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Speaker: Honourable Thomas Lush

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The House met at 2:00 p.m.

Mr. Speaker (Lush): Order, please!

Statements by Ministers

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: When this Government on Monday gave its initial reaction to the Federal Government's Atlantic Fisheries Adjustment Program, we said the focus of our discontent with the program is not on what the program contains, but on what it fails to address. Nowhere is this failure more apparent than with the inshore fishery of Newfoundland and Labrador.

The adjustment program announced some measures to help deal with the crisis in the offshore sector, but disregarded directed programs or financial assistance for the inshore sector. Considering the plight in which hundreds of our inshore fishermen in some areas find themselves this year, and considering the extremely good possibility that scores of others in other regions will find themselves in the same dire circumstances later this year, it is an outrage that the Atlantic Fisheries Adjustment Program ignored completely the major socio-economic problems being faced by fishermen in the inshore sector.

For example, on the South/Southwest Coast of our Province, the very survival of a number of once highly prosperous inshore fishing communities is at stake. I am speaking of the 800 to 1,000 full-time fishermen who engage in the fixed gear winter

fishery in the 3Ps and 3Pn zones. And I am speaking of their twenty-five communities from Belleoram west to Codroy.

The winter cod fishery has collapsed in these regions, not because of any action by the fishermen themselves, but because of dramatic reductions in cod landings, caused mostly by French overfishing in 3Ps. As a result of the severe decrease in landings, the incomes of these fixed-gear fishermen have been reduced to poverty levels.

More than 80 per cent of the yearly catch of these fishermen is usually taken in the December - April period. Landings for that period this winter are down a full 78 per cent from those of the December, 1986 to April, 1987 when landings were 18.3 million pounds. This winter, Mr. Speaker, only 4 million pounds were landed. Last year when only 7.1 million pounds were landed, the Department of Fisheries assisted with interest free loans to certain areas of 3Ps and 3Pn.

The Fisheries Loan Board has assisted fishermen in 3Ps over this past winter with deferment of loans, and in some instances with waiving of their assignment of catch agreement.

It would be totally inappropriate, Mr. Speaker, for the Government of Canada to expect the Province to bear responsibility for the circumstances in which these fishermen find themselves. The Federal Government has a responsibility to address the needs of these fishermen whose plight is the result of resource management factors. However, the Province is fully prepared to co-operate with the Federal

Government in developing an acceptable support program for these fishermen.

This Government has made repeated representations to the Minister of Fisheries and Oceans, the hon. Bernard Valcourt, asking that this matter be given highest priority. On March 4, Mr. Speaker, I wrote the Minister and explained the situation. When we had a meeting in St. John's, on March 6, I discussed it with him. And on March 9 I wrote him again giving him full details to explain the magnitude of the problem.

In addition to that, in his April 3 letter that accompanied this Government's proposal for a response program for the fisheries, the Premier addressed the need for a continuing income support program for fishermen. The letter said that immediate relief is needed on the South/Southwest Coast and noted that similar income problems can be expected among inshore fishermen on the East Coast and along the coast of Labrador as the crisis repeats itself in other areas.

We had expected, Mr. Speaker, the Federal Government would, with its Atlantic Fisheries Adjustment Program, announce income support programs for fixed gear fishermen on the South/Southwest Coast. The Government of Canada has chosen to ignore the issue, despite repeated representations made by the Province and the Fishermen's Union on behalf of the hundreds of fishermen and their families and communities affected, and despite having more than sufficient time in which to address the situation. On Monday this week, Mr. Speaker, the Opposition declared its pleasure with the

Atlantic Fisheries Adjustment Program announced by the Federal Government. The Opposition apparently accepted the glaring omission of the cornerstone of our fishing industry - the inshore sector. Unlike the Opposition, this Government is extremely disappointed that the inshore sector problems have not been addressed, and we are demanding that the Federal Government act immediately to provide income support for the fishermen involved. I have written Mr. Valcourt requesting a special meeting with him tomorrow night to discuss the situation.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you very much, Mr. Speaker. I would like to thank the Minister for a copy of his statement before the House started. But when I first looked at it, and after listening to the Minister of Fisheries, except for the last page, I thought the Minister was reading our press statement in reaction to the package of yesterday.

Some Hon. Members: Hear, hear!

Mr. Matthews: So we will have to watch who comes into the common room over the next few days, Mr. Speaker - not looking at anyone in particular. But we wonder where they got this copy because except for the last page it makes one wonder.

Having said that, Mr. Speaker, I want to echo the remarks of the Minister of Fisheries who echoed the remarks of the official opposition of yesterday, that there is a serious flaw in the

package announced by Mr. Valcourt on Monday. And there is an obvious omission, and that is in addressing the inshore problems and the inshore needs around all areas of this Province. And the Minister has referred to it in his statement from the Southwest Coast of the Province and all the way to the Northeast Coast and Labrador, and that is true. And as I said yesterday in this House, and it was said yesterday in our press statement in reaction to the package, that it is incumbent upon the Federal Government to recognize that we do have a very serious problem in our inshore fishery, and if all the predictions and assessments are correct, that the problem is going to get increasingly and significantly worse. And the Federal Government must recognize that, and consequently right now agree in principle to compensate inshore fishermen around the Province because of that.

If they want to take action on conservation measures of mesh size and other things, they again must provide compensation for fishermen to adjust. Not only because of the additional cost of changing the gear types and the mesh size, but as well because we will see a decrease in earnings and landings as a result. So that must be addressed.

There is only one thing that I find, I guess, ongoingly sort of bothersome about all of this, and that is the Minister of Fisheries is the Minister of Fisheries for Newfoundland and Labrador. The people we are talking about are Newfoundlanders and Labradorians, and having said that the Federal Government should do something about this very serious problem, which we all recognize, it is

incumbent upon the Provincial Government as well to try and address some of these problems within their financial capability.

You cannot just walk away from a very serious problem like this, being the Government of Newfoundland and Labrador, and say Mr. Federal Government, it is all your fault, you put up all the money. Now it is obvious that we are not going to get the amount of money from the Federal Government that we want, so I think the Provincial Government should take up some of its responsibility and get involved financially, and otherwise, in this very serious issue as well. Having said that, Mr. Speaker, I hope that Mr. Valcourt, over the next short while, because we do not have a lot of time, will hold discussions with the Minister of Fisheries provincially, and officials, have the two groups get together, and look at this very serious crisis in a realistic light. I hope this inshore fishery is a boom, that we have a glut, and so on, but realistically we cannot expect that, and we have to take measures today to address the very serious problems of reduced landings, and incomes and earnings for inshore fishermen.

Having said that, Mr. Speaker, I would just like to conclude by saying to the Minister of Fisheries that I feel it is incumbent upon him, as Minister of Fisheries for the Province, to put up some money as well to address this very serious crisis.

Some Hon. Members: Hear, hear!

Mr. Speaker: Before calling Oral Questions the Chair would like to address the situation that was left in the air yesterday with

respect to unparliamentary language, and I will make a couple of observations, if I may. The reference was made to the Member for Carbonear and the Member said that he did not make any unparliamentary utterance. And as hon. Members know a Member's word must always be taken. But the Chair did say it would undertake to review the transcripts. And of course, nothing was heard in the transcripts, they were inaudible, so that sort of solves the problem.

But the Chair would like to make some reference to unparliamentary language because of a couple of examples yesterday, and would like to point out to hon. Members some of our rules and regulations with respect to same. I should point out to all hon. Members, Beauchesne 485, first of all, which says that 'Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member. When the question is raised by a Member it must be a point of order and not a question of privilege; and except during Question Period, the proper time to raise such a point of order is when the words are used and not afterwards.'

Also I would like to quote for hon. Members, and this is most important and hon. Members will realize the difficulty the Chair is in with respect to unparliamentary language, Beauchesne, Paragraph 486 and it says "It is impossible to lay down any specific rules in regard to injurious reflections uttered in debate against particular Members, or to declare beforehand what expressions are or are not contrary to order; much depends upon the tone, manner, and intention, of the person speaking; sometimes upon the person to whom

the words are addressed, as, whether that person is a public officer, or a private Member not in office, or whether the words are meant to be applied to public conduct or to private character;' and that is very important - 'and sometimes upon the degree of provocation, which the Member speaking had received from the person alluded to; and all these considerations must be attended to at the moment, as they are infinitely various and cannot possibly be foreseen in such a manner that precise rules can be adopted with respect to them.'

An Hon. Member: (Inaudible).

Mr. Speaker: Order, please!
Order, please!

Number two 'An expression which is deemed to be unparliamentary today does not have to be deemed unparliamentary next week.' And number three which is very important 'There are few words that have been judged to be unparliamentary consistently, and any list of unparliamentary words is only a compilation of words that at some time have been found to cause disorder in the House.'

I hesitate to do this, but I would just like to read to hon. Members a couple of things that had been ruled to be unparliamentary, but they must be taken in the context which I have said. It must consider the context, the tone and the intention, but it says 'It has been ruled unparliamentary to refer to a Member as a 'parliamentary pugilist and political bully.' Well that is quite understandable. 'Abusing his position in the House', 'a bag of wind', 'honourable only by courtesy', a 'blatherskite', 'disgracing the House'. And then,

since 1958, it has been ruled unparliamentary to use the following expressions, 'above the truth', 'attempted to misrepresent', 'Canadian Mussolini'. And as I say to hon. Members, these are just guidelines, and with 'Canadian Mussolini', we should also take from that, other references such as 'Castro' and 'Idi Amin' and 'Gaddafi' and 'Jim Bakker'.

Some Hon. Members: Oh, oh!

Mr. Speaker: These characters do not exist in this hon. House, so I am just using that for guidelines.

Also, 'hypocritical' has been ruled, from time to time, to be unparliamentary. With 'hypocritical', also, is 'pretender'. If one looks in the dictionary, one will see that a pretender is a person who presents things falsely and is a hypocrite.

An Hon. Member: True, true!

Mr. Speaker: Order, please!

Also, 'idiot'. Now, the difficulty is, one can also look in another reference and see some of these words have been used and are parliamentary.

In conclusion, I want, also, to read the section which says, 'The following expressions are a partial listing of expressions which have caused intervention by the Speaker,' in other words, the Speaker has cautioned individuals to say that we are approaching, coming near, to unparliamentary language. Some of these would be 'cheating', 'clearly misleading', 'corrupt', 'cover-up', 'dangerous, devious and divisive', 'fabricate', 'fabrication' - that word was used yesterday, again.

Sometimes a Member will use a word and then he will go on to sort of ameliorate, soften the tone. But I do want hon. Members to remember these - they are just guidelines - and to make every attempt to honour the rules, procedures, past practices and traditions of this House by engaging in dignified, honourable and decent language. The English language is a resplendent one, replete with honourable, decent and dignified words, even in adversarial encounters, so I ask hon. Members to help the Chair in ensuring that these rules are carried out. Thank-you.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Carbonear.

Mr. Reid: Mr. Speaker, I rise on a point of order I believe, but indulgence will probably have to be given here. R 10 of Hansard yesterday reported the wrong name, the wrong Member. The unparliamentary remark was attributed to me but Hansard recorded it as being Mr. Grimes.

I ask your indulgence on this one, too, Mr. Speaker. I am not the type of person who makes unparliamentary remarks in the House. I do not plan to do it. I think our hon. friends on the other side realize now that it was not an unparliamentary remark. I want to clear the record. I did not make an unparliamentary remark, it was taken out of context. Mr. Speaker, when it comes to Hansard, if I am going to be accused of something, I am quite capable of defending myself on a particular question. Thank you, very much.

Mr. Speaker: The hon. gentleman

was just giving an explanation.

Oral Questions

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you, Mr. Speaker.

My question is to the Minister of Fisheries. If the issue was not so serious, I would probably sing to the Minister of Fisheries the Randy Travis song 'I Told You So.' This Report says it, that Mr. Demone, of National Sea Products, has confirmed to the Minister of Fisheries that indeed there is a package being negotiated for the sale of the Burgeo plant. Could the Minister confirm that for the House today and the people of Burgeo?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, I am not prepared, nor am I able, to confirm that the sale has been made. I can only tell the House that in conversation with Mr. Demone it came to light that they are, in fact, negotiating with a certain firm for the purchase of the Burgeo plant. Negotiations have not yet concluded, and I have no idea, quite frankly, when they will conclude, but I presume Mr. Demone will keep me informed.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Mr. Speaker, I wonder if this is the blessing in disguise the Minister of Fisheries referred to a few months ago when he talked about the Atlantic fishery and what might be

happening would be a blessing in disguise. Apparently, the Minister has also indicated in his press release that the sale of the Burgeo plant may be the best solution for the people of Burgeo. I would like to ask the Minister, what he means by this, and is he indeed confirming by making that statement that National Sea Products has no intention of operating the Burgeo plant any longer?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, it might well be that the actions contemplated by NatSea will be a blessing in disguise for Burgeo, but I am not able to elaborate on that at this time. I can only tell the House and the hon. Member that the quota currently held by the Burgeo plant will remain there. I am optimistic that if and when the sale is consummated, it might well be that Burgeo will benefit from it.

In the meantime, Mr. Speaker, I have taken the liberty of writing the Minister of Fisheries and Oceans in Ottawa, Mr. Valcourt, reminding him of the possibility that maybe the plant will sell, and asking him to take whatever action is necessary to ensure that the enterprise allocation will remain in Burgeo. I have been assured by Mr. Demone that that will be the case, and I take his word for it.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you, Mr. Speaker. I would like to tell the Minister, as well, that when I said last week the plant was being negotiated for sale, I knew then,

as well, that the allocation of fish for Burgeo would be left there; it is being left there voluntarily by NatSea as part of the package; it has nothing to do with the Federal Government. I would like to ask the Minister, in his discussions with Mr. Demone, could he inform the House, and more particularly the people of Burgeo, who are going through another period of grave uncertainty and insecurity, of some other conditions of the pending sale of the Burgeo plant, and what they might expect in the future if this sale materializes?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, as far as I know, the talks are only in their very preliminary stages. I am not aware of anything that is going to happen with respect to the Burgeo plant that will have an adverse effect on it. In fact, it was said a moment ago that the opposite is true. Now, I understand that Mr. Demone and his Vice-President, Mr. Coolican, have asked for a meeting with me and, I believe, with the Premier. That meeting might take place as early as this afternoon, but certainly within the next twenty-four to forty-eight hours.

I appreciate, too, Mr. Speaker, the point made by the Member, that the allocation was, in fact, left with the Burgeo plant, or will be left on a voluntary basis by NatSea. But I wanted to be doubly sure, I suppose, and therein lies the reason for my letter to the Minister in Ottawa, to alert him to what is happening and to ask him to give me an assurance that whatever the enterprise allocation that is currently in Burgeo, it will remain there.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank-you, Mr. Speaker. Mr. Speaker, for the supplementary to the Minister, in the discussions with Mr. Demone, did you discuss the prospects for Burgeo if this particular sale, or this negotiated sale does not materialize? What, then, is National Sea Products future? What are their plans for Burgeo? I would think the Minister would certainly ask Mr. Demone that. There is nothing written in stone about this package yet, it is not finalized. So, if this is not finalized, what can the people of Burgeo expect? Can they expect a future with National Sea Products, or is it, if it is not sold, that Burgeo will not have a fish processing facility operating?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, I did not go into that aspect of it, I might as well say. But certainly -

An Hon. Member: What?

