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Speaker: Honourable Patrick McNicholas

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The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):
Order, please!

Before calling Statements by Ministers, I want to respond to a point of privilege raised yesterday. The hon. member for Fortune - Hermitage (Mr. Simmons) stood on a point of privilege. In his opening remarks the hon. member, when recognized on this point said, and I quote, "It is this, Mr. Speaker, that every member of this House, whether the member for Port de Grave, myself or others, have the right to raise points of order. I do not see how the Chair can rule on points of order it has not heard, and the gentleman was not given an opportunity to make his point of order."

Let me assure the House that any hon. member will be recognized on a point of order. But rising on points of order to contradict what another hon. member has said, or to disagree with what that hon. member has said is not a point of order. I refer hon. members to Erskine May, page 144, for background on this, and there were also comments and quotes from previous speakers in my remarks which can be found in Hansard, November 12 of this year.

Now the hon. member for Fortune - Hermitage states later, and I quote, 'Now my point of privilege, Mr. Speaker, is that the minister has misled the House, I am not saying he deliberately did it, in giving incorrect information. My colleague got up and gave contrary information.'

As hon. members know I ruled at that status there was no point of order. The hon. member for

Fortune - Hermitage continued, and I quote, "Mr. Speaker, and here is my point of privilege, if we as members of this House are going to lose the right to draw to the House's attention that incorrect information is being given by ministers or other members, then my rights are being breached here."

The right to draw the attention of the House to what an hon. member perceives to be incorrect information can be done by handing in a question to be debated at the time of the adjournment on Thursday by asking a further question on the matter in question time or, frequently, in the course of debate when the hon. member has the floor. There are rules of procedure and it is my duty to see that we adhere to them. The hon. member has not established a prima facie case of breach of privilege.

Oral Questions

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

I would like to direct a question to the Premier, Mr. Speaker. In light of this report that has been prepared on the Juvenile Corrections Division of the Department of Social Services, in light of the shocking state of affairs set out in that report, indications being that young people are being detained in cells for long periods of times without any attempt to provide proper schooling, without adequate counselling, what we in effect have, Mr. Speaker, is a medieval, barbaric, psychological torture chamber approach.

MR. PECKFORD:

They are writing that down up there now.

MR. BARRY:

The Premier, I know, has lost touch, Mr. Speaker, with what is happening in this Province, but I would ask him to treat this matter with the seriousness that it deserves. We have, Mr. Speaker, a shocking state of affairs set out by that report. I would like to ask is the Premier prepared to take responsibility for this? He has been in power for six years, this has been going on while he has been in power, so is he prepared to take responsibility for this and what is he going to do about it?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I note with a great deal of interest that the Leader of the Opposition (Mr. Barry), the former Minister of Energy, will not now ask any more questions on the hydro situation with Quebec, given that he was Minister of Energy for two years while Mr. Bourassa was Premier and did not negotiate a deal, yet he was accusing this government and me of not being able to negotiate with Mr. Bourassa. I notice with a great deal of interest the shifting sands of the Opposition trying to escape from the embarrassment its leader has inflicted upon his members over there as it relates to energy matters.

On the matters that the Leader of the Opposition mentioned, obviously we do take responsibility for it. The report is in. The Minister of Social Services (Mr. Brett) and I have met on the matter. It is extremely

serious and the minister, myself and Cabinet are going to ensure that over the next couple of weeks we will be reviewing the report - next week I guess, in the next few days - and we will take whatever action is necessary to ensure that where there is legitimate criticism in the report we deal with it in an expeditious basis to ensure that these standards are brought up to standards which are appropriate for 1985, 1986 and 1990.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

A supplementary, Mr. Speaker. Maybe the Premier could briefly explain the relevance of hydro to this serious matter. Maybe he could explain how we could negotiate with BRINCO and Churchill Falls. With the province of Quebec we first had to get BRINCO and the Upper Churchill Corporation out of the way, which, in fact, I did while I was Energy Minister.

MR. PATTERSON:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. member for Placentia.

MR. PATTERSON:

I think the only contribution the Leader of the Opposition made to hydro and Newfoundland were the two holes he dug on either side of the Straits up there.

MR. SPEAKER:

To that point of order, there is no point of order.

The hon. the Leader of the Opposition.

MR. BARRY:

It is funny, Mr. Speaker, that the member who raised the matter was a member of government at that time.

MR. PATTERSON:

You have spent your lifetime digging holes.

MR. BARRY:

The Premier has the monopoly on hole digging right now, Mr. Speaker.

Would the Premier admit that this report is a shocking indictment of his competence and the competence of his administration, that it shows that the Premier, in this area as in many other areas has been totally incompetent in providing an efficient administration in this Province?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, this is shocking, the incompetence that the Leader of the Opposition wishes to fling upon this administration. Mr. Speaker, we have a pretty good record as it relates to social services and social welfare in this Province since 1979. In social services alone I think we have increased the budget by something like 140 per cent since 1979. One hundred forty per cent in a restraint period is pretty good progress. Nothing is perfect. We will take the report that is being examined now by the Minister of Social Services (Mr. Brett) and his people and it will be presented to Cabinet. The minister indicated to me he wanted it presented to Cabinet on a sort of emergency basis, and that he is

going to take with Cabinet all the necessary steps to ensure that anything in that report that reflects that things are wrong in the institutions we will correct them and we will do it immediately, no two ways about it. That is the way this administration operates.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Maybe the Premier will acknowledge that spending money does not indicate competence but spending money in an incompetent fashion is know as waste. We see by this report that that is to a large extent what has gone on in this Province. Now, will the Premier accept that a minister cannot avoid responsibilities for his department merely by commissioning a study? Will the Premier be seeking the resignation of the Minister of Social Services in light of his admitted prior knowledge of the matters that are raised in this report, his prior knowledge of these scandalous conditions, in light of his lack of any proper response and in light of his apathetic acceptance of the status quo since he has received this report?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, one would think, by the way the Leader of the Opposition is asking the question, after he drilled those two holes on both sides of the Straits, Mr. Speaker, he would have resigned from the Cabinet of the day. I do

not think he did, nor was his resignation asked for. Obviously it is a foolish and silly question. The Minister of Social Services is an extremely competent minister and is doing a really good job in his department and I intend to ensure that he stays in that department.

MR. BARRY:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the Leader of the Opposition.

MR. BARRY:

Maybe if the Minister of Mines and Energy for the period 1975 to 1979 had done his job we would have seen a continuation of that Labrador intertie, Mr. Speaker.

Now, Mr. Speaker, I would like to ask is the Premier prepared to have the report tabled so that the people of this Province could see for themselves the scandalous state of affairs that the Premier and the minister have permitted to exist in that department? Will he table that report?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, that report will be coming before Cabinet and then Cabinet will decide whether the report is tabled or not. As it relates to when I was Minister of Mines and Energy, let me remind the hon. gentleman, because he has got his facts so screwed up on so many things as it relates to years ago when he was a minister and was not able to negotiate anything on Labrador hydro, that I was not Minister of Mines and Energy in 1975.

MR. BARRY:

You were in 1976.

PREMIER PECKFORD:

September, 1976 I will have you know.

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fortune - Hermitage.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. SIMMONS:

Mr. Speaker, I realize that the Premier and the government would like to talk about energy or any number of other things than this report today. That is fairly obvious. But the thrust of my colleague's questions and the thrust of my questions relate to this very serious issue. It is not a matter of criticism, it is a matter of a scandal, and an ongoing scandal. It is a matter of what the report chooses to call

MR. PECKFORD:

Everything is a scandal with you.

MR. SIMMONS:

Mr. Speaker, I am giving my view. The Premier may make light of it but I am giving my view and I am basing my view on words in the report, such words as 'cruel and unusual treatment.' Mr. Speaker, that is happening in this particular Province at this particular time and we would like to raise some questions about it and we would like to do it without all the muttering over there, if we could.

Now, Mr. Speaker, the report says there is no standard, humane policy for detaining youth in isolation cells. It is a scandalous set of events. The minister has said he has known about it for some time. Why then, I say to him - and my question is directed to the Minister of Social Services - has he allowed this to continue? How did the practice evolve in the first place? If he had known before, why did he not take some steps on this specific issue to put it to an end?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I do not think that at any time during the last two days I have said that I was aware of every single, solitary thing that is in that report.

I would like to remind hon. members that I asked for that report and I asked for that report because I was aware of weaknesses in the system, weaknesses in the institution. I also asked for the report because of the Young Offenders Act which was rammed down our throats by the previous Liberal government. We resented that, we argued vociferously for years that that Young Offenders Act would not work in Canada. It is not working, and that, by the way, is the cause of a lot of the problems we have in those two institutions today. CBC got the report the day before, but it was only yesterday I talked about it to the press, and at no time did I say that I was aware of everything that is in that report.

I said on two or three occasions that I was aware of weaknesses in the system and therefore I asked

for a report.

SOME HON. MEMBERS:

Hear, hear!

MR. BRETT:

I do not see it as a scandal, Mr. Speaker. I am glad I had the report done and, as I indicated, we will be using it - I use the word 'blueprint' - but I am not certain that we can carry out every recommendation, nor is it necessary to carry out every recommendation that is in that report.

The report was done by professionals, I recognize that, but they were not Gods, they do not necessarily know everything. But it was a good report and we will be using it as guidelines for the next three or four years to bring, not these two institutions but our programmes and our staff up to where they should be.

MR. SIMMONS:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fortune - Hermitage.

MR. SIMMONS:

Mr. Speaker, the minister is talking out of both sides of his mouth. Yesterday in the press he said he was not surprised by the report, he said yesterday in the press there were no real surprises, and he said yesterday and this morning in the press he expected much of what was in it all along.

Now, he said there were no surprises. These were his words last evening on the news, 'There were no surprises.' We have to construe from that that he was aware of this young person -

MR. SIMMS:
Construe.

MR. SIMMONS:
This is a fairly serious matter we have going here, fellows. I do not know if government realizes that.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. SIMMONS:
Mr. Speaker, they can abuse all they want, they will not skate over this scandalous issue. I am going to ask the question until I get some answers about this young girl, among others, who was locked up for an extended period without instruction, without guidance for a number of months, they can drag in whatever extraneous matters they want, they cannot explain that one.

The minister tells us yesterday in the press there were no surprises, so he now has to tell the House, and more importantly the people of Newfoundland, if that did not come as a surprise to him, why did he not take steps as soon as he first knew about it? Perhaps the first question is when did he know about it that he was not surprised when it came out in the report? And why did he not take steps then to rectify what is a serious, unthinkable situation which the report chose to describe as 'cruel and unusual treatment?'

MR. BRETT:
Mr. Speaker.

MR. SPEAKER:
The hon. the Minister of Social Services.

MR. BRETT:
I would suggest to the hon. members that it is not required, neither is it necessary, for the superintendents of either one of the divisions or the director to report to the minister on a daily basis. And having said that, then you could assume that incidents can take place in either one of the institutions and I would not necessarily know about them. I would also suggest to the hon. member that what one sees in a report or in the press can very often be taken out of context and is often taken out of context, and sometimes what appears to be cruel are things that have to be done, and this could be the case.

MR. SIMMONS:
Mr. Speaker, a supplementary.

