence.

AN HON. MEMBER: The Speaker is trying to learn something.

MR. HICKMAN: Who but the honourable gentleman from Bell Island says that the traditional morality of Newfoundland is under constant attack? Who else says it? Who says it? The honourable gentleman said it. I wrote it down.

MR. NEARY: No, Sir, I did not.

MR. HICKMAN: Traditional morality is under constant attack. Who says it is?

MR. NEARY: I did not.

MR. HICKMAN: Who says that these young people up here are just as moral and have just as much respect for law and order -

MR. NEARY: Point of order, point of order -

SOME HON. MEMBERS: Inaudible.

MR. SPEAKER: Order, please! Order, please!

MR. NEARY: Point of order! Mr. Speaker, if the Minister of Justice is going to quote me, Sir, he has to quote me correctly or not quote me at all. The minister is deliberately misleading the House, Sir, and I would submit he is out of order.

MR. SPEAKER: Order, please! First of all I must say to the honourable Member for Bell Island to accuse a member of deliberately misleading the House is certainly unparliamentary and first of all I would ask the honourable Member for Bell Island to withdraw that statement.

MR. NEARY: Mr. Speaker, the minister may not be deliberately misleading the House, but he is misleading the House, Sir. With that kind of a statement, Sir, and if deliberate -

MR. SPEAKER: Order, please! The Chair asked the honourable member to withdraw the statement, not make a speech with regards to same.

MR. NEARY: I withdraw the statement, Mr. Speaker, but -

MR. SPEAKER: Order, please! It is also customary when the Speaker rises that the honourable member speaking takes his seat. With regards to what was quoted by the honourable Minister of Justice, as referred to as being said by the honourable Member for Bell Island, is probably a difference of opinion between two honourable members as to exactly what was said.

MR. NEARY: It is guttersnipe politics, Sir, of the -

MR. SPEAKER: Order, please! Order, please!

MR. HICKMAN: I say without fear of contradiction, Mr. Speaker, that the traditional morality of this Province is not under constant attack. I say it.

MR. NEARY: That is different.

MR. HICKMAN: And I take issue with the honourable gentleman and here are his words, traditional morality is under constant attack.

MR. NEARY: No. No.

MR. HICKMAN: Yes, Mr. Speaker.

MR. NEARY: Point of order, Mr. Speaker, a point of order-

MR. SPEAKER: Order, please!

MR. NEARY: The minister, Sir, is misquoting me, and I would submit that Your Honour has to rule the minister out of order or send for the tapes. Send for the tapes.

MR. SPEAKER: Order, please! It is a difference of opinion between what was said by two honourable members. The Chair has no intention of going for tapes for everything that any honourable member disagrees with what was said.

MR. NEARY: Then he can quote...

MR. HICKMAN: Mr. Speaker, let us deal with the honourable gentleman's other philosophy that we cannot coddle prisoners -

MR. NEARY: No. That is right.

MR. HICKMAN: - and those who break the law. Now what precisely is the honourable gentleman talking about? Does he disagree with my philosophy?

April 25, 1975

Tape No. 1797

NM - 4

MR. NEARY: You have none.

MR. HICKMAN: Does he disagree with the philosophy of this administration?

MR. NEARY: They have none.

MR. HICKMAN: When we initiated the first correctional study ever undertaken in this Province?

MR. NEARY: No, Sir, that is not true.

MR. HICKMAN: Does he disagree

with the report of the Federal-Provincial Corrections Committee that was initiated by me with the co-operation of the Solicitor General? Does he disagree with the McReynolds Report that was furnished to the Solicitor General and myself when we set forth a philosophy that what we need in this Province is number one, is number one, a correctional, a medium security correctional institution to house all offenders from Newfoundland who have been sentenced to incarceration. Right now the position is that the federal prisoner, that is anyone convicted and sentenced to serve two years or more, is the responsibility of the Government of Canada. They go to Dorchester and following classification a fairly high percentage of Newfoundlanders go to the medium security institution in Spring Hill which is a first class institution. I have been there. I have met Newfoundland inmates. I have been encouraged over the rehabilitative process that is taking place there. I have met young Newfoundlanders who because of an affiliation with Mount Allison University, with the institution, because it is nearby, are now getting their degrees. I have met them with heavy equipment certificates, certificates to operate as electricians and plumbers and auto mechanics and no doubt in my mind at all, and the record speaks for itself, we have the lowest rate of recidivism of any Canadian Province. There is no Province in Canada where the number of prisoners, the number of inmates return for a second time, none as low as Newfoundland.

I think that that kind of programme is good. The right wingers will say that is coddling, that is coddling the prisoners. Break them to the wheel. Give them bread and water. Lock them up and when they go out be ready to accept them when they come back again a few months later. I say that philosophy is wrong. That -

MR. NEARY: Put them in work camps.

MR. HICKMAN: Or put them in work camps like them do in Russia. That is the sort of thing, that is the sort of right wing approach, Mr. Speaker, that I take issue with. I say that if there is any opportunity,

MR. NEARY: _____ (Inaudible) any opportunity...

MR. SPEAKER: Order, please!

MR. HICKMAN: - if there is any opportunity to rehabilitate, and we have been doing that with a great deal of success, that our first obligation - and it is part of the criminal justice system, Mr. Speaker. It is as much the part of the criminal justice system to look after an inmate, a person following sentence as it is to apprehend and prosecute, and this is something new. This is something new in the philosophy in this Province. This is why, Mr. Speaker, there is now an act before this House which will transfer to the Department of Justice responsibility in the adult correction field because we believe, and the commission's report recommends, that rehabilitation, the correctional procedures are as much a part of the criminal justice system, if not more, than the simple apprehension and conviction and sentencing.

The victim, Mr. Speaker, the victim of crime - it was my pleasure, honour to have been the second Attorney General in Canada, first it was in Saskatchewan and we were a month later, to introduce into this House a bill to provide for compensation for victims of crime and that is now the law of the land and we pay out money each year to victims who can prove a monetary loss because a crime has been committed and the person who committed the crime is not in the position to reimburse it.

You get all kinds of philosophies, Mr. Speaker. You get all kinds of attitudes. Look, I have the greatest sympathy with a shonkeen who comes down in the morning and he finds that \$2,000 or \$3,000 or \$4,000 worth of goods have been taken. I have the greatest sympathy with him. But I sometimes have difficulty -

MR. NEARY: What about the little, old woman who gets beaten up -

MR. HICKMAN: I have some difficulty in rationalizing the attitude that sometimes flows from that. A few months ago I had a telephone call one evening from a man who was very, very irate. His shop had been broken into. He had lost by his valuation \$8,000 worth of goods. That was his valuation,

the insurable value, the valuation presented to the insurance. The person who committed the crime was apprehended, he was brought to court, convicted and he was sentenced to two years in prison. This man phoned me and said, what kind of courts do you have. What kind of laws do you have in Newfoundland. I said, well, I think we have pretty good courts. I know we have good courts. We have competent courts. We have men of compassion and understanding, but at the same time they will exercise their responsibility on the bench.

Well, he told me the story. He said, this man only got two years. I said, what do you think he should have got? He should have gotten five he said, at least. I said, well, how do you rationalize that with the fact that the average sentence for motor manslaughter in Canada is three years. This is where a fellow, you know, a fellow gets drunk. He goes out on the highway. There is not malice aforethought in the sense that he intends to go out and commit murder, but he indeed runs that risk and he indeed does it. The sentence, the average sentence is three years. Yet the shopkeeper who has lost \$8,000 worth of goods thinks it should be five for that. I say, Mr. Speaker, that philosophy does not commend itself to me.

We try as best we can to protect the property and civil rights of the individual. In cases where there is assault upon the person, in cases where crimes, heinous crimes such as rape are committed as opposed to property damage, our crown prosecutors have been eminently successful in the last two or three years with the co-operation of the police in producing the evidence which has resulted in subsequent convictions.

MR. NEARY: Too bad it ran out in court.

MR. SPEAKER: Order, please!

MR. HICKMAN: And, Mr. Speaker -

MR. SPEAKER: Order, please!

I would just like to remind the honourable minister that he has practically two minutes left except by leave.

MR. HICKMAN: These sentences - in these cases the Crown prosecutors have asked the courts and drawn to the courts attention the seriousness

of the crime and have asked for and have received appropriate deterring sentences. If the sentences are not appropriate, the instructions are very clear, go to the Court of Appeal.

AN HONOURABLE MEMBER: The sentences are not uniform.

MR. HICKMAN: There could never be uniform sentences. Any lawyer will tell you that. Any penologist will tell you that. Any correctional officer will tell you that. There cannot be, should not be uniform sentences. There should be and there must be an attempt at uniform principles of sentencing, but every case, Mr. Speaker, stands or falls on its own fact.

MR. NEARY: Depending on who is on the -

MR. HICKMAN: The man, Mr. Speaker, who has a chance of being rehabilitated, that chance must be given him by any compassionate court, and the courts do it and I hope they will continue. And they will continue as far as the requests or the submissions of the Crown are concerned in imposing sentences at the appropriate time which will act as a deterrent. I have no hesitancy in saying, Mr. Speaker, since I have been in this portfolio and it is nearly seven years- I have been in practice for twenty-five years - I have never in this Province seen any evidence to substantiate the charge of the honourable Member for Bell Island that in Newfoundland there is a law for the rich and a law for the poor. That simply is not true. If it was true, why would we be spending money on legal aid, why would we be insuring that any man in this Province -

MR. NEARY: Inaudible.

MR. SPEAKER: Order, please

MR. HICKMAN: - or woman in this Province charged with an offence if he or she does not have the money, they will be defended and defended competently and defended adequately by counsel of their choice.

MR. NEARY: Inaudible.

AN HONOURABLE MEMBER: Hear! Hear!

MR. SPEAKER: The honourable Member for St. Barbe North.

MR. F. ROWE: Mr. Speaker, may I begin by congratulating my colleague, the Member for Bell Island for speaking to one part of this amendment

this morning in the main part of his address. Sir, I thought it was an absolutely brilliant speech in bringing before the House, Sir, the concern -

MR. MURPHY: You had to see him that way.

MR. SPEAKER: Order, please!

MR. F. ROWE: - the concern of the people of this Province and his own personal concern over vandalism and criminal activity in this particular Province.

Sir, I was disappointed indeed

to hear the Minister of Justice take a partisan stand and interpret the words and the thoughts of my colleague and take some of his words and phrases out of context -

AN HON. MEMBER: Hear! Hear!

MR. F. ROWE: - in his rebuttal before this House. Sir, it is most regrettable indeed and the only way I could describe it, Sir, would be unparliamentary language and that speaks for itself.

Sir, I will simply dismiss the remarks of the Hon. Minister of Justice by suggesting or by giving two examples of what has happened recently, just two simple examples of why we should be concerned over vandalism and crime. We had an example recently where a group of people broke into, I believe, a police headquarters and stole the very evidence that was going to be used against them in the courts.

MR. NEARY: Guns and drugs.

MR. F. ROWE: Guns and drugs. Is that not a matter of concern, Sir, or is it not a matter of concern?

MR. HICKMAN: Were they caught?

MR. F. ROWE: I think they were caught. But the fact of the matter, Sir, is that they did break in. A criminal act did take place. Well if the minister is so hung up on getting caught, I will give the honourable minister another example of something that has happened quite recently.

MR. NEARY: (Inaudible).

MR. F. ROWE: He says that there is no organized crime in this Province. No organized crime? Is the minister suggesting that in this Province where they picked up some two and one-half tons - I can be corrected on that - certainly over a ton of marijuana in a cave in Tors Cove -

MR. NEARY: Two and one-half.

MR. F. ROWE: Two and one-half tons of marijuana for distribution presumably within this Province or through this Province, and the chap involved, one of the chaps involved skipped bail and the minister is suggesting that there is no organized crime in the Province. And honourable members opposite scoff at my colleague from Bell Island when he brings up his concern over vandalism and crime in this Province. The honourable minister can quote all the statistics that he wishes when he compares this Province with other provinces or this city with other cities of Canada. If we got a good crime rate, it sounds like an unusual phrase, if we got a good record as far as vandalism and crime is concerned, Sir, let us keep it that way.

MR. NEARY: Hear! Hear!

MR. F. ROWE: And this is precisely what the whole purpose of my colleague's speech was about this morning.

MR. NEARY: Right.

MR. F. ROWE: That is the purpose, Sir, of one part of this particular amendment. It is as simple as that.

Now, Sir, my colleague from Bell Island this morning spent a major part of his time on only one part of the amendment. I would like to refer to two other sections, one briefly and one a little more lengthy, two other sections of the amendment.

Sir, it says that this - be it resolved that all the words after that be deleted and the following words be substituted therefore - this is the non-confidence vote in this administration. And if we go down further, this House regrets the failure of the present administration to introduce programmes to lessen the severe impact on our people of the rapidly rising in cost of living. Let us just skip that for a moment and go down to, and further regrets the inadequacy of measures to deal with dramatic increases in work stoppages as a result of strikes and lockouts

both legal and illegal. Now, Sir, I am not the official spokesman for labour relations on this side of the House. However in speaking to this particular amendment, I feel impelled to look at one recent example of the damage that a particular legal strike is doing to the economy of this Province. And it is one, Sir, that is likely to reach the National News because it involves booze. I would not be the least bit surprised that on the National News tonight, Sir, the National News, the CBC National News we will hear that Newfoundland has gone dry for the weekend.

MR. NEARY: The local news does not even know the House exists.

MR. F. ROWE: The local news probably does not even realize the House exists, Sir. Well I would go so far as to say that the Provincial and the National News will carry the liquor strike in Newfoundland because, you know, you can say, poor old dry Newfoundland for the weekend or for the week or for the month, and this is the kind of thing that gets publicity and the news media have to try to get the best story possible and this is a sort of a sensational type of a thing. And it

is one where emotions can be aroused, and indeed D.T's I suppose could be aroused under the circumstances.