Mr. Carter: Just a second now. I did not go into that, because I understood there will be a meeting between Mr. Demone and myself within hours. There will be a meeting within hours, I hope, and at that time, then, we will, no doubt, discuss all aspects of the possible sale of the plants and what happens in the event the plant does not sell. These are some of the things which will be discussed with Mr. Demone in person, when I meet him.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you, Mr.

Speaker. It certainly shows the priority this Minister and this Government place on the fishing industry of the Province.

Another question for the Minister of Fisheries, Mr. Speaker, pertaining to the federal package announced on Monday. With reference to the Premier's statement of that same day, on page three, where he talks about the federal announcement of \$50 million for diversification within the fishing industry and an additional \$90 million for diversification outside the fishing industry, the Premier said in his statement that the Provincial Government has problems with this amount of money, and I tell him quite honestly, so do I; I do not think it is enough either, but it is some money.

My question is will the Minister now undertake to provide additional funding from his proposed \$110 million, referred to again in the Premier's statement, on page five, where the Premier says they were willing to put in \$110 million with the Federal Government, will the Minister of Fisheries now make a commitment to add to that \$50 million for diversification within the fishery and the \$90 million for outside the fishery, from his proposed \$110 million?

Mr. Tobin: Good question.

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, it should be of interest to hon. Members opposite, I guess, that the \$90 million the Member talks about is for economic diversification. That is \$90 million shared amongst four

provinces, and maybe five. I am not sure where Quebec stands in all of this, over a five year period. That works out to what, \$4.5 million? That would have bought one half of a pod for the Sprung greenhouse. I think they had eight pods which cost \$20 million, so that would finance the cost of building one half pod for a greenhouse.

Mr. Speaker, we were in contact with the Federal Government. We sent them our proposal, we identified certain cost, and we offered to cost-share that part of the cost which involved economic diversification for the long-term rationalization of the fishery. I can tell you now that the Province would not renege on that promise.

An Hon. Member: What promise?

Mr. Carter: On the promise we made in our initial paper, that we would, in fact, cost-share a budget which would be there for economic diversification. But I am certain the Province is not going to sit down, Mr. Speaker, and have the Federal Minister fly in here on Sunday night, call us together for one hour and give us a briefing on their proposal without asking for any input whatever, and then announce it on Friday morning and expect us to write a cheque for \$110 million just to cover a program they put together, a very slipshod program, by the way, in which we were not asked to have any input whatever.

So if the Federal Government is willing to do things properly and right, and come to the Province and say look, let us sit down and let us come up with a program of economic diversification in the long-term, there is what it is going to cost, and here is what we

are going to do, then I am sure the Province would be more than willing to make good on its promise. But, under these circumstances, I am afraid a lot more co-operation will have to come forward from the Feds before the Province is going to throw \$110 million at their proposal.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Mr. Speaker, what an about-face! The Provincial Government wanted the Federal Government to provide a \$1 billion cheque, and then the Province would get programs specific after. All I am asking the Minister, Mr. Speaker, is without the Feds, by yourself, you say you were proposing a \$110 million expenditure to address the fisheries crisis. That amount of money could help a lot of fishermen and plant workers and communities in this Province. The simple question, Mr. Speaker, is will the Minister undertake to devise a program to the amount of \$110 million to assist with this crisis?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, yesterday, in the House, I made a statement and, at the same time, indicated to the House that we have already written Mr. Valcourt -

Mr. Matthews: Answer the question about yourself.

Mr. Carter: One second now - pointing out to him the inadequacy of his program, and how it did not fully address the problem of economic diversification and rationalization of the fishery,

and we asked him to get back together with the Province and together, then, we would put together an acceptable package on which the Province would be more than happy to cost-share.

An Hon. Member: That is not the question.

Mr. Carter: Now, if they are willing to do that, if they are willing to put politics aside and to forget this nonsense about afraid to do anything with the Province for fear we might try to get some of the credit, and that appears to be a lot of their problem - sometimes I get the impression they would rather do nothing than do anything that would give the Province a chance to get any credit whatever.

Some Hon. Members: Oh, oh!

Mr. Carter: If they are willing, Mr. Speaker, to get back together, and to come up with a good package, acceptable to both parties, then I am sure the Province would be more than happy to consider kicking in the amount of money we promised.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you again, Mr. Speaker. Mr. Speaker, I do not care who gets credit for the package, I do not care whether it is the Federal Government or the Provincial Government, what I am interested in is that fish plant workers, fishermen and trawlermen, out and about this Province, are taken care of adequately because of a resource crisis in the fishery. I could not care less. All I am asking the Minister is, is he prepared - a very simple question - to devise his own

program, putting forward his \$110 million he supposedly offered to the Federal Government, to devise a provincial program to address this very serious problem? Forget about the Feds and do your own program. Are you willing to do that?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, I should correct him on what he says in his preamble, 'that we supposedly. The offer we were supposed to have made.' That is a matter of record. It is black and white. It is a matter of public record that we did, in fact, offer to cost-share a certain component in the response package on the basis of 20 per cent, or \$110 million. But, certainly, Mr. Speaker, the Opposition would not expect the Province, given the fact that the cause, the entire blame for the problem which currently exists, which we are now trying to correct, is on the shoulders of the Federal Government. It is their responsibility, not the responsibility of the Province or the fishermen. It is their responsibility, and they have an obligation to come forward with an appropriate response program.

Mr. Simms: Answer the question.

Mr. Carter: I am answering the question. They have a responsibility. We had to bail out the Feds. When it came to the closing of the four fish plants, we had to bail out the Federal Government. They refused to come to the fore then and accept their responsibility, and the Province was left with no choice in the matter but to put up \$14 million, money we really could not afford to put up, because the Federal

Government backed down on their responsibility, played cat and mouse, trying to tell us that they were working on a larger scheme, when, in fact, they introduced the scheme yesterday, Mr. Speaker, or, Monday, which could have been just as easily released on Christmas Eve. Given the lack of detail in the plan, that could have been released two or three months ago.

So, Mr. Speaker, -

An Hon. Member: Answer the question. (Inaudible)?

Mr. Carter: That is not for me to decide. We operate on this side of the House on the basis of Cabinet.

Mr. Simms: Are you going (inaudible) program?

Mr. Carter: Mr. Speaker, we have already written Ottawa asking Ottawa to reconsider. Now, when we get a response back from them, then we will make that decision.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Thank you, Mr. Speaker. Mr. Speaker, the Province has not paid 5 cents of the \$14 million it offered Fishery Products International for the extended notice period for Grand Bank, Gaultois, and Trepassey, not 5 cents, and the Minister knows it.

In the federal package, as of Monday, the Federal Government committed \$120 million over a five year period to an adjustment package for fish plant workers and trawlermen who are being displaced, and so on. In the statement they said they would like for participation from the union, the companies and the

Provincial Government. Let me ask the Minister, is the Province considering getting involved in this \$120 million package to assist fish plant workers and trawlermen adjust again because of the crisis?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, when our respective officials sit down at the table, if the Federal Government will agree to sit down at the table again with the Provincial officials, these are some of the things which will be discussed then. But until that happens, until the Federal Task Force and the Provincial Task Force can sit down together again and go over the plan, then I am afraid that decision is going to have to wait.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: Mr. Speaker it is unbelievable! I mean, that might not happen. That is what worries me, it might not happen; you might not get together again because of the unilateral announcement on Monday. So what I am concerned about is, will you put your \$110 million into this problem to help fishermen, fish plant workers, and trawlermen? That is a simple question. You can have your own program.

Some Hon. Members: Hear, hear!

Mr. Matthews: You are the Provincial Minister of Fisheries for Newfoundlanders and Labradorians. Not Ottawa or Quebec or PEI, Newfoundland, so why don't you do something for Newfoundlanders and Labradorians who need your help?

Some Hon. Members: Hear, hear!

Mr. Matthews: It is not a laughing matter, it is very serious.

Mr. Speaker: Order, please!

The hon. the Member for Grand Bank is on a supplementary question, and should not get into debate. The Chair has recognized that the questions have been somewhat repetitious. As all hon. Members know, we should not be repetitious in the questions. I will permit the hon. gentleman to get to his question and the Minister to answer.

Mr. Matthews: Mr. Speaker, when you cannot get an answer from a Minister on such a serious issue, and he continuously gives the same answer about getting together with the Federal Government, which might never happen, then you keep going back to see if he will answer something.

Now let me ask the Minister of Fisheries, and remind him of a question I asked him several weeks ago about the Gaultois situation, which does not need money from anyone, it needs an allocation of redfish, has the Province supported the position of the people of Gaultois, who have requested 10,000 metric tons from the Federal Minister of Fisheries? Has the Minister and the Provincial Government supported Gaultois in that request?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, getting back to that other question, I can only tell the Minister that Mr. Valcourt, during his talks to us on Sunday night, did express the

wish that maybe our two Task Forces could start to get back together again any maybe pick up where they left off, plus the fact, Mr. Speaker, I will be in Ottawa on Thursday night and all day Friday, having Meetings with the Minister, Mr. Valcourt, and these are some of things which are going to be discussed. We are going to be discussing, for example, the entire response program. I am hoping from that some guidelines will be established as to how they expect to implement some of the recommendations in the guidelines.

With respect to the Gaultois plant, the Premier and I, and the hon. Member for the District, met a delegation from the Town of Gaultois. I believe it was the Council of Gaultois, and, I believe, it might have been the fishermen's committee. We discussed a number of options that were open to them. one being that maybe the Council itself would form some kind of a co-operative and operate the plants. In fact, I had a gentleman in my office this morning who has assured me that he has secured markets in London, England, for the entire production of that plant for a year. We are supporting Gaultois in what they are trying to do, and we will support them. To the best of my knowledge, we have written the Minister supporting their request for a redfish quota. But I can only say, Mr. Speaker, the people of Gaultois know it, the Council of Gaultois knows it very well, that we are 100 per cent behind them in what they are trying to do.

Mr. Speaker: The hon. the Member for Grand Bank.

Mr. Matthews: I thank the

Minister for his answer, Mr. Speaker. You know, you can have all the markets in the world and the most skilled work force in the world, but if you do not have any fish, there is no point in having the markets or the work force. So that is why we are so supportive of Gaultois on this side, and we have written in support of that, and I will table the letter later on, Mr. Speaker.

Mr. Speaker, I again refer to the Premier's statement of May 7th, when they talked about a proposed major education and learning initiative as part of this long-term strategy to address the fisheries crisis, and I am just wondering now, since education is totally a provincial responsibility, is the Minister or the Government now looking at spending some of its proposed \$110 million on an education initiative to address this crisis?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, while education is a provincial responsibility, I think, in the context in which it is being discussed in the paper we have presented to Ottawa, there must be some federal participation in the program, because we are training workers who are being displaced by virtue of mismanagement of the fishery, which falls on the shoulders of the Federal Department of Fisheries and Oceans, and to ask me now if we are going to spend that \$110 million on education, Mr. Speaker, first we want to find out exactly what they will do. We are going back to the Federal Government; we are going to make a new approach to them and ask them to reconsider some of the things that were in

our package but they chose to ignore, and I expect that education and learning will be in that category.

Mr. Speaker: The hon. the Member for Fogo.

Mr. Winsor: Thank you, Mr. Speaker. My question, too, is to the Minister of Fisheries. As the official Opposition, we were delighted to hear of the reopening of the plant in Twillingate, formerly operated by Oceana. Can the Minister tell us who owned the assets or now owns the assets of the plant, and what are the terms of the lease arrangement?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, the asset was initially owned by Oceana Seafoods. They defaulted on their loan payment, their mortgage payment, and consequently NLDC then took action under their mortgage and put it in receivership. Initially, the assets were owned by Oceana Seafoods.

Mr. Speaker: The hon. the Member for Fogo.

Mr. Winsor: A supplementary, Mr. Speaker. Since this plant was placed in receivership by Newfoundland and Labrador Development Corporation, can the Minister tell us the extent of his personal involvement with the receivers in the negotiating of the reopening?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, my personal involvement would have been no more for the Twillingate

plant than it would have been for the Fogo plant when it was in trouble, or no more than it was for the plant in Brig Bay when that was in trouble, or in the Little Bay Islands, when that plant was in trouble, or in the White plant, upon the Great Northern Peninsula, nor will my interest be any greater in Twillingate than it will be in the Fortune plant, which is in the District of my hon. friend and critic, or in any other plant in Newfoundland. I have said before, any plant in the Province which has promise of survival and success, then, Mr. Speaker, this Government will get behind that plant and support it. Twillingate did have that kind of promise and, as Minister of Fisheries, naturally I got behind it.

Mr. Speaker: The hon. the Member for Fogo.

Mr. Winsor: A supplementary, Mr. Speaker. The April 25th edition of The Lewisporte Pilot makes several references to the Minister's daily personal involvement in trying to find an operator for this plant. My question to the Minister is, does he have the same personal involvement in all plants which are in receivership in this Province, or has he a vested interest in this plant?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, I am going to have to tell the Editor of The Pilot that in his ambitions to promote me for re-election, he can go too far with it.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member

for Fogo.

Mr. Winsor: Mr. Speaker, if you will permit me to read one line, he receives 'a Fax report from the Fisheries Minister's office, updating the situation following the day's negotiations.'

Some Hon. Members: Hear, hear!

Mr. Simms: It is not the Editor, you have a line for yourself.

Mr. Winsor: In light of the Minister's recent statements about the Twillingate plant, does the Minister expect employment levels to remain at 450 plus, or is he supportive of the company, which is meeting the union tonight, asking for worker concessions?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: I am not sure if I got the last part of his question. Would you mind repeating it?

Mr. Winsor: The company officials are meeting tonight, asking for worker concessions, according to the press today.

Mr. Carter: I am not aware of that. Mr. Speaker, when I went down to announce the reopening of the plant I think I had a long, frank, full discussion with the people who attended in this big auditorium. Reports say there were 4,000 or 5,000 there, but being a modest man, I would say about 800. And I laid it out for them, no holds barred. The Twillingate people are big enough to take that kind of talk, and they took it. I told them the plant was in serious trouble. This is the third owner now, and the two previous owners had lost

money. I told them the plant had to be viable this year, because if it were not viable, I could not guarantee them that it would operate next year. Given the fact that this Government is taking a very businesslike approach to running the Province, we are not going to be bailing out fish plants which have no future, and if the workers in the Twillingate plant will prove this year that they, in fact, do have a future, then they will continue to have our support. If they do not, they will not have our support.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. My question is for the Minister of Education. The Minister and the Premier, and other Central Newfoundland MHAs, have received correspondence recently, which I will table, from seventeen pediatric nurses who work with children and young people in the Central Newfoundland hospital in Grand Falls, pointing out the absolute necessity to fulfill the rights of the child, the absolute need to advance our ability to provide better educational opportunities, and asking the Minister if terminating such a proven beneficial educational program as hospital full-time teaching classes is, in his view, an advancement.