MR. SPEAKER:
The hon. the member for Fortune - Hermitage, a supplementary.

MR. SIMMONS:
Mr. Speaker, we can construe from the minister's last statement that he backs down from some of the things that I saw on television yesterday evening which were not at all taken out of context, in my view. I have quoted them back to him, now he wants to disown them. He is smart to disown them. Secondly, Mr. Speaker, I gather in his last comment he condoned what the writers of the report characterized as 'cruel unusual treatment.' I say to him that I cannot condone it, we on this side of the House cannot condone it, and I submit that the people of Newfoundland will not condone it.

SOME HON. MEMBERS:
Question! Question!

MR. SPEAKER:
Order, please!

Would the hon. member pose his question?

MR. SIMMONS:

Mr. Speaker, the minister, even if he did not know the detail, must accept-

SOME HON. MEMBERS:

Question!

MR. SPEAKER:

Order, please!

MR. SIMMONS:

- the minister must accept ministerial responsibility for the issue.

SOME HON. MEMBERS:

Question! Question!

MR. SPEAKER:

Order, please!

MR. SIMMONS:

The minister must accept ministerial responsibility for the actions under his mandate. I ask him, in view of the fact that these scandalous events have transpired during his ministry and prior, would he now do the honourable thing and submit his resignation to the Premier?

PREMIER PECKFORD:

It will not be accepted.

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, that is not a question. That is just a statement by a stupid member, that is all, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

Let me ask the Minister of Social Services a question. I want to cite him a couple of quotes first. He said he 'was not surprised by the report,' as my friend for Fortune - Hermitage said. He 'expected much of what was in it all along.' 'There were no real surprises.'

Mr. Speaker, there is a quote in that report which suggests that even young people entering those institutions were coming in contact with criminals and probably being made criminals themselves by being placed in the environment that they were in. Are those quotes true? Was the minister aware of them? And if he was, then why did not he, the person those young people in this Province look to for help, act? Instead of that he sat on his hands. Now, why did he not act if he knew about it? The minister has to answer to the young people of this Province for that fact.

MR. BRETT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

For the third time, Mr. Speaker, this afternoon I say that I was aware there were some weaknesses in the system. I asked for a report, I got the report, and we are going to act on it.

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fogo.

MR. TULK:

The minister can sit there all he likes and try to duck the fact that he is the minister responsible for those young people, but he cannot. The truth of the matter is that he is responsible. The same report also points out, Mr. Speaker, that there were Native offenders in these institutions and that the treatment of those people has been barbaric. Let me ask was the minister aware that that was going on? And if he was aware of that fact, why did he not act on that fact alone? Let me ask him that one specific question, why did he not act? Did he just sit there and let people who were incompetent to do the job carry on while he waited for three or four bureaucrats to bring him a report? Was he afraid to face the issue?

MR. FLIGHT:

That is a good question.

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I wish the hon. member would stop pointing his finger in my face. I am not deaf and you do not have to go off half-cocked over there like that.

MR. SPEAKER:

Order, please!

MR. BRETT:

The question does deserve an answer because it is a fairly valid and legitimate question. Over the years we have recognized that we should not be bringing

people out of Labrador, taking them out of their native environment and bringing them to the city - which is really the only place that we have to put them - and putting them into a totally new environment. We have recognized this weakness for a long time and it has been for quite some time the plan of government to build an institution of this nature in Labrador, as it was also government's plan, eventually, to put one on the West Coast where one is needed, so this is nothing new. It was in the report but it was nothing new. So the question is fairly valid and we recognize that as one of the weaknesses in the system. But, again, that is something that will be cured.

MR. TULK:

Mr. Speaker, a supplementary.

MR. SPEAKER:

A final supplementary, the hon. the member for Fogo.

MR. TULK:

Mr. Speaker, the minister has now admitted to us, has now confessed to us that indeed what the member for Fortune - Hermitage (Mr. Simmons) asked him was indeed correct, that he did know that Native people in this Province were being treated in a barbaric manner.

MR. PECKFORD:

He did not say that.

MR. TULK:

I am quoting from a report and the minister says, yes, he has been aware of it for some time, that he did know that young people -

MR. MARSHALL:

Mr. Speaker, on a point of order.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the hon. gentleman is on a supplementary question and he is not only giving a speech, but he is misrepresenting the response the hon. the minister gave to this House.

MR. TULK:

That is not a point of order, Mr. Spekaer. Do not waste the time of the House, 'Bill'.

MR. SPEAKER:

Order, please! Order, please!

To that point of order, the point of order is well taken. The hon. member was beginning to make a speech.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

Mr. Speaker, a supplementary. Let me ask the minister again, for the sake of young people in this Province, was he aware that young Native offenders in this Province were being treated in the way that they were treated? If he was aware that people were being kept in cells for a half hour out of every waking hour, why will that minister not accept the responsibility for his actions? Why did that minister sit on his hands and wait for bureaucrats to try to save his skin? Why did he not act? He has to answer to the people of this Province for that, and the Premier has to answer, too, because he is responsible for the actions of his minister. Why did he not act? Why did he not move?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, that again is another one of the weaknesses that was in the system and we are moving to correct it. But I would like to tell the hon. member that most of the reason that some of these people are coming into contact with criminals is because of the Young Offenders Act which the hon. member's colleagues in Ottawa shoved down our throat last April.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

The minister said this morning that it may be two to four years before the main recommendations of the report, for example, replacing these two nineteenth century hellholes that we put our young people in will be implemented, and last night on national television the minister said that it could be five to ten years. This morning it was two to four years, last night on national television, across this nation, it was five to ten years, so can the minister tell us and tell this House why he is not immediately acting upon this recommendation?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

When was the last time the hon. member was in the Boys Home at Whitbourne or in the school in St. John's?

MR. FUREY:

What has that got to do with it?

MR. BRETT:

I do not know where he gets the information that these are hellholes because that is not true. It is far from the truth. I will readily admit that they are not up to standard but they are not hellholes and it is wrong for the hon. member to suggest that.

And the hon. member is also aware that there is no way that I can put a time limit on when these three institutions are going to be built, I mean the physical possibility of designing the homes, of obtaining land and then the construction of them. So the fact that I might have said four to five years in one media and five to ten in another I am sure is not very relevant. I am not an engineer, I have no idea. But I know that there is a fair amount of physical work that has to be done and a lot of dollars to be spent before the three institutions can be built. I cannot put a time limit on it. Perhaps six months time somebody in Public Works will be able to tell me, but I doubt if anybody can tell me today, or tell the hon. member.

MR. FUREY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe, a supplementary.

MR. FUREY:

Let me give the minister a quote from that report. It said, "The present practice in detention for all youth is to be locked down in their cell for a minimum half hour for ever waking hour." Now this constitutes isolation without cause, and it is a liability issue, Mr. Speaker, in that it clearly contravenes the Charter of

Rights and Freedoms, Section (12), which refers to cruel and unusual punishment. Now will the minister tell this House if this practice still continues? If it has stopped when did it stop?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I do not think the member read the report very well because I do not think the report indicated that was normal procedure. I believe the report indicated that that happened to one person at one time and there is no indication that that has continued.

MR. BARRY:

Read Page 118.

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

My question is to the Minister of Social Services and Rehabilitation. I would like to stress 'Rehabilitation.' The report, Mr. Speaker, documents decisions about appointments of important personnel being made without consultation with the necessary staff and the absence of any system surrounding all types of decision-making responsibility and authority, uncertainty about roles within the institution -

MR. SPEAKER:

Order, please!

Would the hon. the member please ask his question?

MR. BARRY:

He is entitled to a preamble.

MR. SPEAKER:

It is too long.

MR. DECKER:

I would ask the minister, Mr. Speaker, in view of the fact that what we have is an organizational nightmare in what is supposed to be a major humanitarian institution, I ask, does the minister consider himself to be responsible for this under his ministerial responsibility? More importantly, will the minister assure this House that he will fire or that he has already fired the people who made appointments of important personnel without consultation? If he could assure us that this is done, we might see this concentration camp mentality lessened somewhat.

MR. TOBIN:

That is a Rex question for sure.

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I would like to tell the hon. member that the minister is a very caring and responsible person who has tried to improve the system.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

My question is to the Minister of Social Services. He just stated that he was a caring person but those people over there today are showing they are not very caring

when they can joke about something so serious as this. This is about children here, not about adults over in another part of the world.

SOME HON. MEMBERS:

Question!

MR. EFFORD:

I would like to ask the Minister of Social Services how could he let something so serious go on, that the guidance officers and the educational staff had absolutely no communication. If the minister was responsible and if he was in charge of this situation, would he tell this House how he could let this go on?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

I would like to assure the hon. member that we are a lot more caring on this side of the House than the party that he represents. When we came into power back in 1972, the people out there in the district were getting five dollars a month on a food order for the little children he is talking about. I would suggest he check to see what they are getting now. I have told hon. members over and over and over that we are making moves to correct the system. That is why we asked for the report, Mr. Speaker.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Port de Grave.

MR. EFFORD:

I would like to ask the Minister of Social Services, if he is paying out more money, does that

give him the right to punish these children like they are being punished?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

That is a stupid question, Mr. Speaker, and it does not deserve an answer.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker. My question is not for the Minister of Social Services. It is for the Minister of Finance (Dr. Collins). On February 17 of the upcoming year, the CRTC will be hearing an application for 100 new cable services in rural Newfoundland, as the Minister of Communications (Mr. Russell) has informed us. We have been also informed that unlike the urban areas, it is very expensive to service them and instead of \$10 or \$11 a month service fee it will be somewhere in the range of \$20 a month. My question to the Minister of Finance is in view of this, and in view of the fact that there is a provincial percentage tax based on these things, would he consider reducing the tax or eliminating it on the extra cost being charged by these rural systems?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, if I remember correctly the hon. member has already brought that point forward to the Department of Finance and we have done some investigation into the matter. If I remember correctly also, I think I wrote him back on it, I gave him a preliminary reply, but that does not mean that we have completed our study of the matter. It is the sort of thing that is really related to the budget and to any changes that may be brought in when the budget is brought down.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. member for Menihek.

MR. FENWICK:

My supplementary also to the Minister of Finance, is that it is a very expensive system there and I think the difference between \$1.20 and \$2.40 or \$2.50 is going to be quite considerable for these people. My understanding is that in Nova Scotia they now have a limit on the tax on the individual service for cable systems. My question is will the minister look into the Nova Scotia system, which is establishing a ceiling for the tax, and report back to this House as to whether or not this can be put in prior to the February 17 date when the CRTC hearing is going to be held?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I will certainly look into the matter. I will have to leave it open as to when I will be able to get back to the House on it until we have a look at the thing, but I will bear in mind the

date that the hon. member mentioned.

MR. SPEAKER:
Order, please!

The time for Oral Questions has elapsed.

MR. BARRY:
On a point of order, Mr. Speaker.

MR. SPEAKER:
A point of order, the hon. the Leader of the Opposition.

MR. BARRY:
Mr. Speaker, I wonder if it would be appropriate for Your Honour to check the time, because it is possible Your Honour made an error. We have been keeping track of the time here, and there was an indication there were two minutes left to go in Question Period.

MR. MATTHEWS:
Do you own a watch?

MR. BARRY:
We do not get that much time, Mr. Speaker, to question government, so we need it all.