But, Sir, let us look at the situation. Last year if we look at the comparative summing up of provincial and federal revenues we see that the Newfoundland Liquor Corporation's revenue was \$26,800,000

AN HON. MEMBER: Got a drop of booze -

MR. F. ROWE: Now, Sir, let us round that off to \$30,000 for this year. It is obviously going to be more than \$30,000 this year. But let us round it off to \$30,000 this year.

MR. NEARY: \$30 million.

MR. F. ROWE: \$30 million this year, I am sorry. \$30 million 1975-1976. Sir, this means that for every week that the workers at the Newfoundland Liquor Commission are on strike this Province loses something more than \$600,000. Now, Sir, rumours are circulating around, and I think that NAPE have made it quite clear that they are prepared to sit this one out a month. As a matter of fact they have stocked up for their own convention, is that correct? which is about to take place in a month's time which is, I would suggest, a very skillful way of pointing out to the public and the government that they are prepared to sit this one out a month. If those people, Sir, - and this is a legitimate strike. They have every right to go on strike. They are obeying the law. It is completely legal. If this strike continues for one month, thirty days, Sir, this Province will lose a minimum of \$2,400,000.

MR. NEARY: Penny wise and pound foolish.

MR. F. ROWE: Now, Sir, that is a pretty important thing to take into consideration, a one month's strike, involving how many people, 'Steve'? I do not know how many people involved.

MR. NEARY: Two hundred.

MR. F. ROWE: Only two hundred people in this Province is going to cost this government in excess of \$2,400,000 in the next month.

AN HON. MEMBER: A big assumption there.

MR. F. ROWE: Anything is an assumption, Sir, the very fact they were going on - last night it was an assumption to assume that they

were going to go on strike. Today it is a fact. Next month, in a month's time if they are still on strike my assumption will be a fact.

AN HON. MEMBER: Yes.

MR. F. ROWE: Okay, well I mean we can play around with words all we want to.

AN HON. MEMBER: Inaudible.

MR. F. ROWE: What I am trying to point out to the House, Sir -

AN HON. MEMBER: Inaudible.

MR. F. ROWE: What I am trying to point out - is not what?

AN HON. MEMBER: Its illogical.

MR. F. ROWE: Its illogical. That is about what I would expect from the honourable minister, Sir. That is illogical. That is illogical. Well, let us find out how illogical it is, if these people are still on strike in one week's time, or two week's time or three week's time or four week's time.

AN HON. MEMBER: Inaudible.

MR. F. ROWE: Sir, I am not saying that they are going to be on strike for one, two, three or four weeks. I am saying to this House, Sir, that if this is just one tiny example of a small group of 200 men who are legally and legitimately striking, but if it continues for one month - it will probably do the health of some of our people pretty good, if they cannot get ahold of it - but if it continues on for one month this Province will lose \$2.4 million. Now my submission, Sir, is that taking that into consideration, I would submit that their wage demands are far less than an extra \$2.4 million or far less than two weeks loss in revenue - \$1.2 million. And I would probably even think maybe even less than a one week's strike costing \$600,000.

Now, Sir, not being the expert or the official spokesman for labour relations in this Province I have used just one single example.

And my colleague from Bell Island who unfortunately ran out of time, I almost asked the Chair if it would be possible for him to speak on my behalf this afternoon because he is well versed in this particular area. I took a very simple example that has happened today with a very small group of people. Sir, let us add the nurses to that or the constabulary to that or the highways workers to that, the interns at the hospital, not the interns, the residents, the resident doctors at the hospital who are prepared and the interns as well, the nursing aids, the teachers. I mean, I could blow this out of - I am not blowing it out of proportion. I am talking about possibly impending events. But, I certainly do not want to be accused of being irresponsible, or condoning or encouraging this type of activity.

But, if 200 men can cost this Province \$2.4 million in a month or \$1.2 million in two weeks or \$600,000 in a week, what will all these other groups of people, Sir, cost this Province if they decide to take the same course of action? Is it not our duty, Sir, to bring in an amendment saying that this House regrets the failure of the present administration - I have to skip over a few lines - to bring in measures to deal with dramatic increases in work stoppages as a result of strikes and lockouts both legal and illegal. Is it any wonder that we feel compelled to bring such an amendment before the House of Assembly, Sir.

Now, Sir, the first part of the amendment reads as follows:

"This House regrets the failure of the present administration to introduce programmes to lessen the severe impact on our people of the rapidly rising cost of living, the rapidly rising cost of living."

Now, Sir, I think we can get into anything here. We can get into electricity. We can get into oil. We can get into the cost of cars, furniture, homes, anything. But I am going to focus in on one single factor or component of the cost of living in this Province, and that is food prices, food prices.

Sir, ever since we have been in Opposition, we have been raising this matter of the high cost of living in this Province, and the provincial government should take some steps to do something about

it. Every time we raise it, Sir, the whines and the whimpers and the moans and the groans opposite were that it is the federal government's responsibility. Blame it on the federal government!

MR. NEARY: Pass the buck.

MR. F. ROWE: Blame it on the federal government. Pass the buck. Pass the buck with one hand and take the millions of dollars with the other. Then, Sir, the federal government in its wisdom decided to do something about it. They appointed this Mrs. Plumptre - I do not know what her actual title was - Chairman of the Food Prices Review Board.

AN HONOURABLE MEMBER: That is right.

MR. F. ROWE: And, Sir, the ridicule that was cast upon that lady by practically all segments of Canadian society and within this Province was unprecedented. As a matter of fact, Sir, Mr. James McGrath was one of the greatest critics of Mrs. Plumptre. Sir, I was amazed one morning to hear him on open line on the way to work taking his hat off to Mrs. Plumptre when she presented this report, the Food Prices Review Board Report, food prices in Newfoundland in comparison with Mainland regions. He publicly apologized to Mrs. Plumptre for all that he had said about her, and he removed his hat to her in thanks.

MR. NEARY: If he has two hats he said he would have removed both.

MR. ROWE: If he had two hats he would have taken them all off, Sir.

Now, Sir, after a number of questions and inquiries and attempted debates, and debates in this House particularly by my colleague from Bell Island concerning the high cost of living and the Minister of Provincial Affairs who is responsible for consumer affairs in this Province, having blamed it on Ottawa for a number of years finds himself in a little bit of a box or corner when the report came out. By the way, Sir, this report was presented at a public press conference and I do not believe the Minister of Provincial Affairs turned up.

MR. NEARY: Nobody from the government turned up.

MR. ROWE: Nobody from the government turned up. There was one gentleman from this House of Assembly that turned up, who had interest enough to turn up, our spokesman in that general area, the Member, my colleague, from Bell Island turned up and asked questions and listened.

AN HONOURABLE MEMBER: He is always turning up.

MR. ROWE: Of course he is always turning up. It is his job to turn up and speak on behalf of the people of this Province, particularly when it comes to increased prices in anything whether it be oil, gas, electricity or food, in this case, food. The minister, Sir, did not even turn up.

AN HONOURABLE MEMBER: He will be turned out -

MR. ROWE: He will be only turned one way the next time, Sir, as my colleague reminds me. He will be turned out. Now, Sir, I am going to, I am going -

AN HONOURABLE MEMBER: (First part inaudible) - take his seat.

MR. ROWE: Yes, it is unfortunate the minister is not here this afternoon because I was going to read to him the summary of this Food Prices Review Board Report on Newfoundland because, Sir, the honourable minister certainly has not read it himself. He certainly has not acted upon it and if he had read what is in it and realized what actions his

government should be taking he would not show his face at any time in this House of Assembly. And probably he has read it since he last appeared in this House and realized that this government has been negligent in the greatest order of magnitude for not acting upon the recommendations of Mrs. Plumtree.

Now, Sir, let me just - how much time do I have left approximately because I do not know whether I should get into this in detail or not?

MR. SPEAKER: Approximately twenty-five minutes.

MR. ROWE: Twenty-five minutes. Well, I think I will. I apologize for honourable members who have read this but obviously, Sir, there are honourable members opposite who have not read it because they would have acted upon it or they would have encouraged their Cabinet and their leader, the Premier, or their minister responsible to act upon it. But, Sir, they have not acted.

MR. NEARY: And these are matters that come under provincial jurisdiction.

MR. ROWE: Now, Sir, this is what I am going to wind up with. It is not the Federal Government, as it turns out that can solve a lot of these problems. The Federal Government can help. The Federal Government can help. This is one way they have helped. They have pointed out and analysed the problems in this Province. But eight out of the ten recommendations, I believe, are directed to the Provincial Government and we have seen no action from the Provincial Government. Little wonder we bring in a resolution or an amendment that this House regret the failure of the present administration to introduce programmes to lessen the severe impact on our people of the rapidly rising cost of living, little wonder, Sir.

Sir, in several field investigations from September, 1973 to May, 1974 the Food Prices Review Board surveyed food prices of Newfoundland and compared these prices with those in Toronto, Halifax and some areas in Northern Ontario. The cost of a balanced basket of food in St. John's was found to be consistently eight or nine per cent higher than in Toronto

and five to eight per cent higher than in Halifax. Do you hear that, Sir? Eight to nine per cent higher than in Toronto and five to eight per cent higher than in Halifax, the balance basket of food, presumably from a general food store or a supermarket. Within the Province, the food basket in some smaller centres on the Island cost up to six per cent more than in St. John's. But Corner Brook was usually some twelve to fifteen per cent higher. In smaller communities usually six per cent higher than in St. John's, which was eight to nine per cent higher than in Toronto or five to eight per cent higher than in Halifax and in some smaller communities it was six per cent higher than in St. John's in Newfoundland, and in Corner Brook twelve to fifteen per cent higher.

MR. NEARY: The Premier's own district.

MR. F. ROWE: In his own district.

Now, Sir, there is more. I am not saying this for the sake of Corner Brook. Do you know where every community in the Northern Peninsula gets its food?

MR. NEARY: Corner Brook.

MR. F. ROWE: Through Corner Brook, And the coast of Labrador, they fly up to Flowers Cove and St. Barbe or they drive up to St. Barbe, put it aboard the ferry and bring it across to Blanc Sablon, And they fly a plane, if you want to talk about conditions, a plane in the winter lands on the water supply system for Flowers Cove, loads up a plane and it flies over to the coast of Labrador with its food. In communities on the Great Northern Peninsula such as St. Anthony and in Labrador the cost of the food basket ranged thirteen to twenty per cent higher than the provincial capital.

MR. NEARY: Scandalous.

MR. F. ROWE: So that is an area of the Province where you have the greatest unemployment, the lowest income in this Province, and thirteen to twenty per cent higher than in St. John's is that the food is costing up there.

Now do not forget, Sir, I got to re-emphasize this, that St. John's - I am saying that up in St. Anthony, which is a big place, you can imagine what it is like in Baird Cove Green Island Cove, Green Island Brook, Eddies Cove West, Eddies Cove East, Plum Point, Savage Cove, Big Brook, all those little communities -

MR. NEARY: Not to mention Southern Labrador.

MR. F. ROWE: - and Southern Labrador.

If St. Anthony is thirteen to ten per cent higher than St. John's, which is nine per cent higher than Toronto, you can imagine what it costs to get a steak in Savage Cove.

MR. PECKFORD: (Inaudible)

MR. F. ROWE: The minister can poke all the fun he wants with this one. If he were sitting up on the Northern Peninsula at night waiting for steak and mushrooms he would have a different smile and shape to his face.

MR. PECKFORD: : I cannot afford it .

MR. F. ROWE: Well, if the honourable minister cannot afford steak and mushrooms I cannot imagine what some of the people of this Province must be surviving on.

MR. PECKFORD: (Inaudible).

MR. F. ROWE: Your head is certainly great in terms of bull-headedness.

MR. PECKFORD: Thank you. Thank you very much.

MR. NEARY: Big mouth and small head.

MR. F. ROWE: Sir, meat and fresh fruits and vegetables, largely imported, are nearly always higher priced in Newfoundland. But the differential vary sharply with commodity market variations and delivery times to local markets. In analyzing the cost of the continuing differential food prices between this and other regions of Canada, the Food Prices Review Board has been very conscious of the particular physical, social and economic characteristics in Newfoundland. The harsh environment of many parts of the Province,

its heritage of the sea, boats that fish in comparative isolation have resulted in the development of a society distinct from that of other parts of the Province, Well, we all know that.

Then they talk about population. Two-thirds of Newfoundlanders live in small towns and outports, and these rural districts have generally retained their population. Although expanding regional services have brought about a rapid increase in the population of St. John's, the pulp and mineral base centres have grown slowly if at all. Then they talk about the insecurity of the inshore fishery and this kind of a thing.

But listen to this, Sir, although incomes in Newfoundland are considerably below the Canadian average, although incomes in Newfoundland are considerably below the Canadian average, expenditures on food is as high or higher for the larger Newfoundland family,

on average about twenty-five per cent of consumers expenditure, twenty-five per cent of consumers expense, Sir, in Newfoundland is for food, one quarter of a person's income in Newfoundland is spent on food, compared with the national average of twenty per cent. As a result, Sir, the family budget is more sensitive to changes in food prices in this Province. Now I do not know what kind of a, why that is, the reason for it is not important. It is a fact that for some strange reason, even though we go out and shoot the odd moose, caribou, rabbit, seal, etc., partridge, for some strange reason a Food Prices Review Board has found out that we spend twenty-five per cent of our expenditure in food and compared with a national average of about twenty per cent.