Can I ask the Minister if he is now willing to admit the decision made by Government in this regard was premature and, indeed, a step backward, and is he willing to take another look at this situation?

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, I indicated to the House some days ago that this decision was made in the budgetary process. It had been considered for over a year, in fact, and that we had requests from other hospitals to extend services to them. So, that was the context in which this decision was made.

I indicated also, Mr. Speaker, that the reason for the termination of the three schools was that students were staying for short periods of time, and that we were anxious, in fact, we were determined to provide alternate services for students who remain in hospital for longer periods of time.

With respect to the letter, we are preparing a response to the persons concerned, to respond to that letter.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, the Minister is equalizing by downgrading. That is apparently what is happening.

Ms Verge: Shame!

Mr. Simms: Can the Minister confirm this, that he has also heard from parents and from former youth patients, all speaking out against the decision of the Government? I can tell him, by the way, he can expect more from the school trustees in the next day or two, or a meeting in Gander. But can he also now confirm that he has also heard from school principals, saddened that a Government comprised of so many former educators could be so insensitive? Can he also confirm that the President of the NTA has

now publicly condemned this decision by chastising the Government for making the decision without consultation of any kind, and will he, once and for all, stop this issue from festering, do the right thing and reinstate the program?

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, we get quite a number of letters. This Government has received a lot of very positive letters for the things we have done in education, as well as negative ones.

Mr. Speaker, we are looking at alternate ways - we are working with school boards - to ensure that no student is negatively impacted as a result of this decision. We want to ensure that students who are in hospital for extended periods receive the educational care they deserve. This Government believes education is a priority, and we will ensure that we keep that commitment over the next decade, Mr. Speaker. Thank you.

Mr. Speaker: Question Period has expired.

Just relative to a ruling that the Chair made during Question Period, subsequently, by the answer given by the Minister, it seems as though I heard the answer several times before, and one can only assume that the question was asked a couple of times before. I remind hon. Members again, and refer them to Beauchesne, Page 121, Paragraph 410, Clause 9: "Questions should not repeat questions already asked although this does not mean that other questions on the same point are out of order."

Before calling the next item of business, on behalf of hon. Members, I would like to welcome to the public galleries today 25 students from Holy Rosary High School from the Town of Lloydminster, accompanied by their teachers, Josephine Stone and Mark Stragrud. It is interesting to note that the Town of Lloydminster is located on the border of Alberta and Saskatchewan, locating the Town partially in both provinces. These students are accompanied by their hosts for this exchange visit, by 25 students from Our Lady of Mount Carmel High School in St. Mary's Bay, and accompanied by their teachers, Brenda Nash and Colleen Hogan.

Some Hon. Members: Hear, hear!

Mr. Speaker: Hon. The Minister of

Some Hon. Members: Oh, oh!

Mr. Speaker: Order, please!

At this point, I would ask hon. Members not to move in their seats while the Speaker is speaking.

Petitions

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much Mr. Speaker. I have a petition, Mr. Speaker, signed by practically every voter in the community of Postville in the District of Torngat Mountains. Now, Mr. Speaker, over a month ago, the Premier announced a five-member Cabinet Committee to view the Labrador Air Subsidy Program. Now, Mr. Speaker, the people in

Labrador, the people throughout the Province of Newfoundland and Labrador by now would have expected, with the very extensive negotiations that those five members had by now, to come back to this hon. House with a report. Now, Mr. Speaker, the people in Labrador are getting very, very impatient with the Premier and with his select Cabinet Committee. Mr. Speaker, all they had to do was determine whether the Subsidy Program would be in place or not. I better read the prayer of the petition, Mr. Speaker. We are concerned that the Government of Newfoundland and Labrador has reduced the Labrador Air Subsidy, and has thereby unacceptably increased the burden of Transportation Costs to the residents of this Province who live in Labrador. So, Mr. Speaker, the people are sick and tired of waiting for this Government to give a report. Yesterday, Mr. Speaker, I had the opportunity to read a Labrador paper where one Cabinet Minister said he is waiting for comments to be delivered to his office and he quoted to the paper that he received thirty-seven requests so far.

Now, Mr. Speaker, I would suggest to you, Sir, besides these thirty-seven requests the hon. Minister received, Sir, in this House already there have been tabled in excess of 6,000 requests, my hon. colleague from Menihek have already presented a petition with close to 2,000 signatures; and this is my seventh petition that I have presented. So already there is something close to 5,000 or 6,000 or 7,000 signatures that have come into this House saying reinstate the program. And, Mr. Speaker, I think if this Government makes an

announcement that they are going to cut out a program and then all of a sudden put the program on hold, it is a disservice to the people, because, Mr. Speaker, one thing we must remember is that the different groups in Labrador cannot make plans for travel unless they know for sure if the program is going to be in place or not.

And I say to the hon. House Leader opposite, it is very, very difficult for teachers or sports organizations to make plans or even for people to make plans for their holidays, because, Mr. Speaker, some of those people will not visit the Island this summer if this program is curtailed. And I would think it is incumbent upon the Government to advise those people, because in another month, Mr. Speaker, there are going to be hundreds of people wanting to come to the Island, and they look forward to saving for a family as much as \$600 on their air travel, but they will not save it, Mr. Speaker, if this Government does not let them know as soon as possible whether the Air Subsidy Program will be reinstated.

Now, Mr. Speaker, the night before last the hon. House Leader told about how excited and how happy all Government employees: the nurses, the teachers, public service employees, Government employees in Labrador were excited about the benefit package. And I say to my hon. colleagues opposite they are very excited. And I give credit, Mr. Speaker, to the Government opposite to continue with the initiative that we started last year. But that is good for Government employees. That is good for people who are guaranteed their cheque at the end of every two weeks. But, Mr.

Speaker, that only includes one-sixth of the population, them and their families and their children, it only includes one-sixth of the population living in Labrador. Now what about other people who wish to travel?

And I suggest, Mr. Speaker, that the Government has a sincere obligation to those people to come forward and announce that they are going to reinstate, not only the Air Subsidy Program for travel for vacation, but also give back the \$100,000 to the sports and recreational groups that also look upon going to other schools, to other competitions and, in fact, Mr. Speaker, if they do not - I want to say this in closing, I know I only have thirty seconds left, but in closing if the Government does not reinstate this program the Government will lose money in the long run, because many of the people in Labrador would decide to go to other provinces for their vacation instead of coming to Newfoundland, the Island, and spending their tax dollars here.

So I say to the Government that it may cost you \$300,000 or \$400,000 to reinstate that program, but you are going to lose money in the long-run because the people will go for their vacations in other parts of the Dominion or probably to the States or somewhere else.

So I refer this petition to the Department to which it is addressed, and naturally it will be the Department of Transportation, Works and Services and also the Department of Municipal and Provincial Affairs, Mr. Speaker.

Thank you.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Government House Leader, with about half a minute.

Mr. Baker: Thank you, Mr. Speaker.

A review has been underway. I am sure the hon. Member would not like us to simply look at the situation and make a hasty decision. But I will say to the hon. Member I agree that very shortly the announcement should be made regarding our review, and the announcements will be made shortly.

Mr. Speaker: This being Wednesday and Private Members Day I believe it is the Opposition House Leader, the Member for Grand Falls, with his private resolution. I have here in front of me a little note requested the House, on behalf of all hon. Members, to wish the oldest Member of the elected House a happy sixtieth birthday, the Member for St. John's East Extern.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. Mr. Speaker I have twenty minutes to speak on this particular debate, at least to open the debate. Recognizing that I will have twenty minutes at the end to close it I obviously have a ream of information in facts and figures here, but I am not going to get through it in the first volley, but I will save some for the latter stages of the debate towards the end of the afternoon.

May I first of all, while I have the opportunity, welcome the visitors here from Lloydminster. I had the privilege on one

occasion a number of years ago to walk down the main street of Lloydminster, and I was absolutely confused, because on one side of the street is Alberta and on the other side of the street is the Province of Saskatchewan, as I recollect. So I hope things are not as confusing for them here in Newfoundland during their visit to the Province.

Mr. Speaker, I would like to introduce the debate on the resolution by quickly reading through the resolution as it appears on the Order Paper.

WHEREAS the Government announced in its budget that the office of the Parliamentary Commissioner (Ombudsman) will be eliminated; and

WHEREAS the Ombudsman received over 900 complaints in 1989; and

WHEREAS over 40 countries in the world and all provinces except P.E.I. have an Ombudsman; and

WHEREAS no other jurisdiction has ever eliminated the office of Ombudsman; and

WHEREAS only the Ombudsman has the necessary authority to resolve complaints made by citizens against Government;

NOW THEREFORE BE IT RESOLVED that this House of Assembly recognize the importance of the office of the Ombudsman in protecting citizens against government actions; and that this House of Assembly urge the Government to reverse its decision to eliminate the office of Parliamentary Commissioner (Ombudsman).

Now, Mr. Speaker, I want to make it perfectly clear at the outset, because of the inferences made

from time to time about the office holder, the individual who holds the office of Ombudsman, having at one time being a Member of Parliament in representing a political party, and that because of that, those inferences, there is somehow an impression created out there that the Government is doing this for partisan reasons. Now quite frankly I cannot believe that that could ever possibly be true for such an important decision as that. And so whoever responds to this I hope will make that clear right at the outset, because obviously if the Government wishes to remove the incumbent there are methods and procedures for doing that.

What we have here is a decision by the Government, a most serious decision in my view, to eliminate the entire office. Now having heard the way the process went, I cannot believe for a moment that the Government ever gave any serious lengthy amount of thought and consideration to this particular decision. It is obviously such a backwards step that it is just too hard to believe that they gave it a whole lot of discussion. In fact, Mr. Speaker, the more you think about it and the more you see the comments of the Minister of Finance in responding to questions about it after the budget, it seems like it was simply a sudden last minute budget suggestion by somebody sitting around the table and everybody agreed - wipe it out.

That scenario is all the more plausible because of the way that the matter was dealt with and described by the Minister of Finance. The fact that the Ombudsman himself - an officer of the House, a servant of the House - was not even notified of the

decision, that in my mind, Mr. Speaker, was indecent to say the least. But worse still, the gentleman was not even consulted or talked to beforehand. His office was advised after the fact, and that is again obviously because the decision was taken in a sudden fashion, and at the last moment. The move, I should point out, is contrary to the legislation, it is contrary to the Act. I raised a point of privilege, Your Honour might remember, as to concerns I had about it being actually a breach of privileges of the Members of the House. So therefore, the method itself was reprehensible. It was sneaky, and indeed it was down right distasteful. And I found it personally very offensive.

Now, Mr. Speaker, I have heard it on open line programs around the Province, I have read comments in the printed media, I have heard comments on an open line or call in television program, and there have been many terms used to describe this particular decision. I would like to quote some of them for you: People have said it is a regressive move, some have said it is a tragedy, it is sad, it is a disastrous decision, it is damaging to the good of the public, it is very unfortunate, it is morally wrong, it is politically wrong, it is bringing great harm to our people, it is a loss of people's rights, it is a very backward step, it is another Newfie joke, it is dangerous to our reputation as a Province, and so on, and so on. One person even said it was a calamity. And I looked up the definition of calamity this morning, just to satisfy my curiosity, and it says, and I quote, 'a grave misfortune that brings deep distress or sorrow to an individual or to the

people at large.' Now I cannot but offer the word calamity myself as probably the best description of what this Government has done with respect to the elimination of this office.

It is a definite disadvantage, Mr. Speaker, to our people, it is a handicap, it is certainly a drawback and a very unfortunate situation has developed for the people of our Province.

Mr. Speaker, I want to briefly look at some of the important points that should be known about the position itself. The Ombudsman is an officer of the House of Assembly. He is a servant of the Members of the House of Assembly who represent the people. He is appointed on the recommendation of the House of Assembly. According to the law, he can only be removed on the recommendation of the House of Assembly for disability, neglect of duty, misconduct, or bankruptcy. He reports to the House of Assembly, Mr. Speaker, annually. The estimates that we have seen in the Budget, of course, do not provide for the full functioning of the office as required under the law, under the Act. It does not, of course, meet the requirements of the Act that the salary be the same as the Chief Justice and so on, everybody is familiar with those particular points.

The whole question of the Office of Ombudsman, I believe, transcends political partisan lines. This Act, Mr. Speaker, to create an Ombudsman was passed in 1970, twenty years ago, by a Liberal Government. It was brought into force in 1975 by a Conservative Government. The present Ombudsman recently renewed

his position in 1986 and it was renewed by the Legislature, this Legislature, supported unanimously by the Opposition as well. Including the present Minister of Fisheries, the present Minister of Forestry, and the Speaker of the House, in fact, spoke very highly. Most of the Commonwealth including the United Kingdom, Australia, all Provinces, as I said in the preamble, except PEI, have an Ombudsman. Forty nations have an Ombudsman. And the reason for it is obvious, modern Government has grown so large that individuals on their own cannot fight the system on their own many times.

MHAs cannot be as effective, as the Minister of Finance says we can be, as the Ombudsman is. It is silly to argue so. I will tell you why a little later on. He has extensive powers to insist on evidence to call witnesses and documents and so on. This will be the first Government, and the President of Treasury Board laughs, but I can assure him this is a serious, serious situation. And he may not be smart enough to recognize it, but I can tell him it is. It is the first Government in modern parliamentary history to remove the office, as far as we can ascertain and last year, I point out of course, there were 900 complaints lodged to the Ombudsman's Office here in Newfoundland. In 1975 there were only 209 complaints lodged. Indeed the numbers have grown consistently in our Province to the Ombudsman's office and just to compare a province of normal comparison as an example: the province of Manitoba which has 1.1 million people, larger than our Province, twice as large, in 1986 for example, they had 674 complaints and the Newfoundland

Ombudsman's office had 706 complaints.

The per capita cost to have an Ombudsman office in Canada, all provinces in Canada: in Newfoundland it is thirty-eight cents, it is the third lowest, I guess it is, behind Nova Scotia and Manitoba. The rest of them cost much, much more per capita to have an Ombudsman's office.