MR. SPEAKER:
To that point of order, I have taken note of the time here.

SOME HON. MEMBERS:
By leave! By leave!

MR. SPEAKER:
A question by leave?

SOME HON. MEMBERS:
No.

Notices of Motion

MR. WARREN:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Torngat Mountains.

MR. WARREN:
I give notice that I will on tomorrow ask leave to introduce the following resolution: WHEREAS the seal fishery of Newfoundland and Labrador has dramatically declined because of adverse publicity; and

WHEREAS Mattel Toys Limited are nor portraying Newfoundland and Labrador sealers as barbaric people;

THEREFORE BE IT RESOLVED that this House urge the general public to refrain, where possible, from purchasing the baby seal Mattel Toys.

SOME HON. MEMBERS:
Hear, hear!

PREMIER PECKFORD:
That should be passed unanimously.

Petitions

MR. K. AYLWARD:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Stephenville.

MR. K. AYLWARD:
Thank you, Mr. Speaker.

I beg leave to present a petition on behalf of a number of residents in the Stephenville district. These people, whose names are attached, are deeply concerned with the condition of the forest access road in Cold Brook, which is part of the Stephenville district.

These residents and I would like to see more funds become available so that the road can be brought up to a reasonable level and to ensure jobs can be maintained.

I received an answer from the minister yesterday, to a written question, which said that there was a number of dollars put forth to upgrade this road, but I am presenting this petition because the residents are very concerned for next year.

There are over 125 jobs involved, and the road is in deplorable shape, deplorable condition. I drove over it myself a couple of times this Summer, when I went up to visit the workers up there, and I cannot believe that they made a dollar or had the jobs there this Summer.

The road is costing the people who are working up there thousands of dollars. The contractors, and so on, who are hiring the people, are spending thousands of dollars in maintenance, which they should not have to spend. The road has been in bad shape for the last number of years.

Right now it is under the jurisdiction of the Department of Forest Resources and Lands. We made a number of contacts with the minister's office this Summer and we received a good response, but the road is only upgraded to probably one-quarter of what it should be. If these jobs are going to survive next Summer, it is going to take a much stronger effort by the department to upgrade the road.

Again, these petitioners are very concerned. Cold Brook, which is just outside Stephenville district, depends on the forestry

for their local jobs and to support the local economy. So when I present this petition, I am presenting it very seriously on their behalf, as they may be without work in the next number of years if this road is not upgraded.

There have been a lack of measures taken over the last few years and now we are in a situation where the road is in such bad shape you can hardly drive over it, and that includes these gigantic trucks that now go over it. In conversations with the people working there I learned they have been trying for a number of months and in the last year or two to get something done with it. Again, I would thank the minister for doing some work this Summer or his department, but it is not close to what needs to be done. The people of this area are very concerned.

I would ask the department to make sure that funding is approved and available for this road, so that those jobs in this local economy can be saved. We do not have the greatest employment situation on the West Coast as it is, so when the department is making their allocations I would ask and these residents would ask that Cold Brook area be given every consideration. On that note, I would ask the Speaker if I could table this.

Thank you, Mr. Speaker.

MR. FUREY:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for St. Barbe.

MR. FUREY:
Mr. Speaker, I would like to support the prayer of that petition. I taught high school

out on the West Coast in that particular area for a number of years and got to know some people from Cold Brook. I know the area that the member for Stephenville (Mr. K. Aylward) is talking about. I only wish that the two government members from that area, the Minister responsible for Transportation (Mr. Dawe) and the member for Port au Port (Mr. Hodder) would voice some of these very legitimate complaints at the Cabinet table so that some of our people are not spending exorbitant amounts of money to keep their equipment up and on par. My hon. colleague for Stephenville talked about shocks and tires and things like that in our meeting this morning and how people are having a lot of trouble in that particular way.

I would ask that the Minister responsible for Transportation bring these issues on behalf of the residents of Cold Brook to the Cabinet table, to get some corrective measures to this particular road, which is really an access to the forest. We all know that for access roads everywhere people are looking for money. They are getting deeper into the woods etc., particularly in my riding at Castor River North, it is very similar.

I am glad that the hon. member for Stephenville brought this to the attention of the Minister of Forest Resources and Lands (Mr. Simms). I hope that the two members from the West Coast who are on the government side, who spend lots of time running around getting their pictures put in papers and lots of time running around pounding their chests talking about this wonderful prosperity that is hitting the Province of Newfoundland and

Labrador. It is not good enough to run around and announce grants for this and grants for that and upkeep for this and upkeep for that, these piddle little things. Let us look at some of the very important issues, such as that road in Cold Brook, which affects the daily lives of human beings and it is their bread and butter. If you guys would start focusing on some real sensible solid issues, like this one presented from the member for Stephenville, a lot of our people would be a lot better off.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I thank the hon. the member for Stephenville for presenting his petition. He and I have discussed this matter on a number of occasions over the last couple of months. I want to make it clear at the outset for the benefit of all hon. members and the member for St. Barbe (Mr. Furey) asked that the member for Port au Port (Mr. Hodder) and the member for St. George's (Mr. Dawe) bring this matter to the Cabinet table. Of course, the member for Port au Port does not sit at the Cabinet table, so that will be difficult for him to do.

Secondly, it is not a matter that would be discussed at Cabinet, that is not the type of thing. That should be dealt with at the departmental level. I want to

inform the member for Stephenville and other members in this House that both the member for Port au Port and the member for St. George's, the Minister of Transportation, made representation to me on that particular access road before the member for Stephenville ever did this past Summer. As a result of their representation we did, in fact, and I informed the member for Stephenville this, provide some funding to do a bit of upgrading on that particular road.

And as I indicated to the member in a written answer yesterday, we have spent over \$27,000 in the last few years to continually to try to maintain and upgrade that Cold Brook access road. We recognize the need and it is for that reason we have spent these kinds of funds. I can only indicate to the member, or repeat what I said in my written answer yesterday, that we as a department have plans to carry out some improvements to that road next year in terms of grading and so on, as I indicated in my written answer. I will be fighting as hard as I possibly can, with the support of the Minister of Transportation (Mr. Dawe) and others at the Cabinet table, to try to ensure that funds are allocated for that particular project, along with the hundreds of others that we have in the Province in terms of improvements to access roads. I appreciate the hon. member's representation.

MR. SPEAKER:

This is Private Members' Day and the debate on the amendment to the amendment was adjourned by the hon. member for St. John's North (Mr. J. Carter).

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

I rise under Standing Order 23 and I move, seconded by the member for Fogo (Mr. Tulk), the adjournment of the House to debate a matter of urgent and public importance, namely the treatment of young offenders in this Province. If I could just have a moment to explain why it is of urgent importance - I do not think there is any need to stress why it is of public importance, that is obvious - it is of urgent importance, Mr. Speaker, because according to that report, right at this moment we have young people in detention cells being subjected to treatment which is contrary to the Charter of Human Rights and Freedoms. It is cruel and unusual punishment. It is going on right this minute in this Province, in this day and age, and we have the admission, Mr. Speaker, of the minister and the Premier, that there is nothing being done about that right now.

Mr. Speaker, that is something, if there is no other recommendation in that report, that should be dealt with immediately. Those cells should be unlocked. The officials who have responsibility for the direction and custody of these children, supposing they have to have double shifts, leading them by the hand day by day, Mr. Speaker, it should be dealt with.

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please! A point of order, the hon. the President of the

Council.

MR. MARSHALL:

The hon. gentleman leading a motion of this nature is not entitled to debate the motion. He presents a motion, he briefly advises the Chair as to why he feels it fills the criteria set out in the relevant Standing Order, but he is not entitled to go on to a debate, Mr. Speaker.

The whole purpose of the motion is to ask the House that it be able to be debated and he just cannot usurp the House for that purpose.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

The point that my friend from Mount Scio (Mr. Barry) was making is a very valid point. He was pointing out, of course, that before Your Honour rules whether the motion is in order or not, you have to determine whether it is a matter of urgent and public importance. That is what the member for Mount Scio was doing. We know from the actions that we saw today, from the answers that were given by the Minister of Social Services, and by the behaviour of that side that they do not consider it important. We know that. That has become quite obvious.

But, Mr. Speaker, it is a matter of urgent and public importance. There are young people today who are just basically young offenders we are told being mixed with criminals in this Province. I say to the Government House Leader that it could be anybody's son or daughter in that situation.

So it is a matter of urgent and public importance and it will not do for him to stand on that side of the House on a point of order and say that the member for Mount Scio is debating. He is not debating. He is pointing out to Your Honour, which he has the right to do, and which he should do, the reason why this resolution, under Standing Order 23, is important. The member should hang his head in shame.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

To that point of order, I refer the hon. members to Standing Order 23, Subsection (b). "The member desiring to make such a motion rises in his place, asks leave to move the adjournment of the House for the purpose of discussing a matter of urgent public importance, and states the matter." And I feel that the hon. member has stated the matter and I would certainly consider a written statement now and rule. He has made the statement to my satisfaction. I would like to study his statement now.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Are you taking about the substance of the motion?

MR. TULK:

He is going to study it.

MR. MARSHALL:

Well, that is fine.

MR. TULK:

Sit down!

MR. MARSHALL:
Sit down!

Mr. Speaker, I assume that the government side can give Your Honour a comment with respect to this?

MR. SPEAKER:
The hon. the President of the Council.

MR. MARSHALL:
I rise on a point of order with respect to it anyway. Mr. Speaker, it is not a matter, as Your Honour knows, under that rule - what the Leader of the Opposition (Mr. Barry) was contending was the urgency of the matter - under Page 92 of Beauchesne, Clause 287, "Urgency within this rule does not apply to the matter itself, but means "urgency of debate", when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough and public interest demands that discussion take place immediately."

Mr. Speaker, already the entire Question Period this afternoon has been taken up with this particular matter. So it has already been considered and already considered fully, Mr. Speaker, and really, in substance, what that motion is doing is really just trying to protract what occurred in Question Period here. The hon. gentleman got up and asked the minister questions and he gave full and sufficient answers with respect to them.

MR. TULK:
To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the member for Fogo.

MR. TULK:

I would point out to the hon. gentleman - and he knows better, I would not stand here for a minute and say that he does not know better - that Question Period is not a time for debate. Standing Order 23 is a time for debate. Mr. Speaker, he cannot point out to us today how urgent the situation is. We have ten minutes left before we go into Private Members' Day, if Your Honour rules this out of order. Where on the Order Paper for today is there an opportunity to talk about the problems that our young people are experiencing today who are kept in those institutions, who are kept in those cells, who are being subjected to criminals? Where is that opportunity? Only Dickens could write the horror stories that are contained in that report.

Mr. Speaker, there is no place on the Order Paper today to discuss the matter that is coming before us. I say to you that there has never been a matter that is of any more urgent public importance than the matter that the member for Mount Scio has raised.

So the point of order is not a point of order, it is an attempt by the Government House Leader to try to get out from under a responsibility that this government has, namely to care for young offenders in this Province and not to put them in the situation where they are turning them into criminals. Mr. Speaker, I would submit to Your Honour that this thing should be ruled in order, that the debate should proceed in the name of young people in this Province. I submit

that to Your Honour.

SOME HON. MEMBERS:

Hear, hear!