Now, Sir, there are a few other factors that this Board points out. Because of limited production within the Province, most food is imported and supply is therefore dependent to a large extent on the efficiency of transportation services. As an Island Newfoundland will, as in the past, continue to be chiefly dependent upon water borne services for external traffic. Until Confederation, distribution within the Province was largely by coastal ship with very few roads in North Central regions were served by narrow gauge railway. By the terms of union this railroad was linked to the Canadian National system by a ferry from Port aux Basques - North Sydney, Nova Scotia. This Gulf service minimized the water distance and maximized the land distance to the major population centre, St. John's. Since 1965 of course, Sir, we have had the Trans Canada Highway. More recently roads have been built into the major peninsulas, such as the Burin Peninsula, and we got what we - to use the word loosely, we got a road up the Northern Peninsula.

Trucking has become an important element in both internal and long distance transportation. The tremendous cost of these major transportation systems has been, listen to this, when we want to blame anything on the federal government, the tremendous cost of these major transportation systems has been heavily subsidized by the federal government and is not fully reflected in the freight rates. Moreover

in some cases the Mainland food processor absorbs part or all of the cost of freight to Newfoundland. Where freight charges are added on, they form only a part of the observed retail food price differential. But the delays of railroad deliveries caused by the weather and other factors, the necessity for transshipment with inadequate facilities for narrow gauge cars, and the shortages of modern refrigerated and other equipment result in irregular deliveries and frequent deterioration of perishable products.

Now, Sir, the major source of a differential in retail prices in Newfoundland compared with these and other regions, lies within the region, lies within the region. Briefly these are the lack of adequate transportation and distribution facilities, limited competition and the inefficient organization of food distribution and marketing in the Province.

Sir, I am deeply sorry that the Minister of Provincial Affairs is not here. I am glad to see the Minister of Transportation and Communications here. Because as he very well knows, this is almost directly related to the Province, the responsibilities and the function of his department. The minister has been listening, one of the big factors in the whole problem of food costs in this Province is transportation.

Now I do not blame it all on the minister. We had twenty-three years of Liberal Government. We do not have every road in the Province paved. We had three or four hundred years of history before the Liberals.

AN HON. MEMBER: Much longer than that.

MR. ROWE: You know, what I am complaining about, Sir, while my colleague from Hermitage introduced this vote of nonconfidence in the government, is that this government has not seen fit to do anything about this report.

at least this part of the amendment. They have not tackled the high cost of living, and I am only taking one example, food. The high cost of distribution within the Province in addition to the problems of rail transportation of food products result in part from, here are the five reasons: the poor road system and related facilities for land transportation of food products, especially for perishable food items. So there is one factor out of five we can hand right over to the Minister of Transportation. Has the Minister of Provincial Affairs and the Minister of Transportation and Communications gotten down and looked at that aspect of this report? How many hours have they spent looking at that aspect of it?

MR. ROUSSEAU: (Inaudible).

MR. F. ROWE: And answering phone calls.

MR. ROUSSEAU: (Inaudible).

MR. F. ROWE: Right. Well that is the minister's job. I hope we will see some fruits of his toiling hours.

MR. ROUSSEAU: (Inaudible).

MR. F. ROWE: Good, good.

Factor number two -

MR. HICKMAN: That is why Mr. Marchand -

MR. F. ROWE: - the need to keep larger stocks of food products as a precaution against the continual possibility of interruptions in supply due to bad weather conditions and transportation delay; limited specialized storage for produce and fresh foods in some communities. This type of storage is non-existent. Sir, you know, it is a funny thing. One of the things that I was most embarrassed about when I first ran in an election in St. Barbe North was this monument, this steel frame up there in the district. It was called a vegetable storage unit. And the Tories, Sir, joked about that vegetable storage unit for St. Barbe North, joked about it.

AN HON. MEMBER: (Inaudible).

MR. F. ROWE: Now, Sir, I was embarrassed about it because, you know, to be quite frank with you St. Barbe North is not the green belt of Newfoundland

or Canada as my colleague from Boat Harbour, born in Boat Harbour knows.

MR. WOODWARD: The banana belt.

MR. F. ROWE: He would have some considerable difficulty in growing a variety of vegetables on the road between Cooks Harbour and Boat Harbour. I do not believe there is a tree in sight is there "Mel" in that particular area?

MR. WOODWARD: There were two when I left.

MR. F. ROWE: There were two when the member left. There is not a stick, Sir. It is incredible topography. It is unique. You know, geologically, it is very interesting. But as far as agriculture is concerned, I am afraid it is a little bit of a disaster. But anyway, Sir, such is the nature part of my district. And, Sir, the Tories used to point out this vegetable storage unit that the Liberals were going to stick up there, and they would laugh about it, and I was kind of embarrassed about it. But now, Sir, some years later it has dawned on me. The Liberals of the day were ahead of their time. They were ahead of their time. They were doing the very thing that Mrs. Plumptre has recommended, the need for limited specialized storage for produce and fresh foods. In some communities this type of storage is non-existent. The need to keep larger stocks of food products as a precaution against the continual possibility of interruption in supply due to bad weather conditions and transportation delay. If ever there was need, Sir, if ever there was need for a vegetable storage unit as it turns out now in retrospect and hindsight, which is a lot easier than foresight, it was the need for a vegetable storage unit up there on the Great Northern Peninsula Highway on the junction to Roddickton, Roddickton Road. So, Sir, I will not be embarrassed about that one.

AN HON. MEMBER: This was Plum Point.

MR. F. B. ROWE: This was the vegetable store unit in Plum Point. The government of the day, Sir, was ahead of itself, was head of the times.

Sir, another factor in the high cost of distribution within the Province is the continual dependence of some communities on coastal shipping and the dependence of some communities, especially in Labrador, on air transportation.

Now, Sir, I can go into much more detail on this but before my time runs out I would like to just point out some recommendations that Mrs. Plumtre made directly through the honourable crowd opposite, Sir, and they have not acted upon it. They might say they got a Planning Priorities Secretariat studying it or they are getting position papers on it or they are planning for this and they are planning for that. We have heard that for three and a half years. What we want to see now is action.

Sir, Mrs. Plumtree recommended, the Chairman of the Food Prices Review Board recommended that the Provincial Government should encourage the development of a more integrated and more competitive system of food marketing within Newfoundland, particularly the development of an efficient system of wholesale distribution. Now, Sir, we can open up some can of worms on that one, the way food is distributed in this Province. But the Provincial Government should encourage development of a more integrated and more competitive system of food marketing instead of having a few people in this Province tying it up, got their clutches on there, some of the pre-confederate guys.

AN HONOURABLE MEMBER: Name names.

MR. ROWE: I am not going to name names. Do not be so foolish. If the honourable Member for St. John's South wants to get up and name names let him get up and name names. I would not name names unless I could give a complete list, unless I was absolutely sure that I was not damaging somebody's reputation. But the honourable member knows full well what I am talking about, and I am not pointing to any specific person, but there are people in this Province who got their clutches on biscuits or after shave lotion or -

AN HONOURABLE MEMBER: Or savoury.

MR. ROWE: Or savoury and it is distributed through them. If the honourable member wants one name that comes to mind I do not think I need remind him.

Sir, a second recommendation that went to the Provincial Government from Mrs. Plumtre, the Board strongly supports the recommendations of the 1967 Royal Commission on the Economic State and Prospects of Newfoundland and Labrador for the encouragement of voluntary trained

groups of retailers to improved purchasing and other marketing functions. The Board considers that it would be preferable for this development to be sponsored by a strong wholesaling unit, the vigorous encouragement of retail consumer co-operative stores. The Board - well, that is another part. A complimentary programme of training for managers and specialists in food marketing. This is the second, Sir, recommendation directly put to this Provincial Government and they have not acted upon it.

Another recommendation, Sir, the Provincial Government should improve the facilities for distribution, handling and storage of food throughout the Province. This will require - the honourable ministers standing - the upgrading of roads on a systematic basis to meet the needs of distribution in all communities and improved regional system of storage including particularly storage controlled temperature for perishable foods.

So, Sir, those old vegetable storage units were not such a bad idea after all.

AN HONOURABLE MEMBER: Inaudible.

MR. ROWE: I am talking, yes, I am talking about one that embarrassed me on the Great Northern Peninsula. I could not see, I thought the poor old Liberals had gone crazy in their last day of power and Sir, as it turned out according to the Food Prices Review Board they recommend the very thing now that this government has torn down, torn down. I might add, Mr. Speaker - would the Speaker like me to yield for a moment? I thought you were - I got the impression -

MR. SPEAKER: I will wait for the honourable member. He has approximately four minutes left.

MR. ROWE: Four minutes.

MR. SPEAKER: I will wait until he is finished.

MR. ROWE: Four minutes, four minutes - never make it, Sir, never make it, never make it. So, Sir,

Here is the third recommendation for the provincial government. The provincial government should reassess the potentials of local food production and processing and encourage expansion of agricultural production. In view of the difficulties reported by consumers in buying fresh fish, the board recommends that the provincial government give consideration to the establishment of retail fish markets in St. John's and other urban centers. The provincial government should enquire into the marketing of eggs in Newfoundland, especially the margin between producer prices and retail prices.

To respond to the strong consumer concerns communicated to the board by residents of the Province, it is recommended that consideration be given to the establishment of a separate ministry of consumer affairs in the provincial government.

Now, Sir, I began my remarks by saying that all of our efforts to get the government to do something about the increased food prices in this Province, all our efforts to get this government to act, their only action was to blame it on the federal government. The federal government have come up with an excellent report. Really not the government, an independent commission. They have made eight recommendations to this provincial government and they have not acted upon these recommendations.

Sir, that represents one quarter of the reason why we move this amendment or this motion of non-confidence in the government because, Sir, this House regrets the failure of the present administration to introduce programmes to lessen the severe impact on our people of the rapidly rising cost of living.

Sir, my colleague from Bell Island has dealt with the vandalism and crime rates. Sir, I have dealt ever so briefly with this business of work stoppages and the damage it is doing to the economic economy of this Province. Sir, I will vote in favor of this amendment as I am sure my colleagues on this side of the House will. I sincerely hope that members opposite will get up and speak to this amendment and not do as the Minister of Justice did -

MR. HICKMAN: Do not be saying nasty things.

MR. F. ROWE: Go over on your own side, boy. It is bad enough over here

now. Do not take phrases, Sir, and words out of context for partisan, political purposes. So, I will vote for this particular amendment.

AN HONOURABLE MEMBER: The way to go "Fred".

MR. SPEAKER: Before I recognize another honourable member I would like to welcome two groups which have recently arrived in the galleries from the district of Twillingate and New World Island Integrated Central High School, thirty-six Grade XI students with Mrs. Sheldon and Mr. Hunt ; from that great historical district of Lewisporte, from the Community of Campbellton, twenty-three Grade XI students from the Greenwood Central High School, Mr. Shepperd and Mr. Sutton. On behalf of all honourable members I welcome you to the galleries and trust that your visit here is most interesting and informative.

The honourable Member for Bonavista South.

MR. MORGAN: Mr. Speaker, I am going to say a few words on this resolution. I guess you can call it a motion of non-confidence in the government. I am going to deal in particular with a subject which I am interested in and concerned about and that is the subject that was debated at some length this morning in this Assembly, debate on vandalism, and what is happening to the situation in places like the City of St. John's.

Mr. Speaker, in my opinion vandalism today in our Province is casting a very dark shadow, not only over the City of St. John's but indeed in the outport areas, like places even in Bonavista South in my own district, Grand Bank, Port aux Basques, all around the Province vandalism is casting a very dark shadow. Now, there have been many discussions held, many meetings called together, many conferences held as to what can be done to overcome this problem. Of course the questions are, who are vandals, who are they? Are they the people who feel left out of society? Are they the people who feel that their education they received is not relevant to their circumstances? Are they people who feel they are not getting things in life like recreational things, nice homes? Are they people who live in the slum areas of the cities? Are they people from large families who sometimes and often times are neglected by their parents. Or are

they people who just go out and pillage for the hell of it? These are the question marks. These are the questions that I have asked concerning vandalism. I would say in the outport areas of our Province that the reason for vandalism is tied into the fact that there is not adequate services, adequate facilities for the young people. They have nowhere to go. They have nowhere to occupy and no means of occupying their leisure time. In some places we still have the same old traditions where we used to have them years ago where we see the young people coming home from school and doing work chores. It used to be in places where I grew up in Bonavista Bay where you would either getting firewood or bringing in the water or looking after the animals or helping your father with the fish, anything of that nature, chores, work chores that would keep you occupied. But that day is gone. The young people today have lots of leisure time and the question is what to do with my leisure time. That is the question they are asking themselves, what do I do? Do I have a place where I can go out and take swimming lessons, indoor swimming pools? Do I have a soccer field or a baseball diamond? Do I have the facilities, youth centres, where I can go in and occupy my time with my friends? In most places in the outports the answer is, no. They have not got these facilities.

This usually builds up and builds up when they get together as groups and they find that they are getting into mischevious deeds. It might not come suddenly but it will come eventually. So, I would venture to say that is one major reason for vandalism in the small outport areas. But, Mr. Speaker, I feel that in the city of St. John's, where I have been living for the past six years and I have seen some of the vandalism, that that is not the case. The situation is that they are vandalizing, pillaging for the sake of doing it. They have the facilities in St. John's, ten times that of places like Bonavista or Clarendville or Port aux Basques or Grand Bank. They are vandalizing for the sake of doing it. Mr. Speaker, when I listened to my friend a few months ago, a friend of mine, in fact I will use his name because his name was in the media at the time, in the media talking about the same problem,

Mr. Walter Noel, a businessman on Water Street and he pointed out to me that his business is next door to the police station on Water Street, next door to the police station, but day after day for about a two week period he would find his doors smashed in, windows broken, but nothing stolen, just out-and-out vandalism. His business is next door to the police station. The reason why he kept getting continuous harrassment from the vandals was the fact that he complained, Mr. Speaker, and that is what is happening in St. John's.