Mr. Speaker, let us look at the Government's reasons as enunciated and articulated by the Minister of Finance who announced the decision in his Budget. I remember myself seeing him interviewed on NTV and he was asked: why did you eliminate the office of Ombudsman, and he gave basically two reasons. Outside the House he said: The office really served no purpose, it was not worth the money, but specifically he said that if people had problems with Government or felt they were wrongly done by some Government Department or Government Agency they could go to their MHA's or to the Cabinet Ministers to get them resolved. Now, what a silly, stupid reason for abolishing the Ombudsman's office, Mr. Speaker, it points out too clearly, I am afraid, the ignorance of the facts and the ignorance by the Minister of Finance and Members of Government obviously, for the purpose of this office, because primarily people go to the Ombudsman after they have already approached their MHA's and in many cases Cabinet Ministers trying to get problems resolved, and they still feel that they have been wronged, unjustly wronged by the system. Where will they go now, where will they go now, Mr. Speaker?

For example, if the press seek

information from a Government office or a Government Department, and they are denied, under the Freedom of Information Act, they can go to the Ombudsman to have the matter further pursued. They can, and I will tell them that the press are very much aware of it. Where will they go, what has this Government done? The Leader of the NDP, if he wants to get some information - the Leader of a valid political party, the third party in this Province, he could go to the Ombudsman if he wishes but there won't be an Ombudsman!

Mr. Speaker, this Government has decided to double the Budget of Newfoundland Information Services to \$320,000 this year, an agency, that a year or so ago, when they were in Opposition they wanted to eliminate, but they now feel that obviously \$320,000 to serve their purposes politically, is much more important than providing much less than that, I think it is \$236,000 for the Ombudsman's office, so that those who feel they have been wrongly treated by Government or one of its Departments or Agencies, would have a place with some authority to take their problems.

So it seems that Government is simply trying to eliminate those opportunities that people have, and the problem is of course that we now will have nobody watching the Government, and that may very well be the primary purpose behind this whole decision and that's an important question in the minds of a lot of people. Now, Mr. Speaker, I said that it was too foolish to talk about to suggest, as the Minister of Finance did, that MHA's can do what the Ombudsman does. Let me just point out some of the powers that the Ombudsman has, which MHA's do not

have. I will quickly run through some of them just to try to make my point. First of all, the Ombudsman takes an oath, administered by the Speaker of the House of Assembly and that oath says: He or she will not divulge any information received by him, in this case, in the execution and performance of his powers, duties and functions. MHAs take no such oath. Will people feel comfortable now with that? Or will they expect their MHAs to go public with a lot of the information they might disclose to the individual?

The money involved, Mr. Speaker, the act provides for the Ombudsman to receive two-thirds of his salary as a pension if he is removed from office. And it also provides for pensions to be paid to individuals who are employed in the Ombudsman's Office. So there is not going to be a very large savings involved in all of this, that decision, the decision that has been taken by the Government.

I also want to point out, Mr. Speaker, that it is the duty of the Ombudsman to investigate any decision made, including any recommendations made to a Minister or by a Department or Agency. The Ombudsman has the authority to investigate a complaint against the police, if somebody feels they have been wrongly done by the RNC, the Royal Newfoundland Constabulary, the Ombudsman has the authority to investigate it. Now I can see somebody going to an MHA and asking them to investigate it.

An Hon. Member: Asking them what?

Mr. Simms: A complaint, if somebody feels that they have been wrongly done by the Royal

Newfoundland Constabulary, for example. The Ombudsman has the authority to investigate for anybody who feels they have been wronged by the police.

The act gives the Ombudsman the authority to deal with Cabinet Ministers. Now I can see the Member for Torngat Mountains attempting to get a meeting with the Premier to discuss a matter where one of his constituents have been wrongly dealt with, after what the Premier has said about the Member for Torngat Mountains. It is too silly to talk about. Under the legislation, he is allowed to get whatever information he wants, from wherever he sees fit - that is in the law. He can offer a Government Department a hearing, if they feel they are wrongly treated in the matter. And they are allowed to have counsel. They are allowed to have a lawyer at the hearing.

How can a MHA handle or do that kind of thing? That is too silly to talk about, Mr. Speaker.

An Hon. Member: Why don't you do it?

Mr. Simms: What is most telling: The legislation requires any person in a Government Department, it requires any person in a Government Department to produce any document that the Ombudsman asks for. MHAs do not have that power, particularly the Opposition MHAs. Let us face the facts. The Ombudsman can summon witnesses under oath. MHAs have no authority to do that. Any Government employee, anyone, in his opinion, who can provide information under the law.

And also, Mr. Speaker, I tell you

that under the legislation the Ombudsman is deemed to be an investigative body under The Public Investigations Act, MHAs are not. MHAs have no such authority. It is absolutely ludicrous to expect, as the Minister of Finance says, and the Premier said, by the way, the fifty-two MHAs are there, they can handle all of those kinds of complaints.

Now I only have a few minutes left, Mr. Speaker, but I want to quote just two or three examples - I have five minutes - where the Ombudsman did, in fact, overturn decisions that had been made by Government Departments, and after the Ombudsman's interventions he was able to turn things around for people who were wronged by the system.

I quote just quickly for Members of the House. In 1979 a retail sales tax issue, where individuals who had purchased a supply of pre-cut homes had been ordered to pay retail sales tax, Members might remember that, as a matter of fact. I believe even Opposition Members then, who are now in the Government pushed the issue, tried to push the issue. And what happened was that the Government of the day held fast, but the Ombudsman investigated it. And the Ombudsman after the investigation, felt that these people were wronged and made a recommendation to the Government. Once the recommendation came to the Government, as the Government has always done as I understand it, they accept the Ombudsman's recommendation. That would not have happened if there was no Ombudsman in the Province. I can tell Members that.

Another incident in 1988, where

individuals were after an opportunity to subdivide land. The Government refused them. They went to the Ombudsman, the Ombudsman investigated the matter and found that the people were wrongly and unjustly done, and recommended to the Government that they overturn their decision and they did; and that would not have happened without an Ombudsman.

Another matter, Mr. Speaker, 1979 - the widening of a highway on somebody's property. The Department said an adamant no. They went to the Ombudsman and the Ombudsman investigated it, turned it around, found that the people were wrongfully dismissed. In 1986 an employee was dismissed for alcoholism in the public service, dismissed for alcoholism. He was refused his pension by the Government, by Treasury Board; and he went to the Ombudsman, and the Ombudsman after obtaining medical evidence and all the rest of those kinds of information that he is allowed to get, found that this particular individual had been wrongly done by the system and by the Government, and that would not have happened if there had not been an Ombudsman in this Province. I say to Members opposite, please give some more consideration to this matter. It is not a commonsense decision, it is a stupid decision, an absolutely stupid decision.

Mr. Speaker: Order, please!

The hon. Member's time has elapsed.

Mr. Simms: I suggest the Government review the matter and we will see what the debate goes like before I conclude my remarks later on this afternoon. Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Minister of Health.

Some Hon. Members: Hear, hear!

Mr. Decker: Mr. Speaker, to set the tone for my few remarks, I want to tell hon. Members about two meetings which were taking place in Moscow on the eve of the Communist Revolution. On one side of the street, there was a group of members of the newly-formed Communist Party, Lenin and his group, and they were discussing the plans to throw out the government and bring the new Communist Government into Moscow. They were discussing pretty heavy philosophy; very relevant, momentous events, they were discussing.

On that same night, on the opposite side of the street, there was a group of priests. They, too, were engaged in a very heavy, relevant discussion, Mr. Speaker. They were discussing whether or not to lengthen their gowns by one inch. Talk about relevance! That group of priests, Mr. Speaker, missed one of the greatest opportunities in the history of mankind, to deal with a momentous event. While the Communist manifesto was being discussed by one group, another group was talking about lengthening their gowns by one inch.

I want to relate that story to what is happening in Newfoundland and Labrador today. Today, Mr. Speaker, there is a major crisis in the fishery of Newfoundland and Labrador, a crisis which will impact on the lives of every Newfoundlander and Labradorian in this Province. The people of Grand Bank, the people of Trepassey and the people of St. John's are wondering about their

future, are wondering do they have a future left in this Province. The people in the inshore plants up in St. Anthony, in my District, the people in Twillingate, the people in Burgeo and the people in Fogo, people around the Province, are wondering just what their future is going to be, as fishermen, pondering their future. And while Newfoundlanders and Labradorians, at this very instant, at this very minute, are discussing their very future, what does the anternate government do today? What does the government-in-waiting do today? They stand up and discuss the sensibleness of lengthening their gowns by one inch. That is how relevant they are, Mr. Speaker. That is how relevant they are to what is happening in the Newfoundland fishery today. When big things are happening in this Province, when the very future of the Province is at stake, what do Members opposite do? They talk about a Tory hack. They talk about one of their friends, a defeated Tory candidate, and whether or not there is going to be a job for him, Mr. Speaker. You talk about irrelevance!

Now, for the benefit of Newfoundlanders and Labradorians, who have the opportunity to listen to this speech by radio, for the benefit of the world at large, who have the opportunity to listen to this speech by radio, let me explain now what is happening in the House on this Wednesday afternoon. This, Mr. Speaker, for the benefit of Newfoundlanders, is Private Member's Day, and this is the day when private Members from either side of the House, but especially the Opposition, can present to the floor of this hon. House, matters which are of major importance, or which are of

importance to private Members. It is a time, Mr. Speaker, when we can discuss issues which are important to Newfoundlanders and Labradorians, and to the people.

Today, the Opposition have a tremendous opportunity to bring in a motion very topical, very relevant to what is happening in Newfoundland and Labrador. What an opportunity they had, Mr. Speaker, to discuss the crisis in the fishery. I heard the Member for Grand Bank today talk about how important the fishery was, I heard him accuse the Minister of Fishery of not considering the fisheries to be a very important issue, yet, when they had a golden opportunity today to devote from 3:00 o'clock until 5:00 o'clock, two full hours, to discussing the crisis in the fishery, what did they do, Mr. Speaker? They brought in this motion to discuss the Ombudsman, something which, in the words of the Member for Grand Falls, is a top priority, a very important issue.

Well, Mr. Speaker, maybe it is, maybe it does have some importance, maybe it does have some relevance, maybe it is something that should be discussed at some other place. Maybe it should be discussed. If there was a bunch of women sitting around knitting or making a quilt, it might be a topic of conversation. But today, when the fishery is in such a crisis, they waste two hours of this House discussing whether or not we are going to fire the Ombudsman. Mr. Speaker, is that the alternate Government? They could have introduced a completely new motion today; they could have outlined the faults which are with this program which their friends in Ottawa have just put forward. They could have

discussed the faults or, if they had wanted to do as they were told, get up and praise it up. They could have done that, Mr. Speaker. The means were here all laid out: they could have gotten up and had a debate on the fishery. They could have disagreed with what this side of the House is doing; they could have disagreed with what the Minister of Fisheries in Newfoundland and Labrador is doing; they could have agreed with what Mr. Valcourt and Mr. Mulroney and Mr. Crosbie are doing, or they could have disagreed. That was exactly up to themselves. They had the opportunity to do it, but they missed it. Like the priest in Moscow, they were totally irrelevant to what was happening in the world around them, they were more concerned about the length of their gowns than they are about the reality of the mess in the Newfoundland fishery. Mr. Speaker, they could have come with a complete brand new motion.

An Hon. Member: And we would have welcomed it.

Mr. Decker: But, Mr. Speaker, they did not even have to do that. Hon. Members who look at the Order Paper will see that had the Member for Grand Falls not jumped in -

An Hon. Member: That's right.

Mr. Decker: - Motion No. 10 on the Order Paper, Mr. Speaker, the private Member's motion that should have been debated here today, had the normal progress been allowed to go on, would have been by - and I read: 'Mr. Bill Matthews (Grand Bank) - To Move: WHEREAS the fishery is the economic mainstay of Newfoundland and Labrador;

Mr. Walsh: Already on the Order Paper.

Mr. Decker: AND WHEREAS for many parts of the Province...' - and he goes on to describe it - 'NOW THEREFORE BE IT RESOLVED that this House support an all plants open approach; and urge the Government to work with the Federal Government to develop a financial package...' This is the motion. If they did not have the imagination or the foresight or the ability to come up with a relevant motion pertaining to the fishery - they didn't even have to do it - they could have taken Motion No. 10, which was put on the Order Paper by their own Member, the Member for Grand Bank, and we could have spent two hours, with full media coverage, we could have spent the whole afternoon debating the faults and the good points about this package which has been delivered to us by Ottawa.

But no, Mr. Speaker. Talk about having their priorities right! The Government in waiting, the alternate Government, they were more concerned with protecting one of their former friends than they were about the plight of the Newfoundland fishermen today. That shows what they really are. That shows what they are made of.

Mr. Speaker, when I went through the Order Paper I saw that motion which we could and should be debating here today, the plight of the Newfoundland fishery. Instead, the Member for Grand Falls, the House Leader, who calls the shots when Spike is away, what he did was jump over Motion 10, which dealt with the fishery, and went to this silly little motion, which is more appropriate for a few friends sitting around a table having a drink than it is for this

House today, when we are in the midst of such a crisis in our fishery. I had to ask myself, why did Members of the Opposition choose to depart from the Order Paper today to discuss a motion which is totally irrelevant, and not discuss the important issue of the fisheries. I asked why? Mr. Speaker, I can only guess at the reason why, but it is an educated guess, it is a guess which is based on what I have seen happening to my friends on the other side of this House over the last few days, and over the last few weeks. Here is the reason why they refused to call the motion concerning the fishery today. Members opposite are no longer calling the shots. The Leader of the Opposition is no longer calling the shots as to what the Government-in-waiting is going to do, the hon. the Opposition House Leader is not calling the shots.

Mr. Gover: Who is calling the shots?

Mr. Decker: The shots, for my friend from Bonavista South, are being called by John Crosbie and their Tory cohorts in Ottawa. That is where the shots are being called, Mr. Speaker. Over the past few days there have Faxes going back and forth from Ottawa, it is difficult to get a free line, faxes back and from from Big John telling them what to say and telling them what to do. Do you mean to tell me Big John does not know what the motion should have been today? Today, Private Member's Day, we should have been discussing the fishery of Newfoundland and Labrador. I can imagine the call coming down saying, look friends, look Tory buddies, do not let this get on the floor of the House today whatever you do, because we

realize the package we offered is an insult, we realize that what the Newfoundland Liberal Party and the Government of Newfoundland and Labrador was saying is right. They are on the right track on this one. Ottawa realizes this, so they said for goodness sake, do not let this get on the floor. So, what did they do? They discussed the lengthening of the gowns by one inch, when the Newfoundland fishery is falling into poverty, Mr. Speaker.