MR. J. CARTER:

On that point of order if I might, Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. John's North.

MR. J. CARTER:

Mr. Speaker, the matter before this House now on Private Members Day' is day care. Everything that the members would want to say about this matter can be said in the debate that is coming forward right away.

The debate on Private Members' Day is always wide-ranging. I cannot see how any urgent matter like this could be ruled out of order under this heading. Members are just playing politics with what is a very serious issue and I think they should be ashamed of themselves. It should not be allowed, Mr. Speaker.

MR. SPEAKER:

I think I have heard enough on that point of order. I would like to read the statement if there is a statement and, if necessary, I will recess for a few minutes.

MR. BARRY:

The motion was given to the Page.

MR. SPEAKER:

I have not recieved a copy yet.

I am going to recess the House for a couple of minutes and study this matter.

Recess

MR. SPEAKER:

Order, please!

There is no point of order relating to the one raised by the hon. the President of the Council (Mr. Marshall). In the matter of Standing Order No. 23 I refer hon members to Beauchesne pages 91 and 92, paragraphs 295 and 287. Paragraph 287 reads: "Urgency within this rule does not apply to the matter itself, but means "urgency of debate", when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough and public interest demands that discussion take place immediately." In my opinion there is ample opportunity to debate this matter, for example, in Address in Reply, and I rule the motion out of order.

The hon. member for St. John's North.

MR. J. CARTER:

Thank you, Mr. Speaker.

As I said in my point of order earlier on your ruling there is ample opportunity for the Opposition to hold forth on this matter in the debate that is now coming forward.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. member for Fogo.

MR. TULK:

Just what is the hon. gentleman speaking to? Is he on a point of privilege, a point of order, is he on Private Members' Day or what?

MR. SPEAKER:

He is on Private Members' Day. It has been called.

MR. TULK:

Mr. Speaker, I did not hear Your Honour call it. I did not hear Your Honour call the bill.

MR. MARSHALL:

We are on a private members' motion. I was not in the House yesterday, but I am given the understanding by my colleagues that it has been agreed that we are going to debate this motion for now and put it to the vote.

MR. BARRY:

We did not set a fixed time, but we set one hour as a guideline.

MR. SPEAKER:

To that point there was a bit of an overlap. I did actually call Private Members' Day and then the hon. President of the Council and the hon. the Leader of the Opposition had a discussion on this point. There is a little bit of confusion there. It is Private Members' Day.

The hon. the member for St. John's North.

MR. J. CARTER:

Thank you, Mr. Speaker.

I really only want to make one point on the day care issue that is being discussed. If I make this one point and if the suggestion that I am about to make is implemented, I do not think anyone either in the Opposition or in any opposition will question the value of some city members that are reputed not to have enough to do. It may well be true that the work load varies from district to district but I regard the point that I am about to make

as the most serious point that can be made in this matter. I do wish for, at least, no interference while I am trying to make it.

Mr. Speaker, the idea of day care, I presume, is to make some small areas available for young children to be looked after. I do not think anyone envisages enormous institutions where you cram them in by the thousands or even by the hundreds. I think what is envisaged by the proponents of day care are fairly small, self-contained units, possibly in private homes, possibly in a private home which has been added to, or in what they call an R-3 area of the city.

I think it is most important, whatever kind of regulations are put in place, that in every room where young children are cared for like this - and this would be anywhere from infant stage to, I suppose, three or four or five years of age - there should be panic hardware. There should be doors from that room opening directly to the outside and there should be panic hardware on those doors.

Many of us, or some of us at least, can remember the catastrophic K of C fire. Although that fire built up very quickly, still the loss of life was caused by the inadequate arrangements for getting out; the few doors that were there opened in and not out. The press of the crowd, of course, prevented them from opening the doors, and there were only, I think, two double doors, one at either end of the building. So if it had not been for the bravery of some of the armed forces personnel who were there, who had the presence of mind to beat out some of the

windows, and the self-control to throw out some of the people who were trapped in there, the loss of life would have been even greater. I understand the loss of life was about ninety-nine persons, and that, I think, was the greatest loss by fire that Newfoundland had seen up to that point, possibly the greatest loss ever.

What I am suggesting is, no matter what regulations are put together about day care, if institutions or if quarters are made for the care of young children, that there must be panic hardware, and doors opening directly to the outside. I would suggest even further that it should be made absolutely clear that these doors should be able to be opened at any time of the year. In other words, the bottom sills should perhaps be a foot off the ground so that they cannot get frozen in with snow and can be kept clear, so that anytime, if there is a fire, or if there is even a threat of fire, because panic will often do as much damage as a fire itself, then the inhabitants of that room can get out in a matter of seconds - just straight outdoors. I am very much afraid that this is not the case there will be some structures set aside for day care where, in order to get in or to get out, you have to go in through this door and along the corridor and out through some other door. I can just imagine what will ensue.

Most public buildings are inadequate, as far as I am concerned, in this respect. I think it is only by good fortune, rather than anything else, that we have not had trouble with some of our schools. I am firmly of the view that schools should be on the ground floor and that every room

of the school should have a door that opens directly to the outside.

The only exception I would make to this would be because of the contour of the ground, if the second story should actually be on the first floor. In other words, at ground level. Sometimes you get a sloping bit of ground and you can have two stories. The one in front is on the ground level and the one in the back is on the ground level. I think that would be acceptable.

There is no question in my mind that all buildings where young children are congregated should have that kind of equipment. I know that now in most buildings you will not get a permit to build a public building unless the doors open out. That is one improvement that we learned from the K of C fire. Still, there are not enough doors opening out to allow direct access to the outdoors in most of the buildings.

Even this Chamber, I suppose it is thought that we have the presence of mind to get to the pressurized stairway that is there. I would argue that I do not think there is much danger of us being asphyxiated here because we could probably hold our breath and get to the pressurized stairway, but if a panic ensued, there could well be problems. This Chamber has to be viewed as inadequate from the point of view of fire safety. Most designs are trade offs between the ideal and the feasible, but I would say that this Chamber and this particular building is very deficient. It is not enough for a building to be fireproof. Most of the injury does come from smoke, not from the fire. Very few fire victims are actually burned to death. I think

this is a serious point and should be viewed seriously.

AN HON. MEMBER:
(Inaudible).

MR. J. CARTER:
Look, the hon. member wants to play politics, not only with the resolution that the party tried to put forward. I am sure that when I sit down they will get up and play politics with this issue.

I would be more than happy and more than satisfied with my role as a member of this House if I were able to reform the building code so that it would be so strict that no public building would be without the kind of hardware that I suggest.

Of course, you could argue at what point does the need for day care evaporate. I think, looking across the way, the members opposite still need keepers. However, that is perhaps a point for another debate.

Anyway, that is the point I wanted to make. I think I have made it. I will sit down and let someone else continue.

SOME HON. MEMBERS:
Hear, hear!

MR. K. AYLWARD:
Mr. Speaker.

MR. SPEAKER (Hickey):
The hon. the member for Stephenville.

MR. K. AYLWARD:
Thank you, Mr. Speaker.

SOME HON. MEMBERS:
Hear, hear!

MR. K. AYLWARD:

Mr. Speaker, I want to take this opportunity to welcome you to the Chair. It is very nice to see you there.

It is a pleasure to speak to a motion that talks about day care in this Province.

Reading through the motion, there is not much over which you can disagree with it. We all know we need improvements in the day-care system. The problem is, on that side they can do something about it and it is obvious they have not been doing a great deal about it. So, as I move into talking about the resolution I will say our own position has been to get improvements in the day-care system in this Province.

I came across just recently in the press, an article about the Canadian Daycare Advocacy Association. They have met with the federal P.C. Government in Ottawa, and have talked about the concerns that they have with day care across Canada. I notice this resolution put forward by the member for Carbonear (Mr. Peach) says: "Whereas this Province is a member of a Federal/Provincial/Territorial Working Group on Child Care reviewing critical financing issues for child care;" - that is one of the 'whereases'. And on this advocacy group for Canada, the headline is: Outraged by Government, outraged by the federal government and its position on day care. It says here, "We are outraged to hear the Conservative Government plans no new child care assistance at a time when more and more Canadian parents are struggling to earn an adequate living while raising families." The Province is part of this

federal/provincial/territorial working group and the federal government has come out with a position such as this.

I have a question. We, being the administration here, I wonder if we have made any representation on that position that the federal government has taken? They are coming out saying, "We have no new plans to do any improvements," and yet, we have a resolution here from this administration saying we are working together with the federal government. I wonder if this is the type of co-operation and consultation that we have, again, this wonderful working relationship that we have, where the federal government has come out and outraged the group that is promoting it in Canada. The provincial government down here, I do not know if they are aware of it, whether they have seen the federal government's position. Up there they are saying, "We are not going to bother," and down here, "Well, we are moving ahead and we are working very well with this group." So I would think there would be a lot of confusion on this matter.

I look forward to hearing the comments of the member for Carbonear (Mr. Peach) when he gets up to explain how the position of the federal government can be what it is, that our provincial government is working very well with them to try to approve it and their position up there is that they are not going to bother. That is one of the whereases and I am sure that will be addressed.

There is a definite need for improved day care in this Province. Going over some of the statistics, at the present time we have 885 spaces in Newfoundland

and we have over 15,000 pre-schoolers who are eligible for those spaces. To me that indicates a dramatic need for more day-care services and day-care spaces in this Province. Even though we have dropped another \$100,000 in the bucket this year I do not think that it is even close to adequate for what should be there. With this many spaces that is less than one fifteenth of what could possibly be available. As far as I am concerned that is not even close to enough.

I attended a seminar in Stephenville a couple of weeks ago that was talking about day care and a number of other related issues and there was a great concern about this issue that not enough service has been paid to it by the provincial government and the federal government. When I see this resolution being brought forward by a government member I think it is great because I am sure that they are going to take it and go with it and try to do something about it.

But again in the resolution it says, "BE IT THEREFORE RESOLVED that, insofar as it is fiscally possible, government continue to increase its child care services in a prudent fashion to the benefits of all residents of the Province." I could not disagree with that, not at all. I am sure that we can all go along with that. But I have to support the amendment of my colleague from St. Barbe (Mr. Furey) who says - "I would move an amendment, seconded by the member for Gander (Mr. Baker) to strike out all the words after, "BE IT THEREFORE RESOLVED," and add, "that the government immediately establish a system of properly supervised and adequately financed family day care homes in

our Province, instead of only paying lip service to recommendations already made to government by the advisory council and other groups, and that such a day care system be beneficial to every resident in the Province."

So I have to support this amendment. It is a very good amendment. It talks about performing actions instead of putting in a few words and saying, "We will make a small or half-hearted attempt." So I support the amendment.

There are a number of groups that have made representations to the provincial government on this issue. It is becoming a more and more major issue in this Province as families have to have two people working because of the employment situation and because of the income situation. You have to have two people working to make ends meet in this economy of Newfoundland and Labrador. More and more people are getting into that and so day care is starting to become more needed in this Province. Years ago it might not have been but in the last five to ten years it has become a major issue and it will continue to deserve more attention by the provincial administration and the federal administration.