We have business people today in St. John's who are subject to the worse kind of vandalism but they are not complaining because they know the consequences of complaining. When they complain the harrassment increases and the vandals really get into action when somebody is complaining about being vandalized. That is the reason why today we do not hear too many businessmen who are subject to the kind of outrageous vandalism we are seeing in St. John's, are not complaining about it because they know if they complain the consequences will be more harrassment and more vandalism.

So, Mr. Speaker, the answer to the problem in the outport area or the rural part of the Province to vandalism is quite different from that in St. John's. What I am going to say today may be totally disagreed with by my colleague, the Minister of Justice, but I am going to say it because I believe it. That is that I feel that the courts, the courts in dealing with vandalism and crimes of that nature are too lenient. They are simply too lenient. We need sterner measures in the courts. We need sterner measures in the courts. Also, I would like to see some kind of uniformity. There has to be some kind of uniformity. If I am arrested on Water Street for breaking a window and my

friend was also arrested for the same purpose, for breaking a window, across the street and I go before a magistrate and my friend goes before a different magistrate, he gets one fine and I get the other, I could get six months or \$500, the other man would get maybe a month or \$100, and that has been happening, Mr. Speaker. It has been happening. I read the newspapers. It is there for everybody to see. There is no uniformity.

Now the Minister of Justice pointed out it was impossible to have uniformity in the courts because of the nature of the crime. But I do not see that, Mr. Speaker, because surely we do not want as a government, nobody wants to see government interfere with the work of the judges and the courts and the magistrates. We cannot dictate to them what kind of fines to levy. But I would like to see some sort of minimum set down for the same crimes, so there would not be discrepancies of fines or sentences levied for the same crimes.

Now I am going to refer to a case this afternoon, Mr. Speaker, which came to my attention by reading the reports in the local media, the local paper, in this case The Evening Telegram, of cases brought before the courts. I picked up the paper and when I read it I just could not believe it. Talk about leniency in courts. Here is the reason why we get the vandalism and the crimes we have in the City of St. John's, here is one reason right here, the headline, "A man gets two years for raping a girl," gets two years, that to me, Mr. Speaker, is unbelievable. I just could not believe it. The magistrate in this case was Magistrate Clement Scott. It was carried in the story.

I will read the story, Mr. Speaker, "A thirty-four year old St. John's man was sentenced to two years in prison when he appeared in provincial court yesterday on a charge of rape," -

MR. NEARY: Be out in a year.

MR. MORGAN: And he gave the man's name and it is public, I can use the man's name here, it is "Donald Bell, 18 Curling Place earlier pleaded guilty to raping a fifteen year old Manuels girl," fifteen years of age, July 14, 1974, a mere child, a high school student and his

partner, Cecil William Taylor, or his friend, of Manuela was sentenced to six months for indecently assaulting the girl, six months. If indecently assaulting the girl was not rape, Mr. Speaker, my name is Murphy - and it is not Murphy. He was also sentenced, sentenced to how much, one year in prison, one year in prison. Can you imagine that kind of a case coming before the courts in the States today? Can you imagine it, Mr. Speaker? I cannot imagine it. I cannot imagine a thirty-four year old man raping a fifteen year old girl and getting two years in prison. That is the reason why I feel that crimes are on the increase in the City of St. John's, because the courts are too lenient.

I again repeat my earlier recommendation that the courts have got to be, there have got to be more sterner measures in the courts. It has got to come, if we are going to combat crime.

Mr. Speaker, whenever vandalism occurs in St. John's there is always an outcry against the police force, always an outcry against the police force. The people who get the flak are the Newfoundland Constabulary. Now I take strong exception to that, strong exception. It is not the police force that should be given, it is the society itself, society itself should be getting the flak.

the schools, family life, churches, because up until two or three months ago you could not even hear the word vandalism in the media. You could not even hear any church leader or society leader mention the word vandalism. There was no mention of it. There was a continuous feeling of apathy, an apathy towards vandalism and crime in general, especially in the St. John's area. So, it is not the police force that should get the flak because the police force is not to blame.

I have no hesitation in saying that I feel the Newfoundland Constabulary is doing an excellent job under the circumstances that they have to work. I have my reservations about the R.C.M.P. I recall saying so two years ago in this same Assembly speaking in debate. I do have reservations about the activities and the workings and the effectiveness of the R.C.M.P. in this Province, and I will say it again today, in combating crime. But, I do feel that the Newfoundland Constabulary is doing an excellent job, again on a qualified basis, based on the circumstances under which they have to work.

I understand that now, for example, in St. John's on the evening shift there are twelve, sometimes thirteen, using twelve patrol cars patrolling the City of St. John's, twelve patrol cars with a population of St. John's, 110,000 people. Now, they do have two men per car. They do have that situation. They double up in the patrol cars. But on the midnight shift, from twelve until eight in the morning when apparently according to the businessmen in the downtown area of St. John's most of the crimes take place, we only have ten to eleven patrol cars, usually ten, and four to six men on foot patrol.

Now, Mr. Speaker, in my view that if the city is going to be policed properly, that the Newfoundland Constabulary - now do not forget the R.C.M.P. are not doing any patrolling in the City of St. John's. It is strictly the responsibility of the Newfoundland Constabulary. With only ten patrol cars working at midnight and with four to six men patrolling by foot, to me that is inadequate, very inadequate. I am surprised that the Newfoundland Constabulary are doing the job they are doing with these numbers on duty.

So, my point of view is that if we are going to combat crime, if we are going to overcome this problem of vandalism, we must have the

law enforcement increased, number one. It has got to be increased. The patrol shifts, the patrols on evening and night shift must be doubled. We should have at least twenty patrol cars in this city, a city of 110,000 people.

MR. HICKMAN: It is as good as Toronto.

MR. MORGAN: There should be at least twenty patrol cars.

The honourable Minister of Justice says it could be compared with Toronto. Well, I would point out that I would say on a population basis that our crime rate with regards to the vandalism and crimes of that nature is on par or even higher than Toronto on a population basis, higher.

So, Mr. Speaker, now if we are going to do that - I have heard the Deputy Mayor of St. John's talking about it continuously. He is talking about what he would like to see done, what he wants to see done. He even talked about having a volunteer police force, vigilantes. Vigilantes, that was his recommendation. To me that does not make sense. It would not work anyway. But the question mark is if we are going to increase our law enforcement in the City of St. John's, who is going to pay for it? Because the St. John's Police Force is not really a St. John's Police Force. It is the Newfoundland Constabulary paid by the taxpayers of Bonavista South or Lewisporte, or Green Bay, or White Bay North, paid by all the Province.

And if we increase the patrols and increase the law enforcement in St. John's the people out in Clarendville and in Bonavista and out in Gander are going to say, well, how come you are asking us to increase the policing of St. John's? Why are you asking us? You do not expect us to do that. What are you going to give us in return? Two or three R.C.M.P. officers which we very seldom see on patrol anyway, only on the occasional weekend, Labour Day and Mary 24 weekends. We very seldom see them otherwise. When you call to get them you wait as long as ten hours before they appear on the scene. And that has been happening. It has happened in Bonavista Bay. When R.C.M.P. have been called, it took as long as ten hours to show up after they have been called. So the people are going to say, who is going to pay for it? So I strongly suggest, Mr. Speaker, that the city of St. John's bear the brunt of the cost of increasing the law enforcement in St. John's, Now not take over the total cost of the Newfoundland Constabulary, no. I honestly feel that they simply cannot afford to do that. But to increase the effectiveness by more men, more vehicles, more equipment, that the city of St. John's should bear that brunt of the improved law enforcement. Any improvements from here on in should be borne by the municipal level, the City of St. John's.

But, of course, there is one very important point I would like to make. If the city of St. John's in the future decides to do this the responsibility for the law enforcement team, in this case the Newfoundland Constabulary, must still remain in the hands of the provincial government through the Department of Justice. Of course, one main reason at this time is that I feel that the St. John's City Council is incompetent of even administrating an extension of the Constabulary.

MR. NEARY: Dorothy will not appreciate that.

MR. MORGAN: I say it and I say it with sincerity. I do not think they are competent of managing that kind of an extension to the Constabulary. From the reports that I get from City Hall; there is total confusion at City Hall. Of course, I will not get involved in municipal politics.

I will stick to the vandalism bit. But, Mr. Speaker, it is important, as I mentioned earlier, it is important for the responsibility for any improvement, no matter who pays for it, whether it be the municipal level through assistance from Ottawa, which could be arranged that way, or strictly on their own, that the responsibility for the St. John's Police Force, which is now called the Newfoundland Constabulary, must remain in the hands of the Department of Justice. So I would say that if the present crime continues, the present crimes that we see, for example, I recall last Fall, I think it was, I think it was last Fall, it was the Spring or Fall of 1974, the same time as they were holding a conference on vandalism at City Hall, we saw the desecration of the Jewish Synagogue. That was last Spring, was it not? We saw an increase in vandalism and the only recommendations that came from the conference, the only recommendations that I recall coming from the conference was that more recreational space and facilities be provided and that was a conference which was held in St. John's. It was convened by the City Council, and there were all kinds of experts brought in and their points of view brought forward, and they made a report, and one of the major recommendations was, provide more recreational spaces and programmes, and you will overcome all this vandalism problem. There will be no more crimes. Maybe, maybe, but I am very dubious. I do not think so.

As I pointed out earlier, there has to be sterner measures in the courts. There has to be an increased and improved law enforcement measure to apprehend

and to sentence these people who violate the law, who break the law. I would like to make one or two more important, I feel important recommendations that should be carried out in St. John's and that is, I mentioned the - well, there is actually three of them because I mentioned two already. One was the more sterner measures in the courts, an improved law enforcement measurement, law enforcement measures in St. John's, and number three, I would like to see a restriction on the number of liquor outlets establishing in the downtown area. I do believe from talking to the businessmen that are in the area that the rapid number of outlets and lounges and clubs that have been established in the past two years have increased the vandalism and the crime in the downtown area. So I feel that there should be a restriction from here on in on the number of liquor dispensing outlets or establishments in the downtown area of St. John's.

Now, Mr. Speaker, that is one way. So far I have talked about going out and catching the criminals, apprehending them and sentencing them. Now, the question mark is what do you do from there? Do you put them down in a prison where there is little or no facilities for the prisoners? If the crime is a major one do you send them off to Dorchester where crimes are rampant within the prison walls, where I think last year, 1974, we saw the murder of a Newfoundlander? That report, the investigation of that murder which took place in that prison brought out the crimes which were taking place within the prison walls. Do we send them off to these prisons? Do we send them off, put them in a cell down here with little or no facilities or do we take some kind of corrective measures? Of course, the answer is there obvious to all. We must have correctional institutions. The need for correctional institutions in this Province is tremendous and we have got to take measures in the next number of years to make sure that when a prisoner or when a juvenile or anybody committing a crime is apprehended and sentenced, that if they are sentenced to jail that they must be given every opportunity and every provision must be provided to make sure that these people are, that they are provided the correctional facilities which are not now in this Province.

So, these, Mr. Speaker, are a few points with regards to vandalism which I feel, as I mentioned in opening remarks on the topic, that is becoming is casting a very dark shadow, not only over Newfoundland but in particular in the city of St. John's. Now in dealing on the same resolution I am sure that my remarks so far have not been partisan. It is a topic, I am sure, that concerns many members of this House.

Now, the resolution I am speaking on is dealing with a number of topics and number one of the resolution introduced by the honourable Member for Hermitage is really a non-confidence motion. He is pointing out that the present administration has failed to introduce programmes to lessen the severe impact of our people, the rapid, rising cost of living. Now, Mr. Speaker, when we have a member of the Liberal Opposition standing in the House of Assembly and asking this government to try and correct problems that were not in any way created by this government or the previous one, to me is rather ridiculous. The

rising cost of living: It is a topic that everybody is talking about, the cost of living, inflation, unemployment. They are talking about what affect it is having on this Province. You know it was their colleagues a few days ago in Ottawa, I should say a few months ago, in January of 1975 - the CNR, Canadian National Railways decided they were going to lift the freeze off the freight rates. Now, if there is anything going to affect the cost of living in this Province it is transportation. Transportation is the key factor in the cost of living in this Province. I do not care what report you refer to. In my view transportation is the key, the cost of transportation.

The reason why I say it is because every individual whether it be a fishing gear supplier, whether it be an agriculture supply man, fertilizer supply man, whether it be a small merchant on Water Street, any and every individual in a business in this Province, in a retail form, serving the consumer is using the transportation aspect as a reason to increase the cost of his product to the consumer. They are using it all the time. Oh, the reason why this item costs so much is because of the transportation cost. That is the reason why it costs so much.

If a fisherman questions the price of fishing gear. Well, the reason why it costs so much is the transportation. When he says, why is it I can go over to Nova Scotia or New Brunswick and pick up a gill net or a salmon net for less than I can get it over here for, dollars less, the reply is, oh well, that is your transportation cost.

So, the reason why I say transportation is the most key factor in the cost of living is because it is used by every person dealing with the consumer of this province as an excuse.

MR. ROUSSEAU: Then you would apply this as an excuse?

MR. MORGAN: As an excuse, oh yes. I am tying it in as an excuse, transportation. That is the reason why it is an important factor because it is always used as a reason to increase the prices to consumers, whether it be food products or any consumer item.

Now, transportation may not be so important to the cost of living as is led to believe. It is not because it is usually used as an

excuse, but still it is important, the cost of freight coming into the Province, the cost of goods coming in.