Mr. Speaker, I have a bit of advice. This is my sixth year in this House, and over these years I have made friends with Members on both sides. I have friends on the opposite side, yes. I consider the Member for Grand Falls to be a friend, the Leader of the Opposition is a friend. They are all friends. They are not enemies. But I have a bit of advice for them. I want to tell them not to tie themselves to their friends in Ottawa; don't continue to act as a front for the boys and girls in Ottawa, because Newfoundlanders and Labradorians are not going to be deceived, and Newfoundlanders and Labradorians don't always distinguish between Ottawa politicians and Newfoundland politicians. So, I am going to give my friends on the opposite side a bit of advice. Do not tie your futures to the futures of your friends in Ottawa. Let them stand up for themselves and support our position on the fishery, because we have the right on. If they don't do that, I am very much afraid that what happened in New Brunswick is very likely to happen in Newfoundland and Labrador, Mr. Speaker. And, for the life of me, I do not want that to happen. Because if democracy is going to be properly served, we do need an

Opposition. I am giving hon. Members this advice for two reasons: One, because most of them are my friends, and secondly, because I do have faith and a belief in democracy, and I don't want to see democracy wiped out in Newfoundland and Labrador, Mr. Speaker. Thank you very much.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Humber East.

Ms Verge: Thank you, Mr. Speaker. Mr. Speaker, they say there is no defense like a good offense.

An Hon. Member: That is right.

Ms Verge: That is what the Minister of Health was thinking of before he rose in his place here this afternoon. Sadly, that was not a good offense. That speech was embarrassing. It is the second embarrassing speech the Minister of Health has made in this House in the last twenty-four hours. Last night, when we were having a debate about the fisheries crisis, the Minister used the occasion to tell a silly joke about a man and his dog and proceeded to imitate the dog.

Mr. Simms: CBC carried it all afternoon.

Ms Verge: Mr. Speaker, I would like to assure people who are following this debate that on some Private Member's Days, the level of debate is much higher. I remember just four or five weeks ago the Government Member for Bellevue made a motion on the women's centers in the Province.

An Hon. Member: Right.

Ms Verge: It was a motion that he composed and injected on the Order Paper ahead of the schedule, because it was an important issue and it was timely.

Mr. Simms: Like the Ombudsman.

Ms Verge: The Member for Bellevue, obviously cared about the subject. He prepared seriously for his presentation and made a good presentation. I rose in my place as a Member of the Opposition and supported what he said; I contributed to the discussion, since I have had an extensive involvement over the years with women's centers, and at the end of that two and a half hour debate, we rose in our places, every Member on both sides, to support the motion. This House of Assembly unanimously resolved to condemn the Federal Government for cutting core funding to women's centers, and we urged the Federal Government to restore that funding. We are happy that there has been a partial victory.

Women's centers have a parallel function in our Province to the office of the Ombudsman. Each institution serves the interest of ordinary citizens, of individual women and men. In the case of the Ombudsman, the focus is resolving complaints about the Provincial Government and its agencies. The Government, over the years, has been growing and growing in numbers of public servants and in influence over peoples lives. The Government has enormous potential to do good, but it also has the potential to adversely impact on people's lives. The Provincial Government and its agencies are enormously powerful in our society. How is the ordinary Newfoundlander and Labradorian to

deal with this gigantic organization if and when the citizen runs into a problem in dealing with the Government? It is partly through recourse to the office of the Ombudsman.

Mr. Speaker, the office of the Ombudsman is one of several institutions in our society designed to be independent of the executive branch of the Government, designed to operate independently of the Cabinet, and function free of political interference. Other such institutions include the Public Utilities Board, the Auditor General, and the Courts. Mr. Speaker, in its one year of office, this new, real-change Provincial Government has established a pattern of interfering with and emasculating the power and the roles of these quasi-judicial and judicial bodies. In the case of the Ombudsman, the Government is proposing the radical measure of eliminating the office altogether. In the case of the Public Utilities Board, through legislation the Government has altered the structure, and, then, picked and chosen among the former Commissioners, reappointing some, dismissing others. In the case of the Auditor General, the Government has just put forward a draft bill to reform the office. Ironically, while the incumbent has been a proponent of reform, the effect of the bill is to do him out of a job next year. So, just as the new Auditor's Act will likely come into force, the incumbent will be out of a job.

In the case of the Provincial Court, the Government is proposing new legislation which will limit the term of office of a Chief Provincial Judge. Mr. Speaker,

this pattern is extremely worrisome. I do not think many people in our Province appreciate what is happening, and it is my job as an Opposition Member, and the function of my colleagues here, to bring this to the attention of citizens. Mr. Speaker, in our democracy, many have struggled long and hard, many have advocated effectively to create our system which allows freedom of expression, which allows freedom of political involvement, and which contains checks of abuse of power by the executive branch of the Government, and balances to the strength of the Cabinet and a massive Public Service, and one of the important checks and balances is the Office of the Ombudsman.

Mr. Speaker, some forty nations in the world, most of them Members of the British Commonwealth, as well as many jurisdictions of Federal states, in the case of Canada, in the case of this Confederation, all jurisdictions, except Prince Edward Island, have an Ombudsman, or Ombudsman-like independent positions which serve as watchdogs of the executive branches of Government.

Mr. Speaker, if the legislative measure announced by this Government to abolish our Ombudsman's Office proceeds and is passed, we will have the regrettable distinction of being the first jurisdiction in the whole wide world to disband the Office of Ombudsman.

Mr. Hogan: Does that make us wrong?

Ms Verge: Mr. Speaker, the Member for Placentia asks, does that make us wrong? It does not necessarily make us wrong. Perhaps the rest

of the world is wrong and we are right. That is a theoretical possibility.

Mr. Speaker, let us examine the merits of retaining the institution of the Ombudsman. It has been suggested that the Ombudsman is low profiled, that the Ombudsman does not attract very many complaints; it has been suggested that MHAs can easily do the same work the Ombudsman is doing.

Now, Mr. Speaker, it is true that the incumbent has kept a low profile. He said that readily. When the incumbent was reappointed for his second ten year term on the recommendation of this House of Assembly some four years ago, several Members on both sides of the House rose in support of the reappointment. Three Members of the then Opposition spoke in glowing terms about the contribution of the incumbent, one of them the present Minister of Fisheries.

Mr. Efford: When was that?

Ms Verge: That was on June 6, 1986, to answer the question of the Minister of Social Services.

On that day, Mr. Speaker, the present Minister of Fisheries said, and I quote: 'The man has maintained a low profile, and I suppose the nature of the job requires that he do that. I am sure there are times when, if he wanted to, he could have gotten himself a lot of publicity. But being the type of person he is, he quietly and very effectively does his job in a very fair and very impartial way. We have no hesitation, Mr. Speaker, on this side, in going along with this legislation and wishing the

Ombudsman all the best in the years ahead.'

Earlier in debate the Minister of Fisheries had used superlatives to describe the incumbent. He said, quote: 'I think the choice of Mr. Peddle as an Ombudsman is an excellent one. I think he has conducted himself extremely well in that office, he is a very impartial man.' Mr. Speaker, another Member of the then Opposition who praised the reappointment of the incumbent was the present Speaker of the House of Assembly. The present Speaker called the incumbent an Ombudsman deluxe. The Speaker also alluded to the low profile kept by the incumbent, and suggested that perhaps the powers of the office be expanded.

Mr. Speaker, there are people who feel the decision to eliminate the Office of the Ombudsman was an impulse Budget decision, the same as the payroll tax and the closure of the hospital schools outside St. John's. There was some evidence to support that thesis, primarily the fact that, shockingly, the Premier did not even extend the incumbent, Mr. Peddle, who had been the Ombudsman for fourteen years, the common decency of consultation, or even notification in a personal way, of the Government's decision. The incumbent found out about the Government's decision to abolish the office through a call from a friend who had heard a news report about the Budget Speech. I find that shocking. It is extremely disturbing to think that the current Premier, who holds himself out as representing fairness and balance, and who likes to think of himself as highly ethical, would, number one, preside over a decision to abolish the Office of

Ombudsman and, number two, not even extend the incumbent the courtesy of personal notification of the decision.

As I mentioned, speakers, Members of the Government, have suggested that MHAs can easily substitute for the Ombudsman. That is patently false, Mr. Speaker. MHAs do not have the powers, MHAs do not have the resources, and, I suggest, in many cases MHAs do not have the necessary objectivity to represent the interests of individuals of this Province who have grievances against the Provincial Government.

Mr. Speaker, my colleague, the Opposition House Leader, has referred to the Parliamentary Commissioner (Ombudsman) Act. That is a piece of legislation, introduced in this Assembly by the Smallwood Government and enacted or put into practice by the Moores' Administration, which creates the office of the Ombudsman in our Province. That law gives the Ombudsman special powers: powers to investigate complaints against the Provincial Government and its Agencies and the Royal Newfoundland Constabulary, powers which include requiring people to provide him with information, powers of summoning before him documents, papers and other things. Furthermore, the Act gives the Ombudsman the power of notifying, not only the Minister affected, but the Cabinet and then the whole House of Assembly, in a public way, of his findings and recommendations. So these are very wide-sweeping powers that no ordinary Member of this House, on the Government side or in the Opposition, possess, by a long-shot.

Mr. Speaker, it has been suggested that the Ombudsman isn't effective enough to warrant retention of the office. The facts fly in the face and repudiate that claim. In fact, low profile or not, the Ombudsman in this Province dealt with some 900 complaints last year, and on a per capita basis, Mr. Speaker, the Ombudsman for Newfoundland and Labrador has gotten far more complaints than the Ombudsman of other jurisdictions of Canada, for example, Manitoba.

I just happen to have statistics for Manitoba here, Mr. Speaker. The Ombudsman for Manitoba has not been dealing with near the volume per capita as our Ombudsman. Saskatchewan, which I also have at hand, again has even a lower ratio. Mr. Speaker, last year, in our Province, 900 individuals who felt wronged by the Provincial Government went to the Ombudsman and the Ombudsman resolved many of those problems to the satisfaction of the individuals. In several of those instances, the citizens had previously taken up their problems with the MHA, but despite some efforts on the part of Members of the House of Assembly, successful results were not forthcoming.

Mr. Speaker, in supporting the motion of my colleague, the Opposition House Leader, I would like to urge the Provincial Government to reconsider this step. The amount of money at stake is only \$236,000 a year. In disbanding the office, the Government will have a legal obligation to award a substantial sum to the incumbent who, after all, under the existing law and on the recommendation of the House of Assembly, was reappointed for a ten year term just four years ago. So, Mr. Speaker, the savings

to the provincial treasury are going to be marginal. And in the absence of any external complaint mechanism relating to the Royal Newfoundland Constabulary, I would suggest the Government is going to have to create some kind of police commission, which is probably a good idea anyway. So this is a false economy. But what is at stake is more important than \$236,000 a year, Mr. Speaker, what is at stake is the removal of an office to serve the interests of ordinary residents of Newfoundland and Labrador who, from time to time, are unfairly treated by the vast Provincial Government and its agencies, whose rights occasionally are abrogated. Mr. Speaker, the evidence is that this disbanding of the Ombudsman's office is part of a whole pattern of conduct being waged by this Provincial Government to interfere with quasi-judicial and judicial bodies which are supposed to function independent from political interference.

Mr. Speaker, evidently the Minister of Health, and perhaps his colleagues in the Cabinet, do not like the current Ombudsman. The Minister of Health referred to the incumbent, Mr. Ambrose Peddle, in disparaging terms, calling him a Tory hack. Mr. Speaker, I know that opinion is not shared by all his colleagues, because the Minister of Fisheries, when he endorsed the reappointment of Mr. Peddle for a second ten year term, as I have already quoted, used superlatives in praising his contribution and effectiveness as Ombudsman, as did the current Speaker. Mr. Speaker, seemingly the redneck element in this Cabinet prevailed in this instance, and while there might have been a consensus in the Cabinet that they wanted to get

rid of Mr. Peddle, because fifteen years ago Mr. Peddle was affiliated with the PC Party, why is the Government not only getting rid of the parson, but burning down the Church? That, perhaps, is a metaphor the Minister of Health can relate to.

Mr. Speaker, as my colleague the Opposition House Leader did, I really plead with the Provincial Government to review this matter and keep the institution of the Ombudsman for the sake of ordinary Newfoundlanders and Labradorians, in the interest of -

Mr. Speaker: Order, please!

The hon. Member's time is up.

Ms Verge: Thank you. If I might finish my sentence, Mr. Speaker - in the interest of individual citizens of our Province. We do not have the power or the resources, the knowledge or the time to overturn unfair and wrong decisions made by the Provincial Government and its agencies. Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker. There are a number of things I want to say about this resolution but, first of all, I would like to respond to the self-righteous speech by the Member for Humber East, and the kind of distortions and twisting of the truth we find coming from Members opposite.

Mr. Speaker, the Member opposite tried to tie this into The Auditor General's Bill which is now before this House, and, in so doing, she made what I believe to be some despicable statements, absolutely

despicable, in trying to tie this in. I believe she probably read an editorial in the Sunday Express and assumed it to be true, and is now trying to say, somehow, that the purpose of the Auditor General's Bill is to get rid of the present Auditor General. Now, Mr. Speaker, I consider that kind of twisting and playing with the truth to be despicable. And if that is an indication of the accuracy of the rest of what she said, I do not pay much attention to it.

Mr. Tobin: Do you know what the truth means over there?

Mr. Baker: Now, Mr. Speaker, I could go on for the next two or three hours on that point alone, however, to get back to the Parliamentary Commissioner, we have suggested that this House repeal The Parliamentary Commissioner's Act. We are doing this in a very straightforward manner, upfront; there is nothing hidden behind it. Mr. Speaker, We are doing it for good reasons. We spend \$250,000 a year in the Office of the Parliamentary Commissioner, and in the process of determining spending priorities, we have to make decisions. We are not afraid to make decisions, Mr. Speaker, and the decisions have to be made in light of the urgent needs of this Province. That is how we have to make decisions, and that is how, Mr. Speaker, this particular decision was made. If we had lots of money to throw around, if we were rolling in money, it would be nice to have a half dozen Parliamentary Commissioners, or a half dozen of everything. In the circumstances we find ourselves, we had to make decisions.

In examining the Office of the

Parliamentary Commissioner, what we did was what we are doing to every program offered by Government, all programs that have been in place for some time, we are doing a re-examination to see if the programs are now relevant in this day and age. We do not believe, simply because a program was in existence for the last ten, fifteen or twenty years, that it has to be in perpetuity. We do not believe that. Times change, things change and conditions change, and if we are to be a responsible Government, we have to look at all our programs periodically and determine the level of priority that we put on them.

Now, Mr. Speaker, in examining the Office of the Parliamentary Commissioner we saw a number of things. Another distortion, Mr. Speaker, that was in the Member's speech, during 1988, the Parliamentary Commissioner dealt with 460 - not 908 - 460 complaints.

Ms Verge: (Inaudible).

Mr. Baker: Four hundred and sixty. The Member is again distorting. There were 908 complaints, but half of them were not within his jurisdiction. He could not deal with them. He did not deal with them.. He dealt with 460 - another distortion.

Some Hon. Members: Oh, oh!

Mr. Baker: How can we believe anything, Mr. Speaker? Four hundred and sixty complaints.

Mr. Simms: There were still 900 complaints.