What I cannot get over is the federal government saying that they have no plans for new child care assistance at a time when more and more Canadians and Newfoundlanders are struggling to earn a living. That to me shows the right arm is operating over here is saying "we are going to," the left arm is over here saying, "we are not going to." So this co-operation and consultation that I have heard so much about, I do

not know what is happening to it, but it does not seem as if it is going very well. They do not even know the respective divisions to both levels of government. When you bring a resolution forward that you want to see an improvement, how are we going to see an improvement if one is up there saying "we are not going to bother" and the other down here saying they cannot put any more money into. How are we going to get anything done about it? So I am sure that the member is going to address that when he gets up to close off the debate.

Again, I attended a seminar in Stephenville where a number of people were really concerned about this matter. The care of children in this Province, especially pre-schoolers, is very important and there is not enough service being shown to it, there are not enough spaces available. The future of these children is something we have to look at.

Day care I think is probably the best investment that you can make when spending money. Right now I think we are spending \$580,000 and that is not close to enough. We can talk about fifteen years ago when there was not anything, but, like I said, society has changed in the last ten years and this need has become a lot more dramatic and it needs to be addressed.

When I see the motion being brought forward I agree with the heart of the motion, in a sense, that we have to see an improvement in the situation. But when the federal government says, "no, we are not going to bother with it right now, we are not too concerned about all of that", and we are suppose to be a part of

this working group, then I have to show some doubts as to what meat in this motion there is, because our position down here should be reflected by the position up there. They should want to do something about it and they do not want to. I am sure that the member is going to address that.

Day care in this Province, again, has to be addressed now, in the near future, within the next year or two. There are a number of groups going around and they have made good recommendations, strong recommendations. I cannot think, again, like I said, of a better cause to put funding into. We have seen a lot of money wasted in this Province and it is about time that we put it to something like this, which again is probably one of the best causes you can put it to.

So on that I am going to end my comments.

SOME HON. MEMBERS:
Hear, hear!

MR. BARRY:
Mr. Speaker.

MR. SPEAKER (Hickey):
The hon. the Leader of the Opposition.

MR. BARRY:
Mr. Speaker, I would like to have a few words to say on this. It will not take a long time. I had to be away when it was raised in the House last Wednesday. The matter of day care is a matter that is deserving of attention. It is a matter that should be dealt with by this House. It is a matter that requires, in fact, more attention than it has received to date.

It is unfortunate, however, that the wording of this particular resolution is so wishy-washy. That is why, Mr. Speaker, we are proposing the amendment which has been set out by the member for Stephenville. It is also why, regrettably, we cannot support the motion presented by the member for Menihek, although we do agree that government should be condemned for its indifference and callousness in the lack of funding which has been provided for day care. We feel, rather than engaging in resolutions of condemnation, it is more appropriate to set forth in this type of situation some positive recommendations and some constructive recommendations. That is what our proposed amendment has done. So we will be asking members to vote against the member for Menihek's (Mr. Fenwick) resolution because that, in itself, is merely a negative resolution. It does not provide constructive suggestions, whereas our own, Mr. Speaker, does recommend that certain constructive action be taken.

Could I have a copy of the resolution? Just to refresh members' memories here, we are asking that government immediately establish a system of properly supervised and adequately financed day-care homes in our Province, instead of only paying lip service to recommendations already made to government by the Advisory Council and other groups. Such a day-care system would be beneficial to every resident in the Province, in the sense, Mr. Speaker, that it be available all around the Province and not just in certain restricted urban areas.

It was curious, Mr. Speaker, that, I think, the Minister of Justice (Ms. Verge) raised a criticism

with respect to the wording of our resolution since I understand that that was taken almost directly from recommendations that are being made by those most closely affected by the lack of day-care facilities, namely women around the Province. It is not only women who are caring for children, but we all know, Mr. Speaker, that we have not yet gotten to the stage where men and women are jointly sharing responsibility for the day-to-day and hour-to-hour looking after of children which presumably, as time passes, there will be more of an equality in participation there. Right now, it is mainly the women who end up, to a large extent, having responsibility for looking after children during the day and it is usually women who end up being prejudiced in their ability to take on careers which they would like to become involved with and, in fact, which more and more in this day and age, because of the sad economic condition in our Province, the low standard of wages, more and more there is a need for two working individuals in a family in order just to keep the wolf from the door.

Mr. Speaker, the wording of this resolution was put forward by the Status of Women Council, by the Committee that has been receiving support from all around the Province with respect to day care. The Minister of Justice should go back. She has been a member in this House who has pretended to have a close connection with the matters that are of concern to women in this Province. But, it seems to me, her comments would indicate that she, as well as other members opposite, are losing touch with the reality of today in Newfoundland on this issue, as on so many others.

Mr. Speaker, we have reports available. We have the provincial Advisory Committee on the Status of Women in their presentation to the Royal Commission on Employment and Unemployment back on October 30, 1985 setting out the figures. There are approximately 15,000 children under the age of five who need care while their parents work and we have less than 900 licensed full-time day-care spaces. So we need another 14,100 day-care spaces. Only 6 per cent of our pre-school children are in licensed facilities. The other 94 per cent are dealt with in unlicensed, informal arrangements, catch as catch can, Mr. Speaker, lacking in that degree of control and curriculum and so forth because it is not just a matter, as the member for St. John's North (Mr. J. Carter) will have us think, of dealing with children as though they were a group of cabbages, that you find a room to store them in under the proper temperature control conditions. Mr. Speaker, children, particularly young children, are great sponges of information and knowledge and all studies, Mr. Speaker, of any significance have shown that it is in their earliest years that their brains are most receptive to being pre-conditioned for future life. In fact, Mr. Speaker, if they do not receive the stimulation that proper facilities, proper learning opportunities can give in the early years, it has been shown that the ability of children to learn subsequently can be impaired.

Mr. Speaker, we really do need to have a better system than we have now. Most of the spaces we do have are within the city of St. John's, or within urban areas, and there is a need in rural areas of this Province. When we talk about

lip service, it is the same sort of lip service we saw the Premier of this Province give to affirmative action for women. He actually brought in a statement of policy, that the Province would have a policy of bringing up the numbers of women to be appointed to boards, and the next appointments that came out were appointments to the Board of Regents, where there were five men appointed, and the Premier's response was, 'Oh, well, these appointments were made before the new regulations came into place.' Does the Premier have to be legislated and regulated? I mean, that just goes to show you the attitude of this administration. That shows the attitude of the Premier and his administration, that unless they are forced by legislation or regulation, they are not going to do what is reasonable and sensible and what they hold themselves out to the electorate of this Province as being prepared to do. So it is hypocrisy, Mr. Speaker, it is an indication of a government bankrupt of all moral fibre, desperate to cling on to power by whatever means possible and only willing to do what is reasonable and sensible when they are absolutely forced into it.

MR. TULK:

Mr. Speaker knows that.

MR. BARRY:

Yes, Mr. Speaker knows that, obviously.

There are other matters which could be related. Most other places in Canada already have a properly supervised system of licenced family day-care centres. We have had these recommendations before government for some time, Mr. Speaker, and very little has

been done.

Mr. Speaker, the funding which is now going into day care basically is an investment in the future of our Province, in that it is an investment in our young people, and I have to say, Mr. Speaker, that that investment is woefully inadequate at the present time; it is shamefully inadequate, and for that reason we will be supporting the amendment we have put forward which sets out certain positive action which can be carried out. Now, I understand the member for Gander (Mr. Baker), on this side, would like to make a comment, and we will be prepared to deal with that matter at that time.

MR. PEACH:

You cannot do that. You cannot do that.

MR. J. CARTER:

What about someone on this side?

MR. BAKER:

Does somebody on that side want to speak?

MR. BARRY:

Does your government House Leader not have things under control?

MR. GILBERT:

You do not have anybody who wants to speak.

MR. SPEAKER (Hickey):

Order, please!

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

I am very happy to speak to this particular Private Member's resolution. I come from Gander, where we do have two very well run day-care centres which do an

excellent job for the young children they have in their care. I have had occasion to use one of these day-care centres, and because I am familiar with that particular facility, I sort of feel sorry for areas of the Province which do not have such excellent facilities as we possess in Gander and, even there, we could do with more day-care spaces.

I am very pleased to speak to the particular resolution. I totally and completely and fully support expanding day-care facilities in the Province. I think it is being done too slowly, there has not been enough emphasis placed on it so far, and I think that in the future there should be greater emphasis.

With regard to the proceedings here to this point, we have an amendment to the resolution, and then we have an amendment to the amendment. My attitude with regard to these particular items is that first of all, the amendment to the amendment, which we are going to be dealing with first, tends to strike out the heart of the resolution, or what should be the heart of the resolution, and simply criticize and condemn the government. Mr. Speaker, I am against that.

As much as I would like to criticize and condemn actions of this government, Mr. Speaker, and I know that you know what I am talking about, as much as I would like to condemn, I cannot see bringing in a resolution concerning day care and not suggesting any action and not suggesting that anything be done. I cannot really support the sub-amendment because it does nothing except condemn. I am not in the business of simply

condemning. I have tried to make it the practice in this House, as the member for St. John's North (Mr. J. Carter) knows full well, to be constructive. Where I condemn and where I criticize I also like to be constructive.

SOME HON. MEMBERS:

Hear, hear!

MR. BAKER:

Mr. Speaker, I am sure if you could say something on the topic, you would agree with that too.

What the main motion itself does is it say that the government should continue on doing what it is doing with the day-care facilities in the Province. It says that where prudent and under various financial restraints that the government continue to do what it is doing.

Now, Mr. Speaker, that would be fine if the government members opposite were willing to accept the amendment put forth by my colleague from St. Barbe (Mr. Furey), if the members opposite were willing to accept the amendment that also suggests that the government immediately establish a system of properly supervised, adequately financed family day-care homes in our Province - that they immediately establish. Now this is action. This is a suggestion as to how things can be improved. This is a course of action that will improve the situation in the Province with regard to day care and we all know and I think we all agree that the situation is not good at the present time. So it suggests action. And that such day-care systems be beneficial all over the Province, to every resident in the Province. In other words, we do not concentrate the day care

facilities in St. John's and Gander and Grand Falls and Corner Brook.

DR. COLLINS:

I thought you said Gander there.

MR. BAKER:

The Minister of Finance if he was not listening knows I have already pointed to the facilities we have in Gander and they are quite good, although there could be perhaps some extra spaces available, but it is quite good. I do not like to see the facilities concentrated only in the urban centres of the Province. Of course, Gander has been a leader in this respect, as it usually is in matters of this nature, or almost any nature.

If the government members could see fit to support this particular amendment then, Mr. Speaker, I would be very extremely happy to support the resolution as amended, extremely happy. I think that it would mean a tremendous improvement for day-care facilities in the Province. I think it would be of advantage to citizens all over the Province, for the people of Newfoundland and Labrador, and it would be something that is badly needed. I would be really happy if, in fact, members opposite could go along with this amendment.

However, perhaps they cannot and the next step then, Mr. Speaker, would be to come to the main resolution which, although it is not arguable that we continue on to do what we are doing with regards to day care in the sense that we will, at the very slow plodding rate build up the day care spaces, you cannot argue against that. Even though the resolution itself is soft, wishy-washy, self-serving, and

almost has a sycophant-like quality. It is almost as if the hon. member who introduced it wanted to get up in public and say to the Cabinet members and the Premier and so on, "I want to let you know what a good boy I am." This kind of thing. It almost has that quality to it. It is soft. It is like a wet noodle that has been soaked for twenty-five hours. That is exactly what it is like, but I could not vote against it.