Now, on January 1, the Canadian National Railways decided they were going to lift the freeze off the freight rates. Colleagues of the honourable gentlemen in the Opposition, their colleagues in Ottawa - was there an outcry from Marchand, the Minister of Transportation?

AN HONOURABLE MEMBER: Marchand not Marchand.

MR. MORGAN: Marchand, Marchand, Marchand. Parlez Français, Monsieur? Marchand.

Now, the honourable minister, there was no major outcry from him. You know something? The most unusual thing of all was that our representative in the federal cabinet - I did not hear one peep, not a sound, not a word from Mr. Jamieson complaining about the CNR and their attempt to lift the freeze off the freight rates. There was not a word from Mr. Rompkey. There was not a word from Mr. Rooney. There was not a word from - the only complaints that I heard were from the honourable Member for St. John's East, Mr. McGrath and from Mr. Carter. I did not have the occasion of hearing Mr. Marshall, either.

So, they decided they were going to lift the freeze off freight rates and increase the freight rates by twenty-five per cent. That was the intentions of the CNR and of course under the Transportation Act, the National Transportation Act, that when a transportation system wants to increase their freight rates or increase their rates, all they have to do is go through the CTC, Canadian Transportation Commission. They make their

application to the commission and -

MR. WOODWARD: There is only one commission.

MR. MORGAN: - and the unfortunate thing is because
under the act right now -

MR. WOODWARD: C.T.C.

MR. MORGAN: C.T.C. What did I say?

MR. WOODWARD: Canadian Transport Commission.

MR. MORGAN: That is what I said, the Canadian Transportation Commission,
right. Do not argue with me.

Now, Mr. Speaker, the unfortunate thing - of course,
the honourable gentleman from Labrador does not understand these things
anyway, so I will ignore him - the unfortunate thing is that under
the Transportation Act that we have right now in Canada that any
transportation agency, any transportation company or airline, using
freight or passengers, if they want to increase their rates, all they
have to do is apply to the C.T.C. And the unfortunate thing is that
under the act that regional areas like Newfoundland and the Maritimes
cannot make representation to the C.T.C. They cannot make representation,
proper representation.

MR. WOODWARD: (Inaudible).

MR. MORGAN: No, they cannot.

MR. WOODWARD: (Inaudible).

MR. SPEAKER (Mr. Dunphy): Order, please!

MR. MORGAN: Mr. Speaker, if the honourable gentleman for Labrador
would listen, he might learn something.

MR. WOODWARD: Learn from you?

MR. SPEAKER (Mr. Dunphy): Order, please!

MR. MORGAN: Because the honourable gentleman is now confusing -
it is utter garbage he is saying, it is wrong. The fact is, Mr. Speaker,
that under the present act the C.T.C. does not have to hold public
hearings. And, therefore, they cannot get proper regional representation
coming in from the regions of Canada. They can get it by letter, by
telegram from the minister here in our government, the Minister of
Transportation and Communications or the ministers from other provincial
governments or the Premier or the government as a whole. But there is no

accommodation in the act itself, there is no means of the C.T.C. holding public hearings so that they can come down here and get the views of the Newfoundland people, get the views of the Newfoundland government and the Maritimes in general, as to what they feel about the C.N.R. going to lift the freeze of the freight rates and increasing them by twenty-five per cent. So they came along in January, and they said, okay, we are going to increase your freight rates by twenty-five per cent. And because of the outcry and because of the strong protests from this government, and there was a very strong protest from this government, because of that they changed their minds only slightly because what they did then instead of making the one smack for a twenty-five per cent increase, they phased it in. They brought in twelve and one-half per cent in January 1, and they brought in twelve and one-half per cent more effective March 1. But I did not hear one complaint from the honourable gentleman who introduced this resolution about that fact, from the Opposition. I did not hear one complaint from the Hon. Leader of the Opposition or any spokesmen in the Opposition, the Liberal Party in the Province complaining about the fact that the C.T.C. permitted the C.N.R. to increase their freight rates, lift the freeze off, increase their freight rates on the freight coming into Province by twenty-five per cent. And any Newfoundlander who has got any common sense at all will realize that when freight rates are increased by twenty-five per cent, it is going to drive the cost of living up twenty-five per cent, or at least twenty per cent.

Now that is a very important factor that the Opposition has failed to recognize in talking about the cost of living. And then they want this government here in a resolution to take steps to overcome the rising cost of living when we have, on the one hand, the federal government increasing freight rates, allowing the increase to an agency of the government, and on the other hand, they want the Newfoundland Government to take steps to stop the federal government's actions, not stop them but to overcome them after they are brought into effect.

The resolution is utter nonsense, utter trash. So if that was not enough along comes the same agency again, the C.N.R., and just a few weeks ago, I think it was three weeks ago, and the Minister of Transportation can confirm this, about three weeks ago, along they came again and they are going to discontinue the less than carload rates of freight coming into the Province. They banished them. They took off the freeze in January, 1975 and along they came in April month and said, okay, we are going to discontinue your less than carload rates.

MR. ROUSSEAU: March 16.

MR. MORGAN: March 16 the Hon. Minister of Transportation points out, March 16, in

1975, when here we are in Canada, we have rampant inflation, inflation out of control. The Trudeau Government cannot control inflation, it is obvious from their policies. Unemployment is rising, rising across the nation and the cost of living is spiraling day by day except in areas like the Ottawa Valley area where the agencies like the Prices Review Board gets in and does some advertising and cuts down profiteering, prices go down a little bit. But in the rest of Canada the cost of living is going up, and here we are with the federal government lifting a freeze off the freight rates and driving the cost of living higher in Newfoundland and that kind of action, Mr. Speaker, to me is intolerable. It is intolerable. We should be having a resolution on this floor of the House of Assembly from the Opposition, if they want to do more effective action in the House, sending it off to Ottawa, unanimously, from this House of Assembly, protesting the lifting of the freeze and the freight rates, protesting the lifting of the less than cargo rates, That is the kind of thing the Opposition should be doing, not bringing in stupid, trashy resolutions of non-confidence in this government because we are not taking the necessary action to overcome the problems created by, and they were created by, the federal government.

And now we have another situation, dealing with the same problem, transportation, now we have Air Canada, CNR seems to be making oh tremendous progress, they have got no problem at all. They just walk in and the CTC says, sure, we will give you an increase in rates. What do we have now? Now we have a situation where Air Canada comes along and says, we are going to boost up our fares by as much as sixty per cent, sixty per cent increase in fares.

AN HON. MEMBER: - could only walk across the water.

MR. WOODWARD: That is only on Hogan's Pond.

MR. MORGAN: Yes, Mr. Chairman, that kind of -

AN HON. MEMBER: Not across the Gulf.

MR. MORGAN: That kind of an increase in rates are going to hurt, and I mean hurt, unless we have people like we do have in the Opposition who feel they can walk on water and cross the Gulf that way. It is going to increase the rates

because it is going the increase of living in general -

MR. NEARY: Point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. NEARY: Point of order, Mr. Speaker, honourable members of the House realize of course that under the Standing Rules of this honourable House there must always be fourteen members in their seats in order to constitute a quorum so that we can transact the public business of this Province. I have noticed, Sir, for the last hour and a half government members are not in their seats, we have not had a quorum, Sir, and as much as I dislike doing so, I would like to get the government members back in their seats, Sir, so I have no choice but to draw to Your Honour's attention that there is no quorum in the House, even member's own colleagues cannot stand him, cannot stomach what he is saying.

MR. SPEAKER: Order, please! While it is quite true there should be fourteen members in the House and the Chair feels that this includes fourteen members on both sides of the House and the honourable Member for Bell Island has drawn to my attention the fact that there is not a quorum, so there will be a quorum call. Call in the members.

MR. NEARY: There is no quorum Your Honour, I move that -

AN HON. MEMBER: One second now.

MR. SPEAKER: Order, please!

MR. NEARY: I move the House adjourn.

MR. SPEAKER: Order, please! The honourable Member for Bell Island I am sure is aware there is a three minute wait before a quorum call is made after the bell is rung. The three minutes are not up. The Chair will decide when the three minutes are up.

MR. SPEAKER: Order, please! Would the clerk count the House?

There is a quorum.

The honourable Member for Bonavista South.

MR. MORGAN: Mr. Speaker, I was getting concerned for a while there. I figured we would not have a quorum even in the Building let alone in the House today.

MR. SPEAKER: Order, please! Before the honourable member continues I inform him he has three minutes left.

MR. MORGAN: Three minutes. Thank you, Mr. Speaker.

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. MORGAN: In closing my remarks on this resolution, Mr. Speaker, the resolution should have been really, I think, replaced with a resolution that could have been debated and probably voted on unanimously and could have achieved something. But these kind of resolutions of non-confidence in the government is just merely wasting time, except for the, I must say that the honourable Member from Bell Island this morning I thought had a very worthwhile contribution in the debate despite some of the remarks he usually makes about me in the House. I think he did make some very good points this morning with regards to vandalism. It was a very nonpartisan speech and he made some good points. Of course, the honourable Minister of Justice, he also had some good points this afternoon but the most important point of all he did make was equal correctional institutions and I certainly hope that he will take every possible effort to overcome that problem in the future years, in 1975-76.

So, Mr. Speaker, I would really like to see that last part of that resolution separate from the others dealing with vandalism. If it was I would vote for it. But the fact that it ties into a motion of non-confidence I have no choice but to vote against the resolution despite the fact that there is something worthwhile looking at with regards to overcoming vandalism and criminal activity in Newfoundland,

in particular in the St. John's area. Thank you, Mr. Speaker.

MR. SPEAKER: Question the amendment. Those in favour of the amendment "aye", those against the amendment "nay." The amendment is defeated. Honourable member wishes to speak to the main motion.

MR. NEARY: Could we have a standing vote, Sir?

MR. SPEAKER: Calling the members.

Order, please! All those in favour of the amendment please rise.

The honourable the Leader of the Opposition.

MR. SPEAKER: Order, please!

Mr. Woodward, Captain Winsor, Mr. Neary, Mr. Thoms.

MR. SPEAKER: Those against the amendment please rise.

The honourable the Minister of Municipal Affairs and Housing, the honourable the Minister of Transportation and Communications, the honourable the Minister of Justice, the honourable the Minister of Tourism, Mr. Dunphy, Mr. Morgan, Mr. Brett, Mr. Carter, Mr. Wilson, Mr. Marshall, Mr. Evans, Mr. Young, and Mr. Howard.

MR. SPEAKER: The amendment is defeated.

The honourable Member for St. John's East.

MR. MARSHALL: Mr. Speaker, we are now, I take it then, speaking on the main part of the Address in Reply to the Speech from the Throne which occurred so many weeks ago.

A matter that I would like to bring up in connection with the Speech From the Throne is a reference to housing and the matter of housing as particularly as it affects my own district, St. John's East which is an urban area, and the efforts that have been made by this government with a few suggestions as well as is what might be done with respect to the overall improvement of housing and housing conditions in the St. John's area.

In the first place I would like to say I certainly assure the House that these are not just perfunctory remarks on my part or necessary remarks or polite remarks to be made as a matter of course but they are sincerely meant. That is that the new and present Minister of Municipal Affairs and Housing is showing a great degree of forward direction in the housing affairs of this Province. He has grasped particularly the federal programmes as they apply to the Province of Newfoundland. As a result of his help together with members of the city council and the federal government and various officials of Central Mortgage and Housing Corporation for the first time in this Province a Neighbourhood Improvement scheme and the Residential Rehabilitation Assistance Programme of the federal government is being applied as it was originally intended by the Federal Parliament of Canada here in Newfoundland in the district of St. John's East.

Because the older parts of St. John's, as we have said from time to time before, the areas South of Empire Avenue have been neglected for too long a period of time as a result of decisions that were made

many, many years ago, actually in the Commission of Government days. When the St. John's Housing Corporation was established all of the thrust of government in the housing area or the main thrust of government in the housing area in St. John's anyway has occurred in that area North of Empire Avenue which is the St. John's Housing Corporation.

The St. John's Housing Corporation was originally incorporated through the City of St. John's and subsequently had to be bailed out by the government of the day, the Commission of Government. As a result of its being started by the City of St. John's all of the taxes really that were used as the original capital came from that area South of Empire Avenue. While there are very dramatic plans for this area that have been formulated by this government with respect to neighbourhood improvement, much remains to be done.

In the case of the old housing stock in St. John's, I would say first of all that there are people from outside St. John's, the outport members do not always like to hear this said but it is true, that in St. John's if there is one acute problem it is housing. If there is one peculiar problem or particular problem, it is housing. This government has established various agencies, one of which is to look after the older housing that is held by the government has been the Newfoundland and Labrador Housing Corporation.

Now, the Newfoundland and Labrador Housing Corporation is doing a fine job in its field, and particularly in the area - this is distinct from the St. John's Housing Corporation - particularly in the area of providing serviced building lots, new homes in St. John's and outside St. John's, all over the area. But its attention is divided. It is not really geared up to look after older homes. It is not really suited, I would say, to look after the old housing stock certainly in the St. John's area. One of the things I think that ought to be done is a separate division ought to be set up by the government, be it in the Department of Municipal Affairs or through one of the Crown corporations or indeed a separate Crown corporation to

look after the older housing stock, and I am particularly concerned myself, of course, with the city of St. John's. In St. John's itself the money to fund this could, I suggest, come from the coffers of the St. John's Housing Corporation. And where are they going to get this money? And, I think, it is really fair that it should come from the Housing Corporation because, if you will remember, as I indicated, that the birth of the Housing Corporation was through taxes derived from the older parts of the city of St. John's. I, myself, wonder today at the utility or the necessity of the St. John's Housing Corporation to own large stocks of rental units themselves. And perhaps consideration might be given to attempting to sell the housing units that are being rented by the St. John's Housing Corporation in the Linden Court area, say, in the Elizabeth Towers and down at Pleasantville and use the money derived therefrom for the purpose of constituting what would be a considerable sum towards the housing development in the older parts of the city of St. John's. Now I think that that is a reasonable, fair suggestion because it is money that is localized in St. John's. It came from the city, and I do not think places outside could really object to it being re-invested in the city itself. And at the same time it would then constitute a transference of wealth or money that was originally taken from these older parts and sunk back into it. Because despite the Neighbourhood Improvement, which is one of - the Neighbourhood Improvement Schemes - which is one of the most forward plans that has been put into effect and will be put into effect in this Province, there is an immediate need for a large injection of funds into the older parts of St. John's. So that is one suggestion that I would like to put out for the purpose of consideration by the government and by the energetic Minister of Municipal Affairs and Housing.