Mr. Baker: He dealt with 460.

Mr. Simms: But he had 900!

Mr. Baker: I am telling the truth here. I am counteracting the distortions you are trying to spread.

Now, then, Mr. Speaker, in the report there was a summary of selected cases which were within the jurisdiction, and one would expect these would be the important ones, and so on. Now, Mr. Speaker, we can go through the summary of selected cases, the important ones. I invite hon. Members to get this and read them all. I cannot read them all, and I am not going to be selective in the ones I read.

An Hon. Member: No, (inaudible) either.

Mr. Baker: No, these are the ones that were selected as being example cases, the flagship cases, out of the 460 that were dealt with. 'A registered part-time fisherman complained because the practice of allowing fishermen to purchase marked gas tax free has been discontinued. He was asked to write his complaint.' That is a case, one of the 460.

An Hon. Member: (Inaudible) to look after.

Mr. Simms: He didn't. That is the problem.

Mr. Speaker: Order, please!

Mr. Baker: The next one: 'The complainant felt the Department of Finance was acting incorrectly in assessing a tax of twelve dollars on a vehicle he had bought for scrap, for which he had paid one dollar. The Ombudsman informed the man of the right of the Department to determine the value

of the car, and his right to apply for a review if dissatisfied.'

Another complaint, Mr. Speaker, of Justice. I am just picking a couple from each section. 'An inmate at Her Majesty's Penitentiary complained he was not allowed fresh milk for his coffee and tea unless he paid for it, in spite of the fact he was allergic to powdered milk. The penitentiary was contacted and it was learned that a doctor must certify in writing that allergies exist before food changes can be made. No proof could be found of the inmate's allergy through a search of hospital records, however, the problem resolved itself, for the man was released shortly thereafter.'

Under Social Services: There are a number of them, and you would expect a number of complaints under Social Services. I suppose the Minister's Department handles thousands each year, and each MHA handles hundreds and hundreds each year. 'A recipient of social services had been assaulted and his upper dentures were broken and lost. His social worker said arrangements to get new dentures would take about three weeks. He felt this was too long, as he was unable to eat solid food and was losing weight. In a check with the Department, it was learned that the man had been given explicit instructions on how to make application for funding for replacement of the dentures.'

Mr. Tobin: That is (inaudible) for you to try to poke fun like that.

Mr. Baker: Handling the problem. Handling the problem.

Now, I recognize what the Member

is saying, and I understand that it could be interpreted that way. However, I want to assure the Member opposite that we made the decision on the basis of the usefulness in the Province at this present time, and I am simply trying to show something which I will get to in a few moments. And I am not poking fun at anybody, I am simply stating the facts and reading from a public document.

Another one in Social Services: 'A worker on a Social Services work project complained because the door to his new home was slightly warped and he would like to have it replaced by the Department. Having a steady income, he is not eligible for assistance.'

An Hon. Member: (Inaudible) the door, boy!

Mr. Baker: I am just pointing out - and you can go on and on. Mr. Speaker, the cases are all alike in here. And, what they all have in common, Mr. Speaker, is that obviously, to the people involved, they seem to be big concerns. But the problems could be solved by a phone call to almost any source in Government. Mr. Speaker, we are now providing facilities for MHAs to have offices in their Districts. The Member for Burin - Placentia West can now have an office in his District; funding is provided to have an office in his District.

Mr. Speaker, we have many appeals processes in place. On almost every Government decision you can think of, we are now making sure that the appeals process is a proper appeals process; we are making sure that takes place. Even in terms of Government workers we are making sure that

the Classification Appeals Board works, and all this kind of thing. We are making sure that there is appeal to Government decisions. We are guaranteeing true democracy.

Mr. Speaker, we have in this Province, if there are serious problems in terms of human rights, very active human rights groups who are very involved in the human rights of individuals.

Mr. Speaker, I say to you that if you read the reports, you will find that we could make no another decision than to come to this House and ask for repealing of the Parliamentary Commissioner's Act. Because, as a priority for the spending of \$250,000, it is simply not up there with a lot of the other things, like opening the intensive care beds at the Health Sciences Complex. It simply does not rate.

Now, Mr. Speaker, if, in fact, and I have no doubt that at a certain point this was necessary - the Member for Grand Falls read out about four cases, one from 1979, another from 1986 and another from 1988, where some action occurred. I say to him that an awful lot of action occurs by calling MHAs' offices, although he belittles it and makes fun of it and so on, but a an awful lot of action occurs by calling MHAs' offices, and an awful lot of action occurs by going through the appeals process.

Some Hon. Members: Oh, oh!

Mr. Baker: It does now. If it did not a few years ago, it does now.

Mr. Speaker, we could come to no other conclusion than the service provided. At the present time,

and the way things have evolved, the service provided was one that there were many other avenues to provide the same service and, therefore, we could better use the money next year - not this year, because it is still in existence this year - for some other purpose. Some Members might say it was a difficult decision, a hard decision, it was something that should not have been done. I did not find it particularly difficult, but I will admit that cutting anything is difficult, removing jobs anywhere is difficult; there are four jobs involved, and I regret that these four jobs are no longer there.

Mr. Speaker, we have our priorities. We intend to stick to them, and we intend to support the abolition of the office of the Parliamentary Commissioner. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Kilbride.

Some Hon. Members: (Inaudible).

Mr. Speaker: I would remind the hon. the Member for Mount Scio - Bell Island and the hon. the Member for Grand Bank, that I have recognized the hon. the Member for Kilbride.

Mr. R. Aylward: Sorry, Mr. Speaker, I did not hear you recognize me. Thank you, very much.

Mr. Speaker, I want to have a few words on the resolution put forward by the Member for Grand Falls, the Opposition House Leader, on the importance of trying to keep in this Province the position of Ombudsman to help

people who have grievances with Government. And whether they are trivial to the President of Council, the Government House Leader, or other Ministers of the Departments, is completely irrelevant to this debate, because a person would not make the effort of taking a complaint as far as the Ombudsman for review if they, themselves, did not think it was an extremely important reason.

Mr. Speaker, what MHAs in this House might think is trivial or not important is not necessarily so to the person who has an injustice done to him or even a perceived injustice. If the Ombudsman can straighten out a problem, even if he comes down on the side of the Government Department that is being complained about, the person who brought the problem would feel a little better because he had an independent person, and I do not think there was any question that the Ombudsman's office was not independent. Even the Minister of Health in his ridiculous speech did not try to suggest that the Ombudsman was impartial.

Mr. Speaker, the person who is complaining no matter what - certainly would like to have decisions made to their own complaint or to their own benefit. But, Mr. Speaker, there is a better feeling if an independent person, such as an Ombudsman, was to make a ruling on some grievance between Government, Mr. Speaker, and probably you would feel a bit better.

Mr. Speaker, as far as MHAs or Cabinet Ministers, or MHAs I guess in particular, doing the job of the Ombudsman, representing someone who has a complaint against the Government, feels he

has been wronged by a Government decision or by a decision by some Government Department. An MHA who represented his brother against an agency of this Government, being the Fisheries Loan Board, would have been in conflict if he had been asked by the ship builder, as it was at the time Eastern Ship Builders, who might or might not have been a constituent, I am not sure, but if he was a constituent how would the hon. Member for Port de Grave represent both sides of the same argument, where the Ombudsman could have represented either of these people if they felt they had been grieved by the Government agency.

Mr. Speaker, it is absolutely impossible for MHAs to represent - and even more impossible if that MHA happened to be a Cabinet Minister, Mr. Speaker. I would imagine that there could very well be - I would not say that there would definitely be - but there could very well be constituents in the District of Port de Grave or Conception Bay South, or Twillingate, who would have problems with, maybe in Twillingate, with the Fisheries Department. Maybe in Port de Grave with the Social Services Department, maybe in Conception Bay South with the Department of Labour, especially Workers Compensation Board, Mr. Speaker, who would have grievances against those boards and now they have to go to their MHA, and that MHA would be the Minister of Fisheries, the Minister of Social Services or the Minister of Labour to take up for their cause. And that Minister is responsible for the decision in the first place that was made against them. It would be a complete and grave conflict of interest, Mr. Speaker, to have that Cabinet Minister

represent both sides of an argument. Right now we have no - we will have very shortly - no Ombudsman's office. So all these people who legitimately have complaints, whether we consider them important or not, cannot go to the Minister of Social Services if he represents that Department and the complaint is against them, and they happen to be his constituents. If some people are grieved in the near future by some forced amalgamations that are going to come from the Department of Municipal and Provincial Affairs, and they happen to be constituents of the Member for Waterford - Kenmount, and happen to live in the Mount Pearl part of his District, where can they go to get representation on being forced to amalgamate if that happens?

I do not say that it will happen. It could very well happen is what I am saying. Where would they go to get an independent body now? There is no Appeal Board they can go to. The President of Treasury Board said we have Appeal Boards to look after these things now. There is no appeal board that a person from Mount Pearl can go to to look after a complaint that he would have if he is forced to amalgamate with any other municipality. Mr. Speaker, the arguments that the Treasury Board President just put forward are totally and absolutely ridiculous, Mr. Speaker. First of all I want to say, as the Member for Grand Falls said, I know this Department, or this Office of the Ombudsman was not abolished because of any political vendetta. I know that. I am certain of that.

Some Hon. Members: The Minister of Health said it.

Mr. R. Aylward: Well, I did not hear him say it, but he should be ashamed of himself, he should apologize to the office, and he should also apologize to the Premier if he said that, because I do not think the Premier would make that type of a move. I say, yes, it was a rash decision, and it was a quick decision during the budgetary process. It was a \$220,000 lump of money that it seemed could be saved because there did not seem to be a lot of complaints. The 900 complaints that we had at the time did not seem to the Cabinet to be a great number of complaints. I consider one complaint to be very significant, if a person is grieved and they have nowhere else to go. That is the difference between the Cabinet that exists now and the Cabinet that was here a few years ago. If I were cutting, certainly, one of the last things I would cut would be an Ombudsman's Office, because the people who will be using the Ombudsman's Office, a vast majority of them, are people who are not familiar with, and maybe cannot afford, other avenues. They know the Ombudsman is there and he is supposed to take up their cause. That is well publicized and universal throughout the world, certainly throughout the free world. It is certainly universal in Canada, that we know there is an Ombudsman somewhere in our Province. We have to take up a phone book, maybe, to find it, but he will take up my cause. Mr. Speaker, that would be the last thing I would cut if I were in Cabinet because these people, people who would not know other avenues, I am not saying they are poor, rich, affluent, or not, people do not know the bureaucracy of the appeals boards as were mentioned

before. They very seldom know how to go through that bureaucracy, but they do know how to get to this Ombudsman and they have confidence that he will represent them.

What I have seen happening over the last year is a trend. I know they scream and howl when I mention this trend and the President of Treasury Board tried to attack the Member for Humber East for pointing out a part of this trend, but I see a trend, since this Government took over, Mr. Speaker, on treading on people's rights, or closing the door to Government even more so than it has ever been closed. I thought this Premier of our Province was one who was going to open up Government, make it a smaller Government, not interfere with people's lives more, but open it up to everyone. I did not think you would even need the Freedom of Information Act if you wanted information.

Mr. Speaker, what is happening since this Government took over, the trend I see, first of all we had the consumer Advocate removed from the Public Utilities Board. That, at the time I disagreed with, yes, but there were arguments that the Minister of Justice made that maybe, or maybe not, you could agree with. I thought at the time that it was very important, when the place was made, the position was put on the Public Utilities Board, I felt from my constituents that they were more satisfied that things were being done not so secretly with the Public Utilities Board. Rates for electricity were finally being reviewed by someone who represented them. That is not the case now. You removed that person from the board. I know it was a

consumer advocate making the decisions against the utility and maybe the utility should have had an advocate on it, too. I would not even care if they did have an advocate on it. At least there was a consumer advocate on that board who had input into the back-room decisions that were being made, Mr. Speaker.

We did see an article in the paper, whether the President of Treasury Board liked it or not, some time ago, that the Auditor General's Act is coming up for review and maybe the present Auditor General, who has made a good name for himself in looking after the accounts of the Province, maybe he is going to go. He has experience there now. There is a good chance that after ten years there is the possibility of putting someone in that place who would lean more toward Government persuasion at the time, and maybe he would not be so rough on Government.

But, Mr. Speaker, if that Auditor General's position or that person has to be replaced, I am going to be very interested to see who is going to be hiring the new Auditor General, Mr. Speaker. And I would hope that it will be independent people, such as the Speaker of this House of Assembly and others, who might have a say in who the new Auditor General will be, if there is going to be one, Mr. Speaker.

The Ombudsman did have 900 complaints, whether the present Treasury Board likes it or not, he had 900 complaints, he could only deal with some 400 of them. So what do we do, we abolish the Ombudsman's office. What we should be doing is expanding his power so he could deal with the

whole 900. Mr. Speaker all the complaints that he is getting now, he cannot manage these complaints or he cannot react to them, you expand his powers to get him to be able to look after as many of these complaints as he can, and all legitimate complaints. We should be expanding the powers. A country I just happened to be fortunate enough to visit at one time was Norway. Norway, Mr. Speaker, has a very good and very strong Ombudsman's office, not only an Ombudsman, Mr. Speaker, to deal with general complaints of the people of Norway, they have another office, Mr. Speaker, another individual, who is appointed as a children's Ombudsman, and maybe this Province needs a children's Ombudsman too, because we see the problems we are having in this Province as are being highlighted by the Hughes Commission. Maybe there is a need, not only for this Ombudsman, Mr. Speaker, but an expansion of that office so that children can have an Ombudsman. This exists in Norway and maybe should be established in this Province, Mr. Speaker.

What we are doing in our Province, Mr. Speaker, is we take one step forward and, since this Government got into office, Mr. Speaker, we are not taking one step backwards, we are running backwards, Mr. Speaker. We are going completely opposite to the trends of the free world, Mr. Speaker.

Mr. Speaker, this Ombudsman's office is going to save, I think if it is cancelled, some \$220,000. Now, I do not remember the total figure for our Budget, I think it is about \$3 billion, so we are going to save \$220,000 by knocking out someone who can fight for the rights of people who need

this position, \$220,000. What have we done with Newfoundland Information Services, Mr. Speaker, a Division that certainly is not needed as much in this Province as an Ombudsman, because it is only going to be used now because it is in the Premier's office, it is going to be a political arm of Government. Mr. Speaker, when it was in the Department of Public Works, it had a function. Now if I had to make a choice, how much would we save if we cut Newfoundland Information Service. Now I am sitting in Cabinet, and I have a choice of cutting the Ombudsman's Office, which costs \$220,000, and I have Newfoundland Information Service, which costs \$335,000, Mr. Speaker. If I had cut Newfoundland Information Service, I would have saved more money than by cutting the Ombudsman's office. But what did I do as a Cabinet Minister, what did our fifteen great people do as Cabinet Ministers, Mr. Speaker, they doubled the price of Newfoundland Information Services. They increased their Budget by almost 100 per cent. Not only is it going to become a political arm of Government now which it had never been before, they doubled the salary of it.