DR. COLLINS:

Mr. Speaker. Would the hon. member permit a question?

MR. BAKER:

Go ahead.

MR. SPEAKER:

The hon the Minister of Finance.

DR. COLLINS:

Supposing we voted for an amendment whereby the day care situation went ahead in leaps and bounds, would that not rebound to the credit of government and do us very well in the polls at the next election? Would the hon. member not be concerned about that?

MR. BAKER:

I did not get the first part.

DR. COLLINS:

If we agreed to an amendment whereby the day care activity increased very, very rapidly, would not 51 per cent of the population say, "What a marvelous government. We had better vote them in the next time around." Is that not a concern to the hon. member?

MR. BAKER:

To the Minister of Finance's question I would be only too glad to take that chance, to have the

people of the Province say, in terms of day care, the government is doing a marvelous job. In the sense of the polls I think the government needs that help right now. It badly needs that kind of boost and perhaps members opposite could take the Minister of Finance's advice. The hon. members need this tremendous boost in the polls. They are so far down right now they need something. Maybe they will support this particular amendment and then we can have a resolution that means something to the Province.

However, in conclusion, I would like to say that I cannot vote against the resolution no matter how weak, no matter how simpering it is, I cannot vote against it and on this side we will support the resolution, even if our amendment is not accepted by members opposite. But I would like to make one final plea to members opposite to support the amendment put forward by the hon. member for St. Barbe (Mr Efford) because that would mean something for day-care facilities in this Province and perhaps might help hon. members raise their very low standings in the polls.

MR. PEACH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Carbonear.

MR. PEACH:

Mr. Speaker, I tried to keep my remarks in closing the debate on this resolution to the ten minutes that we agreed on. I trust that we will stay in that.

It is very interesting to note that this resolution had an amendment brought into it and then

an amendment to the amendment by the member for Menihek (Mr. Fewnwick), who had already made representation and made some comments to the Day Care Advocacy Group in a brochure that they had put out. I should not refer to Hansard of last Wednesday when we had the member for St. Barbe get up and point out all of the parts of the resolution that he could not support and that none of his colleagues on that side of the House could support. I am very glad indeed to hear the comments from the member for Gander (Mr. Baker). As a matter of fact, it is a complete change from what the member for St. Barbe had said but, I think, we all realize from the people who have spoken today in the short time that they did agree to speak that it is an issue that is a concern to members on both sides of the House.

I think we have to realize and accept the fact that because of our budgetary restraints over the past number of years that funding has not been put into day care to the extent that we would all like to see it put in and that the day care service in the Province indeed needs to be improved. On that point I would agree with the member for Gander (Mr. Baker) and I think to vote against the resolution of any improvement to day care in the Province would not be doing justice and not be doing the thing that the people who have and want to avail of day care out there would want us to do.

One of the concerns, Mr. Speaker, that I did expressed last week when I opened debate on the resolution, was with regard to the lack of training, I guess, and the lack of qualified people to manage and run day-care centers, whether it be the private or government

run centers. Over recent years, with sort of an increased activity in the need for day-care centers, there has been quite a lot of criticism levied at government with regard to training programmes for people to operate and to be employed in day-care centers. I think in many cases, probably, rightly so. But I think it should be also pointed out, Mr. Speaker, that, particularly the Department of Social Services, it is probably as little unfortunate that we did not have a great deal of time, that the Minister of Social Services (Mr. Brett) could not have commented at great length. My understanding, from the Department of Social Services, is that recently the department itself has demonstrated a great concern for training initiative programmes. As a matter of fact, the department has recognized that the training requirements and the staff requirements should have a very wide and varied background, people from a great variety of backgrounds and experiences to actually be qualified to be part of the staff in day-care centers.

It should also be pointed out, Mr. Speaker, that presently the Department of Social Services has taken initiatives in the formation of an Interdepartmental Community and Ministerial Committee to make recommendations with regard to regulatory changes with regard to staff and also with regard to the operation of those day-care centers throughout the Province. As well, it has co-operated by going to the Public Service Commission to develop a proposal for government to consider with respect to some kind of a programme or a two-year diploma programme in human services that will, of course, be, I am sure, a valued training asset to people

who want to work and train in those day-care centers.

The statistics, Mr. Speaker, that are available with regard to day-care centers in the Province, I think, are very worth noting. I think the members opposite who have made some comments on the amendment to the motion at the same time will tend to agree with the "BE IT RESOLVED" part of the resolution.

I would like to just point out a few comments on it with regard to the statistical part as it relates to the Department of Social Services. That is, Mr. Speaker, that we do have two pieces of legislation in place. One is the Day Care and Homemaker Services Act of 1975 and, as well, the Day Care and Homemaker Services Regulation of 1982. It should be noted, Mr. Speaker, that the number of profit centers, licensed day care, childcare centers in this Province, thirty-six. The number of non-profit centers is seventeen. The total number of licensed centers, therefore, comes to fifty-three, with space available for some 1,353.

I think it is also worthy of note that there is available through the Department of Social Services a \$1,000 start up grant to new centres and, in addition, we do have grants available for necessary equipment and supplies that are in the form of annual grants to those licenced centres. It amounts to twenty cents per child per day. Many of the private people who have taken advantage of those grants, I am sure, realize that they offer a great deal of help, but I am sure we would all like to see grants greatly increased. I agree with the member for Menihek that we are

in that sense far below I think, the Province of Manitoba has the highest, but we are far below many of the other provinces in Canada.

That, Mr. Speaker, is really the reason that I thought this resolution was of such importance that we should bring it before the House and debate it in that manner.

I think the figures, the amount of funding, again, realizing that it is somewhat inadequate, has been already pointed out, and as well the population that need and do take part in the child care and day-care centres in the Province. We have to realize that in Newfoundland itself we have 15,000 working mothers. I am sure that in itself clearly demonstrates the need for more of those centres around the entire Province.

It has been indicated by the National Council on Welfare that without, in many cases, the female earnings in a family, there would be a 51 per cent increase in the number of families across Canada that would fall below the established poverty line. Keeping that in mind, we realize that the the working mother part of the family indeed is a part of the family that we have to accept. As more females get into our workforce, there is a continued and growing need for day-care centres.

One of the bright notes, Mr. Speaker, at this point in time is that at present the tentative opening date, I think the Minister of Public Works (Mr. Young) has already indicated, for the day-care centre at the new Confederation Building Complex is in the Fall of 1986. Right now that particular centre is proposed to be operated as a non-profit

employee co-operative. I understand there has already been several meetings held with people who want to get involved.

Government has made a contribution by making the space available and it will provide the necessary renovations as the need arises. It will take part in certain operating costs of that particular part of our building, such as heat, light, telephone, maintenance and so on, and certain administrative services will be provided through the Department of Public Works as well. So I think that is probably the first type of a day-care center that we have operating in a public building where there are thousands of people working. I am sure with the working mothers that are involved throughout our government offices that it will be a welcomed addition and, indeed, I am sure, an addition that members opposite can be proud of. The step was taken, granted, by the government in power, but I am sure we realize that it is absolutely necessary.

Mr. Speaker, I am glad now to hear the member for Gander (Mr. Baker) saying that he would have to really support the resolution in the sense that, "BE IT RESOLVED that insofar as is fiscally possible" - and I am sure we have to realize our limited, at times, economic restraints that we end up in - "government continues to increase" - and I think we agree that 'increase' is the main word there - "its child-care services in a prudent fashion to the benefit of all residents of the Province."

As I close debate on this resolution, Mr. Speaker, and allow the amendment to the amendment to be put, which I am sure will be

voted against and the amendment, obviously, voted against, I want to point out very clearly to members on both sides of the House that I think the key word we have in the resolution is that government will continue, not in the format that we have and with the funding that we have in it, but continue to work, as far as is possible, to increase funding and increase the possibility and the availability of day-care centers to the working families in our Province.

With those few comments, Mr. Speaker, I close debate on that resolution. Thank you.

SOME HON. MEMBERS:

Hear, hear!

On motion, sub-amendment defeated.

On motion, amendment defeated.

MR. SPEAKER:

Those in favour of the main motion, "Aye."

Those against the main motion, "Nay."

Carried.

Orders of the Day

MR. WARREN:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Torngat Mountains.

MR. WARREN:

I would like to rise on a point of order. I apologize to the House that I did not mention, when I brought in the Notice of Motion earlier today with the consent of

the three parties, that this is of such importance to the sealers of Newfoundland and Labrador, that the three parties might agree to pass the resolution unanimously this afternoon.

MR. TULK:

Mr. Speaker, to that point of order.

MR. SPEAKER:

To that point of order, the hon. the member for Fogo.

MR. TULK:

There is no unanimous leave from this side of the House to do that. We understand the importance of what is going on here but it is far more important, in my opinion and the opinion of this side, not just to boycott the stuffed seals, or whatever it is Mattel are pushing off on us, but to boycott Mattel products as a whole. It should be prepared very carefully. If we are going to do anything with this kind of resolution, perhaps we should have a joint committee of all parties. It is not good enough for the member to come in here, because he was upset with something I understand was on CBC this morning, and he wants to make some points. If there is agreement that we could perhaps strike a committee to draft a resolution of this House, then certainly we would go for that, but there is absolutely no necessity to have the kind of narrow debate on one set of toys from Mattel. While that set of toys may be offensive to us, I think the far more appropriate action - and we would like to discuss that in a committee - for us to take is to consider whether indeed we would boycott all of Mattel toys rather than just one product.

MR. MARSHALL:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the President of the Council.

MR. MARSHALL:

They were for factory freezer trawlers and now they are for the banning of the seal hunt.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Leader of the Opposition.

MR. BARRY:

With that sort of comment we see the continued attempt at deception which has been prevalent amongst members opposite since this House opened. Now, Mr. Speaker, again you see their reaction when the Opposition gets up and says, "Let us do something that is really effective. Let us not settle for the wishy-washy sort of grandstanding that is raised by members opposite." If you are going to make the point with Mattel, Mr. Speaker, you do not do it just by boycotting those few little stuffed animals that they are going to send to the Province, you hit them in the pocketbook where it hurts. I do not know what percentage of their business comes from this Province, I am sure it is not a very big part, but if we establish an effective action against the purchase of all their goods in this Province, that would get their attention, Mr. Speaker, more than avoiding buying this one specific item.

MR. FENWICK:

To that point of order, Mr.

Speaker.

MR. SPEAKER:

To that point of order, the hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, as I recall the motion that was introduced by the member for Torngat Mountains (Mr. Warren), it did indeed say exactly what the Leader of the Opposition (Mr. Barry) and his House Leader (Mr. Tulk) have said, that the boycott would be on all Mattel toys. That is what I heard the member say. From point of view, Mr. Speaker, I am perfectly willing to give leave for that to be debated or to be passed.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please. There is no point of order, and leave has not been given.