There is another point affecting the housing in this area that I would like to draw to the attention of the Minister of Justice who perhaps, I think, would be most appropriate, the Deputy Premier, the assistant House Leader, etc, but in his capacity as Minister of Justice. In the older parts of St. John's a great deal of the land has been tied up in long-term leases of ninety-nine years. Most of these are owned by absentee landlords for nominal ground rates, some of them nominal

some of them a bit dearer. Now a lot of these leases were made in the 1880s and in the 1890s, so they are coming up for termination. 1980 used to sound a long ways away a few years ago but 1980, for instance, is only five years away. In five and ten and fifteen years a lot of these leases will come up for renewals. Now at that particular time we are going to have a problem here in the city. By reason of the fact that the original lessors, a lot of them, are absentee landlords, a lot of them their descendants are primarily from Britain and are scattered all throughout the world everywhere so it is going to cause a great deal of inconvenience in the first instance of getting renewals of those leases when the time comes, as they will, when the time comes, and, as I say, it is fast approaching. We are getting conveyance of freeholds. It takes quite a period of time sometimes for people to get conveyance of their freehold title, that is to own the land absolutely and forever rather than for a ninety-nine year period.

So perhaps the Minister of Justice and the government might like to give consideration to constituting, in the nature of a public official, be it public trustee of leases or what have you for this particular problem and bring in necessary legislation so that upon payment into a certain fund of a fair amount for the freehold that a freehold grant may be readily obtained.

Similarly by constituting this public official or public trustee or what have you, and giving him certain rights with respect to these leases, when the times come again valid renewals of the leases can be given with relative ease, without having to transport the deeds as sometimes they are, all over the world, as a matter of fact, certainly over many places of the British Empire, which is expensive to people. It is onerous. To a large extent it derogates from the development in the older areas.

We also have to face the fact as well that in five years and ten and fifteen years time with these ground leases coming up for renewals, that we are going to meet a period in time where we have to consider perhaps taking measures such as taken by the government in 1921 in St. John's when it provided that leases for 999 years just of the land and not of the building, but just of the land could be acquired for the fair market value, After 1921 they could be acquired in certain circumstances for twenty times the annual ground rate. Because there are a lot of leases coming up as I say for renewal. There are certain protections in the act that there is no need to go into at the present time. But, we have to make ourselves fully prepared for this period of time when it arises in five or ten years to make sure it is easy for the citizens in the older parts of St. John's to readily deal with their property, to be protected, and at the same time to afford protection for those people who validly have an interest in the freehold.

Now, what I want to emphasize here is I am talking about land, not the houses. This is where the problem comes in. Somebody may own the house and have paid for the house and they have it on land and it would be an awful thing indeed if when these periods arise that the houses were attempted to be reclaimed. So, that is a necessary matter when we talk about the planning and priorities and what have you, that is a necessary step, particularly in the City of St. John's to prepare ourselves in order to have the land readily available.

Now, another matter that I would like to bring up that affects the citizens in and around the St. John's area and a large number of them,

Mr. Speaker - I am switching off now from the housing. I think I have said all that is necessary at this stage on housing. On holidays - I have a note here to speak on the statutory holidays that are enjoyed by people. I am primarily concerned with people working in the City of St. John's. Now, I was glad during the estimates to hear the Minister of Manpower and Industrial Relations indicate that steps are to be taken this session to remedy the iniquity that exists with and is experienced by certain employees. I speak here particularly of a lot of retail workers, workers in the retail shops with respect to the enjoyment of statutory holidays.

The problem, as I understand, originates primarily although not exclusively, with a lot of the large, giant, multinational mainland companies that have been doing business here from year to year in the retail business, although not exclusively, in that a person is given a holiday when a holiday arises, St. George's Day or St. Patrick's Day or whatever it is, and then instead of being able to enjoy his holiday as anybody in the public service is or a lot of other occupations, the holiday is really taken away from him. He is given that statutory holiday but forced to work his day off. I understand the problem has arisen before because the Hours of Work Act that was enacted by the previous administration did not stipulate that the statutory holidays had to be paid holidays.

I am glad to see and I look forward to seeing legislation taken in this House to provide that the persons, particularly the retail clerks, the people working in the retail trade, are going to be able and should be able to have the statutory holidays and enjoy them in the same manner and with the same frequency without losing other days, their days off, as other employees are.

With respect to the matter that has already been dealt with to a large extent in the amendment to the Address in Reply on the lawlessness, I would like to address a few words with respect to the situation here in, as I see it, in the City of St. John's. Now, I do not think that the Minister of Justice should really be placed in the position of having to defend lawlessness generally. He has gotten up and given some very valid statistics to the effect that there is less lawlessness here than there is in other places. Certainly

under his direction and leadership the Department of Justice, the police forces and the administration of justice is much the better for his sojourn in that ministry. I do not think he should be put in a corner by the honourable Member for Beil as was attempted, and attempted to be put in a place where he is responsible and he has to explain the lawlessness.

MR. NEARY: On a point of order, Sir, I have to draw Your Honour's attention again to the fact that there is no quorum in this House, Sir. There has not been for the last fifteen minutes since the member started speaking.

MR. MARSHALL: I can understand that.

MR. SPEAKER: Order please ! Call in the members.

Would the Clerk count the House please?

There is a quorum. The honourable Member for St. John's East.

AN HON. MEMBER: "Steve" you are not going to catch anybody on a quorum.

MR. EVANS: I would like to have some cyanide tablets. You would go out feet first the next time.

MR. MARSHALL: Now, Mr. Speaker, as I was saying before we entered into fun and games, I do not think the Minister of Justice should be put in a position of having, certainly has to defend the administration of justice, but I do not think it is a case as was attempted to be painted, that he is in many ways responsible for lawlessness because lawlessness is really a national phenomenon. But I have to say, I have to say in this connection, Mr. Speaker, that even though there is a lower incidence of crime in this Province and elsewhere which makes it one of the beneficial places to live, I think that nobody will disagree and I do not think the Minister of Justice will disagree that, I think it is evident that the crimes that are being, the violent crimes that are being committed are becoming, if you want, more violent or more vicious.

I think one of the evidences of this is the fact that not so long ago where you had a crime of violence of any nature, a trial taking place in a court, you would see numerous people in attendance to watch the proceedings, and now you have murder trials and rape trials, crimes of violence, assault and vicious type of assault which are just going on as a matter of course in our courts.

So I do think that while lawlessness is not on the increase here in comparison to other places that certainly in the city of St. John's anyway we do have a situation where the crimes that are being committed are more vicious and more violent and it certainly is a matter that we ought to be concerned with, but not concerned from the point of view of the honourable Member for Bell Island attempted to make it into - a champion of justice. He reminded me really of the late lamented honourable late President of the United States, Mr. Richard Nixon, in his calls about lawlessness.

Now, Mr. Speaker, also there is another point that I would like to bring up in this particular address and that is again I would like to draw attention to the fact of the problem of the usurpation of jurisdiction by the Federal Government of powers that belong to the Provincial Government. This has been spoken about before. It does not seem to be heeded too much by governments at all in this Province because the attitude is as enunciated by the leader of the previous government, I think to a large extent this is still with us, that when we are at the stage where we have to, when we are at the stage where we have to concern ourselves with all of the financial constraints and we have to go to Ottawa for the purpose of fulfilling them - this was the philosophy that was assumed by the previous administration which I think has been correctly styled the philosophy of beggar on horseback - that we cannot afford the luxury of being concerned with the jurisdictional dispute that occupies other Provinces such as Ontario and Alberta and British Columbia, the wealthier Provinces. I feel that to a large extent this is being corrected because we are dealing with Ottawa on a different basis but we still have, I feel, a long way to go with respect to this because the matter of usurpation of jurisdiction goes very much not just to the sociological but also are the economic way of life in this Province.

All you have to look at, Mr. Speaker, is the way in which the Federal Government is attempting to grab our offshore resources, for

instance, which belong to us and they are attempting to grab unreasonably and apparently are not sitting down in meaningful negotiations about matters concerning our natural resources which lie within the jurisdiction of the Province to see that matters of jurisdiction should concern us and concern us deeply. Similarly with the fisheries, Mr. Speaker, similarly with many other areas and I would suggest that it is a matter of great concern to us. They implement programmes from time to time. They put the programmes on us on a cost shared basis. There is no way any party that operates in a political atmosphere in which all political parties live can refuse to accept them and then they withdraw the financing. This is the type of thing that is going on.

Now, I feel that all of our statutes, Mr. Speaker, go to Ottawa, almost, well it is a matter of routine. They go to the House of Commons in Ottawa and I think they are reviewed by Committee because the Federal Government has a seldom used power disallowance and they look at the statutes for this purpose. I feel that the Minister of Justice, the Department of Justice could well consider and it might be worthwhile monitoring many of the regulations and statutes of the Federal Government for the purpose of looking at their constitutionality because, as I say, a matter of constitutionality is not an airy fairy type of concern, a theoretical type of concern but it is a very, very practical concern. If you want to see the practicality of it all you have to do is to look at the report of Drs. Story and Alexander into the proposed licensing of the inshore fisheries to see just how in fact the use by the Federal Government of powers really outside of its jurisdiction can really affect our life because in that particular area there was a proposal by the Federal Government to make regulations whereby our inshore fishermen were to be licensed. Thank heavens this government has taken a firm stand with respect to it. But if you read

that report, and you read it very carefully, you will see that there are many issues involved in this which really touch the life style of this Province and which were not part of the deal which Newfoundland entered into when it went into Confederation to give to the federal government these powers, neither, for that matter, any other province. Because of this, Mr. Speaker, as the report so vividly points out, the nature of our life in this Province has been that people have gone from one occupation to another and this is the way that we have progressed. There have been fishermen who have fished at certain periods of time and at other periods of time they have been loggers, at other periods of time they have worked in various industrial activities, carpentry work and what have you.

This particular proposal by the federal government was one which the report says - I think it is worthy of note - was one which could have dramatically changed the way of life in this Province and have changed the pattern of life probably very likely for the worse, certainly the pattern of life for this Province that has been set up for the past 300 or 400 years. It would have had very far-reaching implications to have required the inshore fishermen to have been licensed. The fact of the matter is we can be glad that it has been stopped and it has been halted on the basis of the statement already made by government in this session. But, I think we also ought to not forget it and take a look at the fact of what the federal government can do with respect to its regulations and laws if it acts outside of its powers and how it can very much affect the way of life in this Province.

This is why I think from a very practical point of view we can say that these issues of jurisdiction, constitutionality, federal power, provincial power and what have you are very practical considerations and ones that we ought to be much more aware of than we are. It is for this reason that I suggest that perhaps government might consider, within the Department of Justice obviously would be the proper place to do it, of establishing some division or department so that the rules and regulations of the federal government can be looked at for the purpose of determining

whether or not they are constitutional, whether the federal government is acting properly to enable us to take the initiative and to act quickly and promptly and to avoid our rights being trampled on by a central power which is continually usurping and changing the whole character of Confederation, not only as it was envisaged when we entered Confederation in 1949 but I would suggest as it was envisaged when the first provinces joined the union in 1867.

Now, Mr. Speaker, in connection with that I would also in a few other remarks I do wish to make, point out that I feel - I have brought this up before in the education estimates but I think it needs to be emphasized again - in the Throne Speech there are references made to the various youth conferences that are to be held. Certainly these youth conferences are going to be or can be of great benefit. I would strongly suggest, as I suggested then, and I will renew it now, that insofar as the government or this House has anything to do with the agenda and the considerations of these youth conferences, that high on the agenda itself, I think, would beneficially be the terms and the comments that were made by Doctor Story and I believe it is Dr. Alexander and the various people who have presented this particular report, not from the point of view of debating whether or not a fishing boat should be licensed or not although that is a matter that could well be debated, but purely and simply from the point of view of seeing insofar as is possible that there is a full and complete appreciation particularly by the youth of the Province and also to get the ideas of the youth of the Province as to the position which Newfoundland ought to take in Confederation itself. Because there is no doubt in my mind having seen the way in which I think one of the tragedies that had occurred - tragedy is perhaps not the word but I think it is unfortunate that the person and his group who brought Newfoundland into Confederation were in government for such a long period of time. Because, I think you will remember in the days when the -

MR. NEARY: You hate Joey, do you not?

MR. MARSHALL: No, I do not hate Joey at all. The point of the matter is -

AN HONOURABLE MEMBER: He loves Joey.

MR. MARSHALL: The point of the matter is, Mr. Speaker, it was probably

a good thing for a certain period of time, but certainly not for the long -

MR. SPEAKER: Order, please!

MR. MARSHALL: - certainly not for the long period of time where it occurred, because after all the English after the war put Sir. Winston Churchill out to pasture for a while because they did not want him to have to do with the -

MR. NEARY: A point of order, Mr. Speaker -

MR. SPEAKER: Order, please!