Mr. Speaker if I had to make the decision of protecting the rights of Newfoundlanders, I would retain the Ombudsman. What else are we spending this money we saved on, Mr. Speaker. Constitutional affairs - Meech Lake - \$216,000. Mr. Speaker, did we cut out the Ombudsman so the Premier could have \$216,000 to spend on Meech Lake?

Some Hon. Members: Hear, hear!

Mr. R. Aylward: That is in our Budget, Mr. Speaker. Where else

are we going to spend it, Mr. Speaker? We are going to cut out this Ombudsman's Office which we need in this Province. What are we going to do with it? We are going to take that money. We are going to multiply it by two and get it up to \$535,000, Mr. Speaker, and spend it on Caribou Management. Well, Mr. Speaker, if there is a choice between - if there is a priority in this Province between caribou and people who have complaints, Mr. Speaker, we certainly have a very, very backward Government.

Some Hon. Members: Hear, hear!

Mr. R. Aylward: Mr. Speaker, the Ombudsman's Office only cost us in 1988-89, \$216,000 out of a \$3 billion budget. That is not worth cutting, Mr. Speaker. In last year 1989-90, it cost us \$220,000. That is not a big pile of money, Mr. Speaker, for the function that an Ombudsman's Office serves for this Province. We should be investing that and not doubling Newfoundland Information Budget, Mr. Speaker, we should be doubling the amount of money that we should be spending on the Ombudsman. Because certainly the way this Government is operating now, Mr. Speaker, one person we are certainly going to need in this Province is an Ombudsman.

Some Hon. Members: Hear, hear!

Mr. R. Aylward: Mr. Speaker, I would imagine this legislation that we are going to have is going to come before the Legislative Review Committee. I am not sure of that yet, but I would imagine it would, because one progressive step that this Government did do was to set up the Legislative Review Committees. So that was

their one step forward. They ran backwards by cutting out the Ombudsman Office. But, Mr. Speaker, if we are going to put that before the Legislative Review Committee, it gives Government, if nobody shows up or nobody has any complaints, it gives Government an option to say, oh, well nobody was interested anyway.

An Hon. Member: Right on!

Mr. R. Aylward: Do you think that some of the 900 people who applied to the Ombudsman last year, who had complaints put before the Ombudsman last year, are these people going to come and bear their souls before a Legislative Review Committee, Mr. Speaker? I doubt it very much. I doubt that these people are going to come out as much as they might want to, but I doubt very much if they are going to be out to the Legislative Review Committee and try to defend the Ombudsman's Office because they will be asked -

An Hon. Member: They might phone you.

Mr. R. Aylward: Yes, they might phone me. I hope they do phone me, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. R. Aylward: Mr. Speaker, if I can do it, if I could only do it and if I had the powers of the Ombudsman, Mr. Speaker, I would put my telephone number in large bold letters on billboards, Mr. Speaker, so that I could help everyone of them out.

Some Hon. Members: Hear, hear!

Mr. R. Aylward: Mr. Speaker, I know I do not have the powers of the Ombudsman. I cannot go into

the Minister's Office and get files that he will be hiding away because people are complaining about what is happening in Social Services. I cannot go and get them. I should not be allowed to get them as a MHA because they are private. But as an Ombudsman he should be allowed to see them; he should be allowed to read them over and they should be confidential which the law said, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. R. Aylward: Mr. Speaker, I will not be able to go to the Minister of Health and see the files that came from any injustice that might have happened to be the Minister of Health. As an MHA I cannot go to his Department because Health files, as they should be, are confidential to me as a MHA.

Mr. Speaker, if I had the powers of an Ombudsman I would be sitting on their doors, both of those people's doors particularly, pretty well all the time, because that is where a lot of the complaints are coming from and a lot more are going to come from, Mr. Speaker, because they are the most right winged two people that ever were elected and put in Cabinet in this Province, Mr. Speaker.

We have the most conservative right winged Government that has ever been put in place. And that is why the Ombudsman is going, Mr. Speaker, and I must say I am extremely disappointed that the President of Treasury Board would support such a move, because he is the only Liberal Cabinet Minister we have in this Government. Maybe the Minister of Labour. I would say she probably does not agree

with eliminating the Ombudsman. But she is not up here speaking, so I do not know how she feels until she votes. But the President of Treasury Board disappointed me today. I really do not believe he meant what he said today, Mr. Speaker.

Mr. Speaker: Order, please!

The hon. Member's time has elapsed.

Mr. R. Aylward: Mr. Speaker, I think deep-down, the President of Treasury Board would like to keep the Ombudsman's office in this Province.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Minister of Social Services.

Mr. Efford: Thank you, Mr. Speaker.

Mr. Speaker, let me start by saying I only have about ten minutes left, I had planned to talk a little longer - I have a few remarks to make in that time. I would like to highlight what the Opposition has been saying.

First, let me say I can understand, weak though they may be in their arguments and weak in their resolution today, I can understand the purpose or the reasoning as to why the Opposition are doing what they are doing, because they have to try to put up some sort of an opposition, some sort of a front against what the Government are doing. Whether they believe it is right or wrong, I do not think has anything to do with the issue, it is the fact that the Opposition has a job to do.

I would just like to touch on the

resolution that was on the Order Paper, resolution No. 10, by the hon. the Member for Grand Bank, now sitting in the Leader's Chair. I know now why that resolution was not brought in today, and why they changed and switched to the resolution.

An Hon. Member: (Inaudible).

Mr. Efford: The hon. Mr. Bill Matthews (Grand Bank) - To Move: WHEREAS the fishery is the economic mainstay of Newfoundland - that should have been discussed today. AND THEREFORE BE IT RESOLVED that this House support an all plants open approach - that was when this resolution was done up. But that was not the position of the Opposition yesterday, when the Leader of the Opposition got on and supported, and said there was absolutely nothing wrong with the Federal response program, the Federal program. That is exactly what you said, it is written here. So this is the reason why we have this resolution on when such an important matter is facing the Province of Newfoundland and Labrador.

Some Hon. Members: (Inaudible).

Mr. Speaker: Order, please!

Mr. Efford: Thank you, Mr. Speaker, for your protection.

Mr. Speaker, if the Member for Burin - Placentia West, the former Minister of Social Services, would learn the rules and regulations he would know that he should be in his seat and should be listening to what another hon. Member in this House of Assembly has to say, and then he might learn something, as to what an Opposition Member in this House of Assembly should be doing. But instead he is

continually interjecting when somebody else is speaking.

Some Hon. Members: Hear, hear!

Mr. Efford: We had to make some decisions, Mr. Speaker. Mr. Speaker, as a Government we have to make decisions. Why do we have to make decisions? Why do we have to cut back and make some restraints? Is it because we want to? Is it because we are forced to and we have no other alternatives only to do that - and why?

The hon. Member for Kilbride stood up and when he was talking he said, that it is not the right decision. But go back ten years and all the decisions that were made were right for the people of the Province - the former Cabinet made the right decisions. They made the right decisions in spending money. Their priorities were in the right place. Let us talk first about the needs and priorities of the day. My Department in particular, the Department of which I am the Minister of today, what were the needs two, three, four, five years ago in that particular Department? What did I have to deal with as one of the first priorities as Minister in that Department? Let us talk about the children that they mentioned. Creating an Ombudsman for children, let us talk about the 7,265 cases of child abuse and child protection cases in the Province, and less than 100, exactly seventy-five social workers to deal with in excess of 7,000 cases, that is a priority. Take the \$265,000 that you put there, that is a priority.

Mr. Speaker, let me talk about the priority I have here in my hands.

This is not a joke. How many hundreds of thousands of dollars went into - \$20,000 for this particular booklet alone. Cucumber recipes, I mean this is a decision made by Cabinet. This is not something that I am holding up in my hand for a joke, this is factual. This was presented by your former Cabinet. This is where a decision is made on what is best for the people in this Province. Are you telling me, going through something like this, and reading quick cucumber salad, that that is good for the children of the Province? That is good for the people?

An Hon. Member: If you ate enough it would be.

Mr. Efford: Yes, it sure would be. When you see the former Minister sitting in his place today and trying to defend the decision of keeping the Ombudsman in place, verses something as idiotic as this, something as idiotic as what is out there in Mount Pearl or Kilbride, whichever community that you put it in. It is because of former decisions by that then Cabinet that we have to make the harsh decisions we have to today. We would like, as the President of Treasury Board said, to have enough money to create ten offices or to create all kinds of alternatives so that people can at least get some decency in representation. But decisions have to be made. You have to put your priorities in the right place and the choice has been made. And we looked at this. I read this book. I read it in 1988. The Member for Humber East got up today and referred to it.

An Hon. Member: What book?

Mr. Efford: The reports of the

Ombudsman. The fourteenth annual report of the Parliamentary Commission for the Calendar year 1988.

Mr. Simms: Did you read the last ten?

Mr. Efford: Yes I read it. I looked through it.

Mr. Simms: The last ten reports?

Mr. Efford: I did not say that. I am talking about -

An Hon. Member: Did you read the Act.

Mr. Efford: I am talking about the issues. And you have to look at them and analyze it. Is it really worth it?

An Hon. Member: Yes.

Mr. Efford: What is the Ombudsman really doing. I mean you have appeal boards in the Department of Social Services. If any decision is made against any individual in this Province, which they are not satisfied with, there is an appeals process separate from Government altogether.

Mr. Simms: Read the Act.

Mr. Efford: I mean what has he accomplished?

An Hon. Member: (Inaudible).

Mr. Efford: What has he accomplished? I mean it is unbelievable. Let me just give you one example.

An Hon. Member: (Inaudible).

Mr. Efford: Just let me read this one. The wife of an inmate is upset because her husband had been

in segregation for several days without showering privileges, and with only the minimum of clothing and bedclothes, in the coldest section of the penitentiary. Anybody at all could have went down to the administrator of that particular penitentiary and spoken to the individual about the concerns. You have the Human Rights, you have the Department of Consumer Affairs, you have the Department of Justice. You are not taking away the rights of the people.

Some Hon. Members: (Inaudible).

Mr. Efford: Mr. Speaker, if this was being taken away and there was no other alternative, if there were no other doors open to the people, I would understand and I would support what you were saying, but there are all sorts of doors. If you are saying that MHAs cannot look after these kinds of requests then you have absolutely no idea what your responsibilities are. Anybody could pick up the phone and call a Social Services social worker, or call the Department of Justice, call the Department of Health, or call any Department.

You can make representation on behalf of any constituent, anybody in the Province. And if they do not agree -

An Hon. Member: That is not true (Inaudible).

Mr. Efford: Mr. Speaker, when that Member was the Minister of Social Services, I can say the people of this Province were not very pleased, not like they are today, about how the Department is being run. I spend time in the office of the Department of Social Services, I am not a Member who

kept the Chair warm once or twice a week. But let me say very clearly, it is a fact, there are options open to the people of this Province. Decisions have to be made. You have to place priorities above all the other decisions you make. What is the first priority of this Government? It is concern for the best interests of the people. And it shows the type of priorities they placed as an opposition, what type of priorities they must have had while they were in Government. I am really disappointed in the Member for Grand Bank.

Mr. Matthews: Me!

Mr. Efford: Yes, not to have that motion on today - a private Member's motion.

An Hon. Member: You voted against the same motion twice.

Mr. Efford: You had your opportunity to bring this, so it places your priorities.

An Hon. Member: What are they?

An Hon. Member: Bring in another one.

Mr. Efford: Yes, yes.

Some Hon. Members: (Inaudible).

Mr. Efford: Mr. Speaker, I was going through the communities there, it gives a list of the communities in which people call. And all they have to do is go through the communities. I went through the communities in my own District which is listed here in the report in 1988. And I was then a Member in 1988, and I took community by community for the whole year of 1988 and I went

through and I checked on how many calls were called in from the District of Port de Grave. And there are approximately 11,000 or 12,000 people in that particular District. There were twelve calls that went to the Ombudsman's office in a twelve month period, and I suspect, Mr. Speaker, that I could point out those individuals who made those calls. They went through their MHA and they went through the social workers, and they went through the Department of Transportation.

Mr. Speaker: Order, please!

The hon. Member's time has elapsed.

It is now twenty to five, I recognize the hon. Opposition House Leader who will close the debate.

Mr. Simms: Mr. Speaker, I have to say at the outset that I was never so absolutely disgusted with the contribution made by the Members on the Government side today to an issue that is of extreme importance to a lot of people in this Province. Their performance was absolutely despicable, and indefensible as well!

Mr. Matthews: Despicable.

Mr. Simms: Despicable, despicable.

Mr. Matthews: Mr. Perfect picked it up over there.

Mr. Simms: What we have seen now, because of the reaction to a slip of the tongue, is their performance for the whole day. They spent the whole day joking, laughing, laughing off an issue that is of extreme importance to the people of this Province, Mr. Speaker, and they should be ashamed of themselves. Their

decision on this issue is absolutely indefensible. They do not understand. All you had to do was to listen to the Minister of Social Services, the Minister of Health, who knew absolutely nothing about the powers of the Ombudsman and the function of the Ombudsman and the duties of the Ombudsman, absolutely have no understanding whatsoever, and that is why their entire attack for the last two hours centered on everything else but the issue that we were discussing: The elimination of the Ombudsman's Office. That is why, they talked about the fishery, they talked about the pickle factories, they talked about the communist manifesto, they talked about priests lengthening their robes, they told stories, but nobody made a contribution to the debate, for the simple reason they don't understand what the debate is all about and that is what makes this decision so terrible. They made the decision because they don't understand what is happening with the whole situation.

Let me tell the Premier what the debate was all about. Their lead speaker, the Minister of Health, was a good example, when you look at his approach to serious issues when we were debating the fishery issue. The Minister of Health spoke in the debate, told a silly little story about a man and his dog and barked in the House of Assembly, in fact, it was so silly, the CBC today had to carry the speech live so that people could hear him, and I am sure most people wouldn't believe it when they heard it, but that's his typical approach. He had today, as the lead speaker for the Opposition twenty minutes. What did he do? He spent the first five minutes talking about the

communist manifesto, talking about two priests walking on the road, lengthening their robes, that was his contribution, Mr. Speaker. Then he went on to talk about the fishery crisis. Why didn't you bring in a resolution to debate the fishery? - without mentioning for one minute that yesterday we had five hours debating the fishery and the day before debating the fishery. Oh, he left that out of his comments, trying to fool a few people who might have been sitting in the gallery, I suppose, into wondering. He belittled the issue of the Ombudsman. He absolutely belittled it and he belittled the incumbent and the people who are into it, Mr. Speaker. He was obviously not competent to discuss the important issue with which we are dealing here, today! Not competent to talk to the people about why they have made this regressive decision, this regressive move to eliminate a right that the people of this Province have, and have held now for fifteen years.