Motion, second reading of a bill, "an Act To Amend The Workers' Compensation Act, 1983." (Bill No. 19)

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

We will see now, Mr. Speaker, in a moment when the member for Bonavista North (Mr. Lush) produces the proposed amendment on this legislation, we will see whether members opposite are seriously interested in bringing about reform to legislation that will be beneficial to the people of this Province, whether they are serious about bringing about action rather than just pure rhetoric in this House, and the petty little partisan political

games that we see the Government House Leader inciting members opposite to raise.

The member for Menihek (Mr. Fenwick), all I can say, Mr. Speaker, is that there are a few eye, ear, nose and throat doctors within close proximity and I suggest that the member drop in and consult one of them because even the member for Torngat Mountains indicated that widespread boycott was not in his resolution.

It is also interesting, Mr. Speaker, to find out where the Leader of the NDP Party of this Province (Mr. Fenwick) stands with respect to accepting the support of Greenpeace, and in fact bringing in and having working for them individuals from that organization which has been one of the main culprits, Mr. Speaker, in attacking the sealers in this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

I think there are about three grounds under which I can object to those comments, but the main one is the fact that the Leader of the Opposition is repeating propaganda from the Tories during the election and it is quite frankly not true. It is as simple as that.

MR. SPEAKER:

To that point of order, there is no point of order.

The hon. the Leader of the Opposition.

MR. BARRY:

Well, Mr. Speaker, maybe the member for Menihek can get up and indicate whether or not he is in agreement with the federal Leader of the New Democratic Party, who has traditionally supported Greenpeace and has been one of the culprits as well, Mr. Speaker, who have been putting the boots to the Newfoundland sealer. Let the member for Menihek get up on another point of order if he is prepared to say that he cuts his ties, Mr. Speaker, with his federal leader. I doubt if he is going to do that, Mr. Speaker.

MR. FENWICK:

On a point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

On a point of order, the hon. the member for Menihek.

MR. FENWICK:

Rather than deal with the substance, I think the rule of relevancy still applies, and I do not see what that has to do with the Workers' Compensation Act.

MR. SPEAKER:

To that point of order, there is no point of order.

MR. BARRY:

Mr. Speaker, we can see why he does not want to deal with the matter of substance, because he would have to concede that he has not yet received his instructions from the federal leader as to how he should react in this situation.

Mr. Speaker, I had an opportunity of having a chat with the minister after the debate yesterday, and

the minister, I think, expressed some genuine interest in what is being suggested from this side of the House. I am sure that we will get some attention, Mr. Speaker, on this issue of improving the Workers' Compensation Act. The minister himself has risen in this House and expressed, I think during Question Period, similar concerns. But, now, the minister has responsibility, as do members of government opposite, to act. It is not good enough, as we saw the Minister of Social Services (Mr. Brett) doing, getting up and saying, 'I am a warm and caring person.' You know, 'I care for the people that I have responsibility for through my department and I care for young offenders.' It is not enough, Mr. Speaker, to say that one cares. One must accept the responsibilities of one's portfolio and one must act. And, Mr. Speaker, the same applies now with respect to Workers' Compensation.

I had the opportunity yesterday of indicating some of the hardship cases, the types of cases that have come before myself and other members from constituents who ask for our support when usually all other resorts have failed.

Mr. Speaker, I have written a series of letters to the Chairman of the Workers' Compensation Commission, some of them I copy the minister; I mean to copy him on all of them but sometimes I think it is overlooked. But there is a long series of letters and they all deal with the same sorts of things, a somewhat arbitrary approach to the individual on the part of rehabilitation workers. Now, I know that they have their job to do and sometimes, Mr. Speaker, there is a psychological

element that comes into play. When a person is injured, there are some individuals who psychologically feel that they can no longer work, and it is recognized as a legitimate problem. It is not malingering, it is not trying to defraud the system, but they are very nervous as to whether their physical condition can permit them to go back into the work force.

Mr. Speaker, we have untrained individuals at times making that assessment, making that judgement - not psychologists, not psychiatrists, but we have individuals, untrained from this aspect, trying to delve into a person's mind or psyche, assessing whether or not a person is trying to beat the system. That is not right.

I mentioned this one in the House before, but there was a young man I was at high school with who was as hard as nails, that is the only way that you could describe him, and he was a tremendous athlete, he could go up a telephone pole guy wire hand over hand, he could run all day and dance all night, I mean, he was just one of those individuals who did not appear all that muscular, but he was just like wire, just like steel wire, that is the only way you could describe him, as tough as nails. Mr. Speaker, he was a hard worker at school, he graduated from school, he got married, raised a family and worked hard for twenty years after he left school. A few years ago, Mr. Speaker, he went to work as a linesman, and a few years ago, while he was up on a hydro pole, he accidentally came in contact with a live wire and it blew him off the pole, and he was about thirty or forty feet up maybe because it was not just a

wooden pole but one of these massive bloody big things. The fact that he lived was some indication of how tough the fellow was.

Well, Mr. Speaker, that person ended up in a situation where he had a bad back, and by a back back I mean a bad back. They finally patched him up, after a year or so in hospital with physiotherapy and the works, but his condition is more or less permanent. He can get on his feet or sit up for a period of about an hour or two, and maybe, if he is lucky, on a good day, three hours. Mr. Speaker, he was as partially disabled and given a very low partial disability award, and then was threatened with this allowance being cut off if he did not get out and get a full-time job. The man tried to work as a school bus driver, which was periodic, so he would not be at it all day. He tried that for a while but he could not take that physically, and he tried other jobs. I do not know if his case is finalized, cleared up yet, but he has gone through years of mental anguish as a result of being treated too harshly by the Workers' Compensation Commission.

Now, Mr. Speaker, probably one of the worst ones in principle involves the Board basically forcing an individual to succumb to surgery. When I mention surgery with respect to a back, I mean when you go under a general anesthetic. As the member for Exploits (Dr. Twomey), can indicate, there is always some risk to human life, because the anesthetic process is a very delicate process. Regularly individuals are left either dead or permanently disabled as a result of either negligence or

even in some case just bad judgment in the agony of the moment if an emergency occurs on the operation table. Should any individual be forced to have his or her body entered, surgically intruded upon, before being entitled to Workers' Compensation, where doctors are not in a position to say that there is 100 per cent probability that such and such will occur with no risk and that you will be all better? Cases are going to be 60/40 you will improve, 70/30 you will improve. Not only that, Mr. Speaker, in some of the cases the individual toughed it out and said, no, the hell with you, I will not, you can take your unemployment insurance and you can stuff it, I am not going under the knife, and the person has recovered without the surgery after a period of a year or a year and a half. But in the meantime he has lost his UI.

I have another case here where we had an individual who had his hand trapped, and it is the same sort of thing. Before they would recognize the extent of his disability they said, 'You have to go back and have a further operation on your hand,' when it was a question of the extent of the mobility which the individual would have, and whether or not another operation was going to improve it was iffy. These practices, Mr. Speaker, are not appropriate, they should be dealt with, and they should be removed from the Workers' Compensation system. This is another point where the board is excessively difficult in accepting evidence as to whether the injury occurred on the job or not.

There may be individuals who will try to beat the system, but the

Act says that the employee is supposed to be given the benefit of the doubt. Unfortunately, that is not happening on a regular basis right now, it is the employee who really has an uphill battle in order to satisfy the board that he should be obtaining compensation. This often occurs with respect to disk problems, or back problems, where it may be some time before there is even an injury apparent. I have one here where somebody slipped trying to get up on top a front-end loader or a backhoe, and it was some days afterwards before he recognized that he had injured his back, that he had put a disk out of place or something. A couple of days later he is walking around in a crouch, he cannot work and he has one very difficult time trying to establish that that injury actually did occur when he slipped off the backhoe or front-end loader.

Mr. Speaker, in some of these you get very, very extensive correspondence that you have to go through in order to try and help the person. You get people who established that they had fallen, they had injured their leg, but a fracture is not discovered until the next day or two; they are out limping along and finally the leg goes out altogether and they go to the doctor who discovers a fracture. Then the position is taken, 'The fracture occurred while you were off the job site, you discovered it off the job site and you are not intitled to compensation.'

Mr. Speaker, we have questions about whether there is an appropriate percentage awarded. You know, they decide a person is 10 per cent disabled, 15 per cent, 20 per cent, 25 per cent, 30 per cent, 35 per cent, 40 per cent,

what percentage of disability. That seems to be done in a fashion that is very difficult for the ordinary individual to understand, or very difficult for them to question after the fact. We really think, Mr. Speaker, that there should be an independent Workers' Compensation appeals tribunal that individuals can resort to when they are not satisfied with the treatment that they have received.

I have one situation here where the board had been paying an individual for years on the basis of a certain percentage of disability. He asked for an increase, and when he went back they reviewed it and found that, in somebody's opinion, there should have only been a 25 per cent disability paid in the first place. That individual had been informed by the board he was considered 100 per cent disabled, he had been off work for a number of years, and the board took the position that they could not continue paying a disability pension because, they said, "It is not allowed by law", and went on to say, "In actual fact, if we were to follow the strict letter of the law, we would have no other choice but to demand repayment of the extra pension that has been paid out to you over the years."

Now, notice the subtle little bit of pressure that is put on. Of course, that is complete rubbish. If that board or commission, board as it was at the time, tried to go after an individual, after telling him that he was 100 per cent disabled, because some official had a letter on file saying he was only 25 per cent disabled, the board would be laughed out of court.

But you have that sort of subtle little pressure being applied. In other words, shut up, be a good boy, or we will go after you for that money we have paid out to you over the last seven, eight, nine or ten years.

MR. DECKER:

They will probably harass him and drag him into court.

MR. BARRY:

Yes, that is right.

Mr. Speaker, here is one where the individual states that he incurred a hernia while lifting an object on the work site, and here is the response of the Senior Claims Adjudicator: "We are not satisfied you incurred" - basically the action on the job. "From the medical information presented, it appears you had a residual incisional hernia at the site of the previous surgery, in December 1984. However, you returned to work and subsequently developed hernia strangulation requiring repair. Incisional hernias usually occur through a defect in a surgical scar on the abdominal wall. In your case, we feel the hernia developed from poor scar formation and tissue weakness as a result of your previous surgery."

He had to go back to work after his operation or he would not have any income, and the fact that he went back to work, having, he thought, recovered from an operation, but having some sort of a residual defect, and the fact that that popped when he was lifting something on the job, they are saying, 'No, no, that is because of your previous operation, you had a pre-existing defect.'

MR. TOBIN:

Did you say that was a medical person?

MR. BARRY:

That was the Claims Adjudicator, it was not a medical person, presumably basing it upon some, I would hope, medical opinion.

But this is another thing, the way the medical system works. There is a doctor or doctors retained by the commission and the individual does not have the right to go to a doctor of his or her choice. They can, in addition to the Commission doctor, but the Commission requires that the doctor or doctors retained by the Commission examine them, and I would suggest that greater weight is placed upon the opinion of that doctor than on the opinions of other doctors that the person has gone to himself.

Now that is something that has to be looked at as well, whether or not that is appropriate. Now, Mr. Speaker, I could go on but I have gone on long enough and I have to go up and answer some questions for the media.