MR. NEARY: If the member was not so nasty I would let it go, Sir, but there is no quorum in the House. They cannot stomach the member speaking.

MR. SPEAKER: Call in the members.

MR. SPEAKER: Would the Clerk please count the House?

There is a quorum.

MR. MARSHALL: Mr. Speaker, I am so sorry. I am going to be smarting all weekend that the honourable Member for Bell Island thinks I am so nasty and I try to be so friendly with him and nice, Mr. Speaker, if he really wanted to see me nasty I am sure, even he would wilt.

Mr. Speaker, as I was saying, I feel that the youth conferences could well concern themselves with this particular subject. The cause is not a case of you hate the former Premier and all of this old foolishness but it is an actual fact that the person who framed the terms of Confederation or anyone who set up the terms of Confederation, is going to spend this time as he did, justifying and eulogizing Confederation rather than questioning the nature of the union itself, to make sure that we got the best possible deal out of Confederation that we possibly could. And I would feel that this particular, he had many times, although the Member for Bell Island may not agree with it now from his performance in the Leadership Convention but he had, the former Premier obviously had a very great impact and many beneficial things he did for the people of this Province and he certainly has left his imprint on the public life of this Province and its attitudes as of today, today just as much almost as yesterday.

I think this is one of the major matters that we have to deal with as far as the attitudes of the people of this Province towards Confederation itself and a full and firm realization, this is what I am asking for, a full and firm realization that it is not a senior level of government and a junior level of government but it was a Confederation of, in effect, two sovereign states and we should in order to raise and realize the optimum out of Confederation, we have got to have act like in the spheres that we have, the powers that we have, we have to act like a quasi sovereign state, as it were, rather than just sitting back and seeing, sitting

back mutely and seeing the federal government making incursions onto the powers of this Province where you are going to have such effects as could have come about as has been admirably demonstrated by the Alexander Report where it could have been a complete and absolute change in the lifestyle of this Province if this government had not been vigilant, aware of what was going on.

What I say is I would suggest, Your Honour, that there are many other instances of this nature where there have been incursions on the rights of this Province where we are best suited to govern ourselves, and I think that the Minister of Justice and the Department of Justice and the government, as I say, could well look into this possibility of taking a much closer and, as a matter of practice, look at the rules and regulations and the statutes that are brought in by the federal government.

So, Mr. Speaker, that is about all I have to say in conclusion.

MR. SPEAKER: The honourable Minister of Tourism.

MR. HICKEY: Settle down fellows. Relax. Mr. Speaker, I am only going to be a few -

MR. SPEAKER: Order, please! Order, please! It has just been drawn to my attention that the honourable Minister of Tourism has already spoken in this debate and as such he is not entitled to speak a second time.

MR. MARSHALL: Mr. Speaker, if I may propose an amendment I would suggest -

MR. SPEAKER: The question - no, - Order, please! The honourable minister is not permitted to propose an amendment.

MR. HICKEY: To the best of my knowledge I spoke one time and that was in the budget debate.

MR. NEARY: No, Sir. - main motion.

MR. SPEAKER: Order, please!

MR. HICKEY: Main motion.

MR. SPEAKER: Order, please! I have been informed by the officials at the table that the honourable minister has spoken in the Address in Reply to the Throne Speech.

MR. NEARY: No, Mr. Speaker.

MR. SPEAKER: Order, please! The question is moved and seconded that the House adopt the report of the Select Committee. Those in favour "aye" -

MR. HICKMAN: Mr. Speaker, I gave a commitment to the honourable the Member for Labrador North that he will be able to participate in the debate and I will move the adjournment of the debate. I do not intend to speak but I will move the adjournment of the debate.

AN HONOURABLE MEMBER: Inaudible.

MR. EVANS: Inaudible.

MR. HICKMAN: Now, will you be quiet! Will you be quiet!

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: What for?

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order nine, bill number(17).

On motion, second reading of a bill, "An Act Further To Amend The Judicature Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: The present section of the Judicature Act provides that a list of jurors shall be taken on the first day of June and completed by the twentieth of October. These jury lists are taken in St. John's and Corner Brook and has been found by the sheriff who has to then type all the cards of all the list that has been prepared. It is very difficult to meet the deadline of December 31. This bill simply moves ahead to the first of May and at the same time makes it compulsory that the jury list be completed by September 20 instead of October 20. I move second reading.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, I am overwhelmed by the eloquence and the logic of the minister's arguments. The bill is of so little consequence in the affairs of this country that nobody would even need to comment on it beyond what the minister has said. I mean to say that I am not now going to make an hour and a half speech on the Judicature Act but the point, Mr. Speaker, the point I wish to make is this. The bill, I mean, is unobjectional inasmuch as it does anything at all. What it does is good. The only significant point about it is that after three years in office, Sir, this is the government's legislative programme and I have been doing some analysis of the legislation and well over three-fourths of the acts which either have been tabled and made public or of which notice have been given or about as consequential as this bill now before the House. It is a complete bankruptcy of ideas. It is a legislative programme that is not even shadow without substance. It is not even the shadow, Sir.

We will support the bill. We do so with infinite regret that it really represents the government's legislative programme. It is pretty thin broth for a government that has been in office three years.

On motion second reading of a bill, "An Act Further To Amend The Judicature Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. SPEAKER: Order eleven, bill number (21).

On motion, second reading of a bill, "An Act Respecting Adult Corrections."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, this bill arises out of the recommendations of the report of the Newfoundland Correction Study Committee. That report, honourable gentlemen will recall, recommended that the correctional programme come within the, come within the Department

of Justice, the entire correctional programme, the corrections as part of the criminal justice system. The juvenile correctional programme is cost shared under the Canada assistance plan on a fifty-fifty basis. Unfortunately the present regulations and laws of Canada, more so the regulations, provide that the Canada Assistance Plan will only apply to juvenile corrections, will only be cost shared if it is administered by a provincial department of welfare and/or social assistance.

At a recent conference of ministers involved in corrections and the Solicitor General, it was the opinion of all present except one, except the Minister of Saskatchewan, that that restriction should be removed. The Solicitor General agrees it should be removed. All of those in attendance agreed that it is part of the criminal justice system. Indeed Ontario is forfeiting, I think it is \$9 million a year in cost sharing rather than administer there juvenile correctional programme through their Department of Welfare. They have their own Ministry of Correction.

New Brunswick went the same route. The difficulty appears to be - I do not know what the difficulty is. There may be a conflict of philosophy in Ottawa, I am not sure, but certainly the Solicitor General is pushing to have this amendment and restriction removed. In the meantime I think he has to convince his colleague, the honourable Mr. Lalonde. So that we felt that this time the juvenile correctional programme would still have to remain with the Department of Social Assistance where they have some very excellent men working there.

But, this bill would create, as we have already announced, it creates a division of adult corrections. Indeed we have appointed the director of adult corrections in the person of Mr. John Fagan who for some years was superintendent of the penitentiary who is regarded as one of the leading experts in the correctional field in Canada. He has built up a nation-wide reputation, very deservedly.

Mr. Fagan is now in the process of recruiting adult probation officers. These will be the first adult probation officers in the Province. We believe, Mr. Speaker, we believe - this has arisen too out of discussions with the magistrate's association. They have complained because there has been no adult probation officer in the true sense of

the word. I realize what the honourable gentleman is going to say, that some welfare officers are doing some of the work. They have done a great deal of work but they have to intermingle their work with their other job. You know, the social assistance, the handing out of social assistance is obviously number one priority. They do some family guidance. Whatever they do, we have never had a system in Newfoundland whereby a court, a magistrate as a matter of course could simply turn to an adult probation officer and say, before sentencing I want a pre-sentencing report from you on this person.

Then having received that if the magistrate decides that this is a case where a convicted person should go on probation, a message has to be gotten through to that person that being placed on probation is not an acquittal. It is really a conviction but the sentence is indeed suspended. That message will only be gotten through if we have adult probation officers who are charged with the responsibility of supervising this individual whilst he is under probation and to whom the convicted person can turn for guidance and who can report periodically.

Now, this is just a first step. The national parole board have two or three, three men now in Newfoundland. They too will hire the services of our provincial adult probation officers, I

MR. HICKMAN: and I would hope, Mr. Speaker, that as they come into play you will find that the number of people going into our correctional institutions will diminish. I am told that in the Province of Quebec which has a pretty high crime rate and their institutions have been pretty well blocked to the doors for a number of year, that when they two years ago brought in their adult correctional programme that they very substantially cut their prison population and more than that their recidivism rate improved a great deal.

This Act really, as I say, confirms what has already taken place, namely the appointment of Mr. Fagan and the setting up of the - giving responsibility to me as the Attorney General for adult corrections. I move second reading.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, the minister in drafting this legislation sort of jumped the gun a little bit, The act was deemed to have come into force on the fifteenth day of February, 1975.

MR. HICKMAN: That was the date of Mr. Fagan's appointment.

MR. NEARY: On the same date of Mr. Fagan's appointment. The House was not even opened then, I do not think, Sir, on the fifteenth day of February. So the minister was rather premature. Now, Mr. Speaker, the minister went to great pains in his remarks on second reading of this bill to point out that the reason the juvenile corrections system could not be placed under the minister's department at the moment is because it would mean a great loss of revenue to the government, to the provincial government from the Government of Canada. Because the Government of Canada, Sir, pays fifty per cent, at the moment, fifty per cent of the cost of operating the Girls' Training Home and the two Boys' Training Homes in this Province and fifty per cent of the salaries and wages of the probation officers and the staff down in the Department of Social Services responsible for this training programme.

MR. HICKMAN: For the juvenile programme.

MR. NEARY: For the juvenile programme, the Government of Canada via the Canada Assistance Plan pays fifty per cent of that programme. The

moment, Sir, you change the set-up, change the name, the moment it is not called a Training Home, then, Sir, the fifty per cent cost sharing ceases immediately and that is why the minister is encountering some difficulty -

MR. HICKMAN: I would like to hear the honourable - you know seriously I would like to hear the honourable member's philosophy on this change.

MR. NEARY: My philosophy on the change, Sir? I have mixed feelings about it.

MR. HICKMAN: I do not mean on the adult but I mean on the -

MR. NEARY: No, I have mixed feelings, Sir, because you are going to put juveniles and hardened criminals under the same minister, under the same department. Now I do not know what they do in other Provinces but I believe, I believe they are kept separate. Now I know in Ontario they have a minister responsible for corrections, I do not know if it is all in the same -

MR. HICKMAN: Yes it is.

MR. NEARY: It is? Well I do not know how it is working out there but I remember once I went to Ontario to study their probation system and I found it to be a very elaborate system and in most instances the salaries of the probation officers in Ontario are not cost shared. They do not try to get in the back door as we do here in Newfoundland.

MR. HICKMAN: They are openly forfeiting -

MR. NEARY: They are forfeiting fifty per cent of the cost -

MR. HICKMAN: \$9 million a year.

MR. NEARY: That is right, they are forfeiting \$9 million a year.

And this Province would have to give up a substantial amount of revenue every year if the whole thing was placed under the Minister of Justice.

Now, Mr. Speaker, this is not a new idea. This whole matter, Sir, of adult corrections and probation was pioneered back I suppose ten years ago, pioneered by the Salvation Army, believe it or not, in this Province. The minister made no reference to Brigadier Patey and the other gentlemen who I suppose for ten or twelve years have been acting as adult probation officers assigned to the courts here in the City of St. John's. They have done a magnificent

job. They were given a grant, a yearly grant by the Department of Social Services and Rehabilitation to carry out this fine work. The grant I think, Sir, just barely paid the salaries of the two honourable gentlemen, but they have done a fine job.

Now, what will happen under the new set-up? Will they be dropped entirely?

AN HONOURABLE MEMBER: No.

MR. NEARY: They will not be dropped. The minister will still use the services of the Salvation Army. I am sure if Brigadier Patey is still -

MR. HICKMAN: No, he is not. It is the new man, a Newfoundlander who just got back from Bermuda.

MR. NEARY: Oh, yes. Well immaterial of who it is, they are still there -

AN HONOURABLE MEMBER: Pritchard.

MR. NEARY: Pritchard, Brigadier Pritchard. What I want to know is if they will still continue.

Now, Sir, when I left the department, we were just building up an adult probation service in Newfoundland. As a matter of fact, Sir, the minister said earlier today in another debate that the first study on corrections done in Newfoundland was done under the minister's guidance. That is not so, Sir. The first study ever undertaken in Newfoundland in juvenile corrections was done by a gentleman by the name of Mr. A.T. McGrath on a volunteer basis at no cost to the Province apart from his expenses, done by Mr. A.T. McGrath when I was minister. I commissioned the gentleman who is considered to be the top man in his category in the whole of Canada.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: What is that?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: He made certain recommendations. One of the recommendations that he made was that a separate branch be established in the Social Services Department to call the department - I think it is called now the Rehabilitation, to place these homes, adult probation and juvenile probation officers under one head in the Department of Social Services. That was done, Sir. They now have down there what is called a director of rehabilitation, and under his jurisdiction falls the adult probation

services, the juvenile probation services, and the two Boys' Training Homes and the Girls' Training Home here in St. John's and the Boys' Training Home at Whitbourne.

But, Sir, before I was forced to leave that department because of the outcome of the last election, we had increased substantially, Mr. Speaker, the number of adult probation officers in the City of St. John's, in Grand Falls, and in Corner Brook, and we had appointed another adult probation officer in Goose Bay, I think it was, and one down in the minister's own district, down in Burin. These were not part-time, Sir. Social assistance was not their main reason for being employed. They were full-time probation officers.

I think when I left the department it had climbed out in Corner Brook to a total of three if not four full-time probation officers looking after the courts in Western Newfoundland.