If he thinks, Mr. Speaker, that trampling on the rights of the people of Newfoundland and Labrador is not important, then he is as ignorant about this issue as he is, and I suspect a lot of his other colleagues are, about other issues that affect the lives and rights of people of this Province, and that is just as I suspected. But now fortunately, thanks to radio coverage and so on, the people of Newfoundland will now know that it is also a fact. He belittled the issue, it is not important. The Ombudsman is the type of issue that old women, sitting around the table knitting socks, should be talking about, or sitting around the table having a few drinks. That is the kind of

time you talk about the Ombudsman. That is what he said, Mr. Speaker.

Now how absolutely insulting is that kind of an approach to an important issue to the people of this Province, especially from the lead-off speaker on this resolution, a Minister of the Crown. And then he had the gall, Mr. Speaker, to suggest that all we were doing was trying to save an old Tory buddy, trying to keep an old Tory buddy in office, he said that, it is on the record, publicly.

In my introductory remarks, I said some people are suggesting that and suspecting that, and that maybe it is just a political decision, and the President of the Council assured me no, he shook his head no it is not political. Yet the Minister of Health, right out of his mouth, the lead-off speaker for the Government, confirmed that that is the reason they are eliminating the Ombudsman's office, because there is a former Tory as the Ombudsman. Well, Mr. Speaker, as I said, we do not care if you fire Ambrose Peddle, we do not care, but do not throw out the baby with the bath water. You need that officer for the people of the Province.

Now, Mr. Speaker, I am mad about this issue, I make no apologies for it. It is a stupid regressive decision, and the Premier should hang his head in shame, and I tell you the people will realize what a stupid decision this is before to long. I will not talk about the contribution from Members on my side because they were too sensible, and you people would not understand it. The Member for Humber East made a great

comparison about the importance of the resolution, to a resolution presented by the Member for Bellevue a few weeks ago, when he presented a resolution dealing with Women's Centres. We thought that was an important issue, and we supported the resolution as a matter of fact, and that was important to many people in the Province, not everybody, but it was important to many people in the Province. Well, so is the Ombudsman's issue, Mr. Speaker. She talked about the rights of people, and she talked about the need to give people the right to go somewhere independently to get help if they needed to get help, if they feel they have been wrongfully treated.

Then we had a contribution, I guess, from the President of the Council, I will save my comments on his contributions for last. The Member for Kilbride made an excellent speech, a sensible speech in my view, made a good contribution to the debate. He stuck to the topic, he stuck to the issues, he talked about the facts, he talked about the Ombudsman's office, he talked about the rights of people, made good points, pointed out, I thought, a very good point about MHAs not having the same authority as the Ombudsman to deal with problems.

The Minister of Social Services flicked across - you can go do this, you can go do that - so does the Premier say that, but you cannot. Read the Act. He has powers that we do not have, absolute powers in many cases. The Member for Kilbride, I think, made a tremendous point when he brought that out and reminded us of that. He, too, talked about people. People - that is the

important point here - the rights of people. He talked about people needing a place to go, and he made the point that instead of abolishing the office, increase the powers of the office to give the Ombudsman, whoever he or she, might be - appoint a good Liberal, I do not care - but whoever they may be give them the power to do more if you do not think they are doing enough.

The Member for Kilbride also suggested that instead of going backwards as you are doing, instead of going backwards with this move, what you should do is move forward, become a bit progressive in your thinking and maybe, and it follows on the lines of the Minister of Social Services, perhaps you should consider taking some money from Newfoundland Information Services and open an Ombudsman's office for children, as they have in Norway, I believe, my colleague for Kilbride mentioned. That would be a very appropriate thing to do, a progressive thing to do, particularly in this day's society with all the concerns that are being expressed. The Minister of Social Services made reference to it himself. Well, why do you not do something like that? Open an Ombudsman's office for children. That would certainly be a progressive move. But at the moment the Ombudsman's office in this Province can deal with issues along those lines. Now, the Minister of Social Services, the Member for Port de Grave, I apologize on his behalf to those in the gallery who have never seen him speak before, but let me assure them that the speech they heard this afternoon is the exact same speech that this Member has been giving for the last twelve months. He throws out and utters

the same foolishness and nonsense. It is one of the weakest speeches I have ever seen or heard. He talks about the pickle factory, he talks about the Sprung greenhouse, his usual speech. That is his only comeback. He never has anything to add to a debate and never offers anything that will enhance the intelligence or knowledge of Members of the House of Assembly. He uses the same usual speech, and then he spends a couple of minutes questioning our motives. Why are you doing this? It is as if we are trying to save a job for a former Conservative, along the lines of the old Minister of Health, silly. He, too, said why do you not talk about the fishery, without mentioning the fact that we talked about the fishery for hours yesterday evening, and we intend to do it again tomorrow and the day after.

The silliest comment of all was when he said to somebody over on this side, stop interrupting when I am speaking, and the biggest culprit in this House, next to the Member for Mount Scio - Bell Island, for interrupting Members when they are speaking is who? None other than the Minister of Social Services himself. You talk about the pot calling the kettle black. Mr. Speaker, the bottom line was the Minister of Social Services and the Minister of Health, the two main contributors to the debate, along with the President of the Council, said absolutely nothing, added nothing to debate, showed their ignorance of the facts, showed their lack of knowledge about the issue we are dealing with, and said absolutely nothing about it. He flicked across, Why don't you talk to the social workers? Go see the social workers to get problems resolved.

Mr. Speaker, do you know something? This Minister will not allow his social workers to speak to the MHAs on the Opposition side. Did you know that? That was a silly suggestion for the Minister to make, and he knows it. The speech and the comments were idiotic, silly and stupid, Mr. Speaker. But I must conclude that the Minister of Social Services contribution to the debate -

Mr. Efford: On a point of order, Mr. Speaker.

Mr. Simms: Oh, yes, now he will explain.

Mr. Speaker: The hon. the Minister of Social Services on a point of order.

Mr. Efford: Mr. Speaker, in the last five years, I have only risen once or twice in this House on a point of order. But I think it is very important that I clear up, on a point of order, the statement the hon. Member just made, when he said the Minister of Social Services has instructed his social workers not to talk to MHAs. Mr. Speaker, that is absolutely false. That is absolutely wrong and it is misleading the House. The hon. Member, with the respect and credibility he has in this hon. House of Assembly, should either apologize or retract that statement, because it is totally false.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Not to the point of order, Mr. Speaker.

Mr. Speaker: There is no point of order, it is a difference of opinion between two hon. gentlemen.

Mr. Simms: Thank you, Mr. Speaker. I only have seven or eight minutes remaining. That is a great tactic on the part of some on the other side. When somebody is in full flight, trying get their thoughts together to finish off their speech and to conclude their speech, it is a great tactic for some people to stand and interrupt them on points of order, spurious points of order. We all recognize that, Mr. Speaker.

The whole point of the debate, Mr. Speaker, is that the decision of the Government is, as I said at the outset, indefensible. It is a regressive step. It is a poor decision, and I think, most importantly, it hurts the people of Newfoundland and Labrador. That is what is so sad about this particular decision by this particular Government.

Now, I said I would refer to the comments of the President of the Council, in whose name, I think, the legislation will be coming forth, the Act to eliminate the office. I think it is in the name of the President of the Council. He began, I guess in response to some comments from the Member for Humber East, by defending the Auditor General's Bill. That was his first major contribution. But, I must say, unlike his two colleagues, the Minister of Social Services and the Minister of Health, the other two main speakers in this resolution, he did spend some time on the resolution. Now, he did not spend his entire time; he had twenty minutes, and I think he spoke for about thirteen or fourteen. But he did spend some time speaking to the resolution. He said at the outset, 'Our decision was a straightforward, upright decision.'

Mr. Efford: Who said that?

Mr. Simms: The President of the Council, your colleague, if you were listening. That is what he said, 'it was straightforward and up-front.' Mr. Speaker, I suggest the opposite is true. It was sneaky and it was reprehensible. That is what that decision was. Those are not my words, Mr. Speaker, those are the words of the people who have been calling into Open Line shows, writing letters to editors, and phoning into television call-in programs.

Some Hon. Members: Oh, oh!

Mr. Simms: Oh, yes it is. That is a fact. The decision by the Government is really an embarrassment. It puts us in a pretty sad light. We are in a sad enough light now throughout the rest of this country, but it puts us in an even sadder light. I can tell him it is embarrassing. He said, 'This Government was elected to make decisions. We are not afraid to make decisions, and we have to make decisions for the betterment of the people, to improve the lot of the people.' I presume he is talking about the decision to double the budget for Newfoundland Information Services, to put out press releases from Cabinet Ministers, to \$320,000. I presume that is the kind of decision to improve the lot of the people he is talking about.

An Hon. Member: (Inaudible) Dr. House.

Mr. Simms: Yes, and millions of dollars into Doug House's little operation down there, instead of throwing in a couple of hundred thousand dollars to keep the Ombudsman's office in place. Then he tried to argue and distort the

issue of the number of complaints, and the validity of the complaints. Two or three of them tried that tactic, Mr. Speaker. He talked about the complaints in 1989. He said there were 900, but the fact was he only dealt with 480, whatever the numbers were. The facts are there were 900 complaints to the Ombudsman's office and whether he dealt with 400 or 500 -

Mr. Efford: That is only a week. (Inaudible) that much in a week.

Mr. Simms: So what? Aren't the needs and rights of the four hundred-odd people he did help important to the Minister of Social Services? Aren't they important to this Government? Mr. Speaker, what they did, both of them, was they belittled people's problems, they made fun of people's problems. That is what they did.

Some Hon. Members: Hear, hear!

Mr. Simms: I want to say to the Minister and Ministers opposite, that people in this Province, lots of people in this Province, have difficulty getting help. Lots of people do not know where to go. Members know that. There are lots of people in this Province who do not know who to go to, and that is a fact. If you were any kind of an MHA, you would admit that is a fact. There are lots of people who do not know where to go to get the help they need. I can tell them, Mr. Speaker, that they will not have a chance to go to the Ombudsman's Office, because this Government is taking care of that. I think what that shows is that the Government, the Members of the Government, the Ministers in the Government, have, after only one year in office, become so

arrogant they have lost touch with the people of the Province. That is what the reality is in this particular situation, Mr. Speaker, they have lost touch with reality. They do not understand people. They do not understand the needs of people.

Since Members opposite made fun of some problems the Ombudsman dealt with, let me also touch on three or four, and see how funny this is. An employee of Government who apparently had an alcohol problem was prevailed upon by the Government, by the Department he worked in, to resign or be fired. He was not considered eligible for a pension on medical grounds, because alcoholism was not accepted as pensionable. Following his resignation, it was determined that in fact he suffered from a manic depressive condition, and when medication was given, these symptoms subsided. The Treasury Board, the Department of Government involved, turned down his request for a pension.

An Hon. Member: What Department turned him down?

Mr. Simms: Will the hon. Member shut his gob until I try to explain?

Some Hon. Members: Hear, hear!

Mr. Simms: The point is, Mr. Speaker, it was turned down by the Government, it was turned down by the Department involved. The Ombudsman made the intervention on behalf of that individual, and got the decision turned around. That is the point. The department had turned it down.

Mr. Speaker, how about these people who are elderly? Two elderly people, lived in a part of

the City of St. John's where a section of highway was going to be widened, and it was going to take up ten feet of their property. The Department involved, the Department of Transportation at the time, said they would not commence any negotiations with those individuals for any compensation. They rejected their request. These elderly people went to the Ombudsman.

An Hon. Member: Who was Minister?

Mr. Matthews: It doesn't matter.

Mr. Simms: This has nothing to do with the Minister.

Mr. Matthews: It doesn't matter. That is not what we are saying.

Mr. Speaker: Order, please! Order, please!

I ask hon. Members to my left to please stop the interruptions.

The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. Those kinds of comments simply point out the ignorance Members have with respect to the issue. In this particular case, these two elderly people were helped by the Ombudsman, who managed to get a decision of the Department involved overturned.

There are other issues. I talked about the sales tax issue. There were not one or two or three or four, there were seven people who had a decision of the Department of Finance, saying they must pay retail sales tax on pre-cut homes they brought in from outside the Province - the department was adamant. The Ombudsman went back about four times and eventually,

Mr. Speaker, he turned them around, saving seven people, from Lourdes, from Corner Brook, St. John's and Port au Port, all over the Province, saving them \$11,000 to \$12,000. Mr. Speaker, he had the decision overturned for those people. Now, that is something the Ombudsman could do, because of the powers he had under the Act, which MHAs would not be able to do. There is not a chance that could happen, not a chance!

Some Hon. Members: Hear, hear!

Ms Verge: They are so arrogant, they think they will make the right decision (inaudible).

Mr. Simms: Anyway, Mr. Speaker, I will conclude. It is pretty obvious that Members opposite have a total lack of knowledge on this issue, about the importance of the issue to the people of the Province. I cannot say I expect a lot of support for this resolution, but I hope they give it some thought and vote with us in support of it. Thank you, Mr. Speaker.

Mr. Speaker: Order, please!

Is the House ready for the question? Is it the pleasure of the House to adopt the motion?

On motion, the motion was defeated.

Ms Verge: Division, Mr. Speaker?

Mr. Speaker: Call in the Members.

Division

All those in favour of the motion, please rise:

Mr. Hewlett, Mr. Hearn, Ms Verge,

Mr. Simms, Mr. R. Aylward, Mr. Matthews, Mr. N. Windsor, Mr. Tobin, Mr. Hodder, Mr. A. Snow, Mr. S. Winsor, Mr. Parsons.

Mr. Speaker: All those against the motion, please rise:

The hon. the Minister of Social Services (Mr. Efford), the hon. the Minister of Environment and Lands (Mr. Kelland), Mr. Hogan, Mr. Reid, Mr. Ramsay, the hon. the President of the Council (Mr. Baker), the hon. the Minister of Health (Mr. Decker), Mr. Walsh, Mr. Noel, Mr. Gover, Mr. Penney, Mr. Barrett, Mr. L. Snow, the hon. the Minister of Forestry and Agriculture (Mr. Flight), the hon. the Minister of Municipal and Provincial Affairs (Mr. Gullage), the hon. the Minister of Justice (Mr. Dicks), Mr. Grimes, the hon. the Minister of Education (Dr. Warren), the hon. the Minister of Employment and Labour Relations (Ms. Cowan), Mr. K. Aylward, Mr. Dumaresque, Mr. Short, Mr. Langdon.

Mr. Speaker: Order, please!

Clerk (Miss Duff): Mr. Speaker, 'Ayes' twelve (12), 'Nays' twenty-three (23).

Mr. Speaker: I declare the motion defeated.

This House stands adjourned until tomorrow, Thursday, at 2:00 p.m.
I declare the motion defeated.

This House stands adjourned until tomorrow, Thursday at 2:00 p.m.