Now, Sir, the minister has undertaken to appoint a director of adult corrections. I think there is provision in this act for the minister to appoint a director of juvenile corrections. Yes, a director of juvenile corrections. We are going to have two directors. I am not sure, Mr. Speaker, whether that is necessary or not.

AN HONOURABLE MEMBER: Where did you see that?

MR. NEARY: On page 8, a director of juvenile corrections, including probation officers, clerks, employees who are necessary for the proper administration of this part.

So, we are going to have two directors.

MR. HICKMAN: Right now there is a director of corrections and there always has been.

MR. NEARY: Director of corrections. Well, that particular individual has changed a number of times over the last few years. I do not know who it is now.

MR. HICKMAN: Is it Simms?

MR. NEARY: No. Simms is director of child welfare. It could be Mr. Vincent. He used to be -

AN HONOURABLE MEMBER: Yes.

MR. NEARY: Max Vincent used to be director -

MR. HICKMAN: That is only in there to clear up the technicalities, you know.

MR. NEARY: So that whole branch - I presume the minister is looking forward to the day when that whole branch will be moved over to the minister's department, the whole -

MR. HICKMAN: Inaudible.

MR. NEARY: Probation officers, the Boys' and Girls' Training Homes, the whole staff, the director and his staff will be moved over to the minister's department. Well, Sir, if that happens - the minister asked me a few moments ago what my philosophy is on it - if that happens, I would hope that the minister would think about changing the name of his department and

not call it the Department of Justice in the future, update the name. If you are going to probation, rehabilitation, corrections, juveniles under the minister's department, you know, it sounds pretty hard to say, well the juvenile probation officers come under the Department of Justice or the Girls' Training Homes come - it sounds too hard. It makes it sound like you are talking about hardened criminals and I would like for the - that is the only positive constructive suggestion I think I could make to the minister, that he think about changing the name of his department. The idea, Sir, is sound. It is not new. It has already been pioneered. A great deal of work has been done along the lines outlined by the minister.

I think Mr. Fagan is a good choice as Director of Adult Corrections, a gentleman, Sir, who has had a tremendous amount of experience in this field in dealing with people who run afoul of the law and people who have a problem keeping out of trouble and out of mischief and so forth, an excellent choice in my opinion.

The social welfare course over here at Memorial University, now, Sir, one of the courses that the students have to take has to do with corrections. So we are getting graduates now from the University, not only here in Newfoundland but from outside of the Province who are trained in that particular field in dealing with problems that people have running afoul of the law. So, it is a good idea, Sir. I do not know if this will cure, perhaps the minister can tell us whether this move will cure a problem that we now have by putting juveniles down in Her Majesty's Penitentiary. This is something I never agreed with, Sir, and I do not think the minister approves of it. But for the lack of more facilities, of improved facilities in this Province, the minister does not have any choice now or the authorities do not have any choice but to put teenagers down in Her Majesty's Penitentiary with hardened criminals and they come out that penitentiary worse than when they went in there. No fault of the staff of the place, they just learn things, Sir, and they are exposed to things that they

ordinarily should not be exposed to because there is no other institution in which you can put these juveniles, these young offenders who have committed serious crimes. The minister may tell the House how he intends to overcome this matter but it is a good idea, Sir. I hope it works. I do not know how soon the minister expects to get a decision from Ottawa. Mr. Lalonde, I would say, is going to be rather reluctant to let go and if he does not let go then I would submit that the minister and his administration are going to be rather reluctant to forego that revenue, that income from the Government of Canada. But it strikes me as being a good idea but I would like for the minister to consider changing the name of that department if this is going to be all inclusive to include probation services, juvenile delinquents, training homes and schools and adult probation and the courts in the handling of prisoners.

MR. SPEAKER: The honourable minister speaks now, he closes the debate.

MR. HICKMAN: Mr. Speaker, I thank the honourable gentleman from Bell Island for his comments. Number one, there has been no policy decision that the juvenile corrections will be transferred to the Department of Justice, The report, the federal provincial report of the Newfoundland Correction Study Committee recommended there is no way we can do that unless and until the Government of Canada changes their regulations. I see some daylight at the end of the tunnel with respect to the changing of the regulations. A few months ago, I had forgotten to advise the House then, the Government of Canada have agreed to make a grant to Ontario and New Brunswick in lieu of

monies they would have received under CAP if they had kept their corrections under the Department of Social Services. I think that this indicates a willingness on the part of the Government of Canada to look at it, but I do detect some very strong convictions on the part of the Hon. Mr. Lalonde that corrections are not part of the criminal justice system. I think they are. I think it is part of the criminal justice system. I think we have the responsibility probably even a more serious one toward an offender after conviction. I certainly do not anticipate any change of name in my department at this time. What would happen if we received or were given full responsibility for corrections I really do not know.

I want to, at this time as well, pay a very warm tribute to the work that has been carried on in St. John's by the probation officers with the Salvation Army. They have been very dedicated men. They got the warmth of human kindness in them, and they have looked after a lot of people who ran afoul of the law after they have been discharged by the courts or after they have been discharged from an institution. And at the same time, Mr. Speaker, may I avail of this opportunity to put in a plug for the John Howard Society in Newfoundland. There is a society that has been doing a great deal of work in co-operation with officials in Her Majesty's Penitentiary in the correction field. They never seem to be able to get the kind of public support that I believe they are entitled to receive. They get a grant from the provincial government. It is really to meet their minimum operating expenses. They conduct fund raising campaigns and the support is minimum. When I say to people who from time to time are demanding the return of the birch, the lash and that the people who are convicted of break and entry should be incarcerated for lengthy periods that I would be very much more impressed with their real concern if I saw them digging deep and giving a few dollars to the John Howard Society during their annual campaign or even without a campaign. The president of the John Howard Society at this time is Dr. Oliver Green, a very competent person. They got a very active branch in Corner Brook.

And the Hon. Minister of Public Works, Dr. Farrell is a former president. In Corner Brook they have a rehabilitative programme going there, with several ex-inmates working there and doing first-class work. They have great plans in St. John's for a halfway house, and they have submitted certain proposals, I understand, to the Solicitor General.

The executive assistant to the Hon. Leader of the Opposition is a very active member of the executive of the John Howard Society, and he knows the frustrations and disappointments because, I believe, he was very active in the fund raising campaign last year. The total they raised in Newfoundland, they had to sell tickets and everything else to do it, was 3,000 measley dollars. Now that shows the great concern of the philanthropists, the law and order people, the bleeding hearts. That shows their great concern. I say, Mr. Speaker, that the John Howard Society deserves much stronger support. And if you want to be mercenary about it, the efforts of the John Howard Society in the long run save those whose properties are sometimes broken into a great deal of money because they have done a first-class job of rehabilitating those who have come in contact with them and in many instances finding gainful employment for them. I move second reading.

On motion, a bill, "An Act Respecting Adult Corrections," read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. HICKMAN: Order 13, Bill No. 23.

MR. SPEAKER: Order 13, Bill No. 23.

Motion second reading of a bill, "An Act To Amend The Medical Act,"

MR. SPEAKER: The honourable Minister of Health.

DR. ROWE: Now, Mr. Speaker, this amendment is explained in the explanatory note, that the liability for negligence will take now from two years after the termination of the date on which the case was being finalized for treatment. Well, I have come to that because in the original medical act which we placed in December, this clause was in. Inadvertently the clause was omitted when we put in that act although at the time we were discussing with the Justice Department the whole question of statute of limitations.

In the meantime, we had canvassed each of the other provinces. We found that four provinces had two years, four provinces had one year. We did not hear from Quebec, and then there is Newfoundland. So, we will be in line with four other provinces when we put this two year point on for the statute of limitations.

AN HONOURABLE MEMBER: Inaudible.

DR. ROWE: I think it is six years ordinarily. The Minister of Justice is in a better position to answer that, but this might be two years from the time in which the treatment of the patient terminates. That is straightforward.

On motion, a bill, "An Act To Amend The Medical Act", read a second time, ordered referred to a Committee of the Whole House tomorrow.

MR. HICKMAN: Mr. Speaker, I move that the remaining Orders of the Day do stand deferred and that this House on its rising do adjourn until Monday, April 28, at eleven of the clock.

AN HONOURABLE MEMBER: In the morning or in the evening?

On motion that the House at its rising do now adjourn until tomorrow, Monday, April 28, at eleven of the clock in the forenoon.

CONTENTS

	Page
April 25, 1975	
Statements by Ministers	
Dr. A. Rowe clarified press reports on his statement on acupuncture. Mr. Roberts commented.	5214
Presenting Petitions	
By Mr. Morgan on behalf of residents of Southern Bay and Princeton asking that the main road leading from the Cabot Highway be reconstructed. Supported by Mr. Woodward, and Mr. Rousseau.	5219
Notice of Motion	
Mr. Hickman gave notice that on tomorrow he would ask leave to introduce the following bills: "An Act Respecting A Plan Of Legal Aid For The Province." "An Act To Control The Relationship Between Employers And Employees Within The Province And To Provide Uniform Minimum Standards Of Conditions Of Employment." "An Act Further To Amend The Workmen's Compnesation Act." "An Act To Amend Certain Statutes Of The Province." On behalf of the Minister of Finance, a bill, "An Act Further To Amend The Gasoline Tax Act." Mr. Hickman also gave notice that he would on tomorrow ask the House to resolve itself into a Committee of the Whole to consider certain resolutions for the granting of Supply to Her Majesty.	5222
Mr. Barry gave notice that he would on tomorrow ask leave to introduce the following bills: "An Act Relating To The Disposition Of Minerals Within The Province." "An Act To Amend The Mining Tax Act." "An Act To Impose A Tax Upon The Land In Respect Of Which Persons Have The Right To Mine." "An Act To Impose A Tax Upon Income Received By Certain Persons Holding The Right To Mine."	5224
Mr. Collins gave notice that he would on tomorrow as leave to introduce the following bills: "An Act To Amend The Forest Fires Act." "An Act To Amend The Natural Products Marketing Act." "An Act Respecting The Transfer Of Certain Lands From Reid Newfoundland Limited And Mines And Forests Newfoundland Limited To Her Majesty In Right Of Newfoundland.	5224
Dr. A. Rowe gave notice that he would on tomorrow ask leave to introduce the following bills: "An Act Further To Amend The Hospitals Act." "An Act Respecting The Provision Of Funeral Services."	5225
Answers to Questions for Which Notice has been Given	
Mr. Ottenheimer responded in the negative to Question No. 51 on today's Order Paper concerning contracts, agreements or payments by the Department of Education during the fiscal year ending March 31, 1974 to Cabot Group 4 Limited.	5225
Dr. A. Rowe responded in the negative to Question No. 50 on today's Order Paper concerning payments etc. during the same fiscal year to the same company.	5225
Mr. Rousseau also responded in the negative to a similar question concerning the Department of Transportation and Communications.	5225

CONTENTS - 2

Answers to Questions for Which Notice has been Given (continued)

- Mr. Rousseau responded to a question raised the day previously by Mr. Neary concerning the report of the Atlantic Provinces Transportation Commission on the feasibility of establishing freight distribution facilities in the Bishop's Falls-Grand Falls area. 5225
- Mr. Rousseau responded to questions raised the day previously by Mr. Neary on action being taken to improve the Cape Shore Road in the Ship Cove-Patrick's Cove area. 5227

Oral Questions

- Circulation of certain bills to Members and interested parties during recess of the House. Mr. Roberts, Mr. Hickman. 5228
- Strike of liquor store employees. Mr. Neary, Mr. Barry acting President of the Treasury Board. 5231
- Information sought on government's intention to close liquor stores during the strike. Mr. Roberts, Mr. Barry. 5232
- Query as to whether managers will remain in the liquor stores, security arrangements. Mr. Barry, Mr. Neary. 5234
- Status of negotiations with the Newfoundland Association of Public Employees representing the strikers. Mr. Neary, Mr. Barry. 5236
- Revenue lost because of the strike. Mr. Neary, Mr. Barry. 5236
- Query as to whether Government is aware that NAPE is prepared to continue negotiations. Mr. Neary, Mr. Barry. 5236
- Mr. Neary expressed dissatisfaction with Mr. Barry's answer and gave notice that he wished to debate it on the adjournment. 5237

Orders of the Day

Bills read a first time and ordered read a second time on tomorrow:

- "An Act Further To Amend The Summary Jurisdiction Act." 5238
- "An Act To Adopt An Anthem For The Province Of Newfoundland." 5239
- "An Act Further To Amend The Public Service (Pensions) Act." 5239
- "An Act Further To Amend The Civil Service Act." 5239

Address in Reply to the Speech from the Throne (amendment)

- Mr. Neary 5239
- Mr. Hickman 5257
- The House rose at 1:00 p.m. 5266
- The House resumed at 3:00 p.m. 5267
- Mr. Hickman (continued) 5267
- Mr. Rowe 5276
- Mr. Morgan 5297
- Question put on the amendment. The amendment defeated on division. 5316
- Debate resumed on the main part of the Address in Reply to the Speech from the Throne.
- Mr. Marshall 5317

CONTENTS - 3

Orders of the Day (continued)

Second reading of a bill, "An Act Further To Amend
The Judicature Act."

Mr. Hickman 5332
Mr. Roberts 5332

Referred to a Committee of the Whole House on tomorrow. 5333

Second reading of a bill, "An Act Respecting Adult
Corrections."

Mr. Hickman 5333
Mr. Neary 5336
Mr. Hickman 5342

Referred to a Committee of the Whole House on tomorrow. 5344

Second reading of a bill, "An Act To Amend The Medical
Act."

Dr. A Rowe 5345

Ordered referred to a Committee of the Whole House on
tomorrow. 5345

Adjournment 5345