Mr. Speaker, I think from the incidents that I have described to the minister, he should be prepared to acknowledge that there are matters requiring attention. I will leave it to the member for Bonavista North (Mr. Lush), Mr. Speaker, to present the actual forum of the amendment before this House and I ask, Mr. Speaker, that the minister give careful attention to what is being suggested. I might say that the amendment, as we have drafted it, is drafted for the purposes of discussing the principle. There may be incidental matters, presumably there would have to be, in terms of how the board is paid

and their pension entitlement and this type of thing, that would go in as part of the legislation that would ultimately come about. But, Mr. Speaker, if this amendment were approved by this House, it would be accepting that matter of principle, that this should go. The legislation could be left to be - and we might have to add that, I am not sure if we have it in our last clause or not - that it come into effect upon proclamation.

I would ask the member for Bonavista North to maybe make a note that at the Committee stage we should maybe add a section that this legislation come into effect upon proclamation to give the minister time to add whatever other housekeeping details that would be necessary in order to have a completely operational board in terms of pension entitlements and all this other sort of stuff.

What we are proposing is similar to systems that are in effect in other Provinces, Mr. Speaker, and we would ask the minister to give very serious consideration to the amendment that will be introduced by the member for Bonavista North.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

The amendment, when I get to it, will have the effect of rectifying some of the injustices that we

have talked about and some of the hardships that have been perpetrated upon employees throughout the Province. I think the Leader of the Opposition indicated that, I suppose, every member can get up and comment on the hardships and injustices that have been inflicted upon employees throughout the Province.

What we have now, of course, is no real -

MR. TOBIN:

Are you saying (inaudible)?

MR. LUSH:

I do not know to what the member is referring and I do not want him to get me off track. There are very few classes to put myself in as being in the same with hon. members opposite. Now there might be some.

AN HON. MEMBER:

Weight Watchers.

MR. LUSH:

Weight Watchers, I would say we are in about the same class there.

What we are recommending is a process of appeal that we believe is not present at this particular point in time. The Board of Commissioners is the avenue for appeal but these are the people who are dealing with their own problems really. They have to go against decisions made by their employers or even by their own commissioners because many times they are the people who make the decision. What we are recommending is a process of appeal that is completely independent and that is completely objective. It will be a completely independent board that will deal with this rather than having the Board of Commissioners

making decisions against their own employees. It is a process of appeal, as we say, that is completely independent of the Board and, certainly, an objective appeal process.

We do not think that is the case right now because the Board of Commissioners, as I have said, have to deal with decisions made by their own employers and, very often, by their own commissioners. They make a decision. Somebody in the Workers' Compensation makes a decision and they deal with a decision made, as I said, by their own employers. We want to eliminate that, as is the practice in other parts of Canada.

But just to comment briefly, Mr. Speaker, on some of the situations that I have found and that I have dealt with. I would not say that it is the heaviest work load I get in terms of numbers, in terms of quantity, but in terms of the difficulties that the Province would have to deal with, in terms of complexities, it is certainly heaviest thing that I, as a member, find that I have to deal with. Ever since I have been in this House I get them almost on a continuous basis, and when one gets them, one can almost cry at the kinds of situations that is referred to a member by the particular people concerned.

One of the ones that I find probably the most harmful and the most destructive to an individual is the situation concerning the doctors report. I do not know how we can deal with this, but I do believe that we have to have some flexibility within the board itself. We have a situation where the doctor rules a person as not completely disabled. I think the

popular phrase is "they can do light work."

Mr. Speaker, just to demonstrate the seriousness of this particular case, I remember a gentleman in Charlottetown, a logger, who was somewhere approaching maybe fifty-five, certainly in his middle fifties, in that area. He was a logger all his life, right from the time he was twelve years old. He had broken himself up by working in the woods in the logging industry and by a logger I mean he actually cut the logs. He was not doing anything else but cutting the trees. We used to call it back in the old days a subber, but he was a logger and in his mid-fifties and was completely broken apart -

MR. DECKER:

We would call him a feller, a f-e-l-l-e-r.

MR. LUSH:

Yes, a feller, not a faller. He fells trees, sure. So anyways this gentleman had done nothing in his life but cut logs. He was completely broken up and was referred to Worker's Compensation because he could not work any longer, but he was classified as being able to do light work. Mr. Speaker, I put it to you. What kind of work would a gentleman qualify for who was a logger all his life, fifty-five years old, what kind of a chance does he have to find a job in Charlottetown at light work, for what he was trained for?

So, what kinds of problems do they create? Number one, the person cannot get Canada Pension because you have to be disabled, you have to have total disability. So the person could not get Canada Pension. He was getting very

little income so there was only one avenue, Social Services, a man who worked all his life found it most repulsive, most abhorrent, but he had to revert to Social Services.

Mr. Speaker, I put it to you. I think that we have to look at this kind of thing and I realize the doctor's report, that that is what we put the credence in, but I believe somewhere within that that the Workers' Compensation Board has to show some humanity. We have to look at the job that the person was doing, we have to look at the age, and make some decision, irrespective of what the doctor's report says. The doctor, obviously, cannot call the person disabled if they are not, but I think we have to realize the kind of penalty that we are imposing on that kind of worker when we say that they are able to do light work.

I have given him one example but I am sure everybody can do it, and we can apply it to fishermen. If a fisherman becomes injured through working in the fishery and he is classified to be able to do light work, now pray tell me what light work he is going to find at that age? About the only job that this person I am talking about in Charlottetown could do would be janitor of a school but they already had a janitor. They were not going to lay off the one they had to take on this man who was in his middle fifties. They were not going to do it. We would have been just as well off if we had put a sentence on that man for lifetime imprisonment, almost just as well off as to make that particular classification.

We have all kinds of these cases throughout the Province and I do

not believe we realize the kind of of hardship and the kind of injustice that we are imposing on people by doing that. I do not believe, Mr. Speaker, that the board realizes, or hon. members realize the kinds of hardship and injustice that we impose upon these workers. So I would certainly like for the minister to address that very serious situation. As I say, I certainly do not know what the solution of this should be but, again, the recommendation that I am making I believe for this independent body to review such cases will make a lot of difference where we certainly have to have that leeway within the act to not be governed totally by the doctors report and that we have the flexibility and the scope to deal with that kind of a situation.

Mr. Speaker, I can refer you to another case and this has to do with the periodic supervision, I suppose, of the various supervisors going around and checking with the various people who are receiving Workers' Compensation. In this particular case, again Charlottetown, the gentleman was an A-1 mechanic. He, again, had broken himself up, his back, through working with motors, probably trying to do the job that a lift should do. At the time of the supervisor's visit, whatever the terminology is, the gentleman was out in his brother's garage, his brother ran a makeshift garage and had approached him the day before to ask if he could come out and just look at what he was doing and give him some advice. So he put on his coveralls and went out. Of course, when the inspector came and enquired where the gentleman was, he was told he was down in the garage. So he went down and

saw him there with his coveralls on and would you believe, Mr. Speaker, that that particular man did not get his cheque the next month. It was a couple of months before he called me. I could not believe it. He told me he was just there. If you go into a garage, naturally you are not going to go in a three-piece suit, so he just put his coveralls on to instruct his brother as to what he should do. He did say while the inspector was there he did bend over to bend over a tool that his brother lost. Maybe, since he could pick up a wrench or something, he thought he was ripping off the system.

I am glad to say that I did call the Workers' Compensation and they very quickly went to work on this problem and determined that this gentleman was indeed a very genuine case and today he is in training by the way, he is training - that is a good case - he is taking courses working with computers or something because this guy was a sharp guy and he certainly did not want -

AN HON. MEMBER:
How old was he?

MR. LUSH:
About thirty. - and he did not want to be on Workers' Compensation all his life. It points out again the kinds of things that workers do. That is what it does. It points out the kinds of things that these supervisors do with no heart. So today that gentleman is taking a course in computers and enjoying it, enjoying it immensely. But for everyone of that, Mr. Speaker, I can bring out a case that is a sad case.

I want to talk about again the

lack of humanity in dealing with these people in trying to get them to further train themselves and to educate themselves or re-educate themselves. Mr. Speaker, you are not going to find this member objecting to any kind of an educational programme or any kind of a rehabilitation programme that is going to get a person back to the work force, but, again, I find a lot of callousness associated with this. People have to look at matching the person with the educational programme, matching the person with the skill that we are going to train them for, and I find out that this is not happening. This is not happening. The thing is let us get them into school, let us get them into a training school, let us put them somewhere, and then we are doing something.

I know people who have been attending trade school when they should be in the hospital. As a matter of fact, just a couple of months ago I talked to this gentleman, again with a tremendous back aggravation and he is going to trade school. There are times when he cannot get out of the bed, Mr. Speaker, he told me. He said, "All right, you have got me in a programme, Sir, but I am telling you, I am going to go to the programme. I am not going to miss any of it, but be prepared to get some ambulance bills, because any time I cannot get out to my car, I am going to call the ambulance to take me to trades school. Now, Mr. Speaker, what a terrible indictment of our system! That man is bent over so badly that his head is almost striking his knees. The gentleman cannot straighten up, and I do not say that in a derogatory manner, just to point out the seriousness of the case. One only has to look at

the man to see that he is never going to work again, but he has to go through the torture he has to go through to go to a trades school just so some bureaucrat is satisfied that he has this person in trades school.

I can quote dozens of cases where people are going to trades school, where they should never go, their bodies are not strong enough to allow them, to say nothing about the mismatch of putting people in programmes that they neither have the ability for nor the aptitude for. That is what is going on in this Province at this particular point in time, causing a lot of frustration, a lot of hardship to the people concerned.

Mr. Speaker, I repeat, we are not against the educational or rehabilitation programmes that we might bring into effect, but there has to be some humanity demonstrated, there has got to be some concern, some empathy, some sympathy, and we have to try and match the person's educational background with the programme we are putting that particular person in. Very often we have people to whom school is anathema, they got out of it because they were experiencing failure, and that is the last place they want to see. If they had a Lions meeting in the school, some of them would not go because that school has such a bad association for them. They have a mental block to it, and when they find out that they have got to go back and start over, immediately the mental block itself almost suggests they are not going to make it; they realize the frustration that they went through, the unfortunate experiences that they had. It is a tremendous frustration, Mr. Speaker, that many of these people

are put through by the officials, the workers, the employers of Workers' Compensation.

To complicate matters, there is no objective, no real independent method of appeal. What we are recommending, as a result of these injustices, of these hardships that we have talked about here, is to make an amendment that we hope, Mr. Speaker, we believe will certainly give the people of this Province, give the workers of this Province, the employees of this Province, a better chance with respect to appealing the decisions that have been made by the Board of Commissioners.

As the Leader pointed out, there certainly has to be more legislation put into this amendment to fine tune it, to beef it up. All we are putting forward today is an amendment that we hope we can all agree with in terms of its principle. We leave it to the government to develop the appropriate legislation that will make it a more effective and a more efficient vehicle whereby the workers of this Province will be dealt with, and people who have been injured will be dealt with in a more efficient and in a more practical and in a more equitable and in a more humane manner. That is the purpose of the amendment, and I hope that hon. members on the other side will see fit to approve of this amendment, to agree with this amendment.

I cannot see anybody disagreeing with something that is going to establish more equitable treatment to workers of this Province, to assist the Workers' Compensation Board in making decisions which are certainly more practical, which are more humane, and which are more equitable to the workers

of this Province. Who could disagree with such an amendment? Who could disagree with an amendment that is going to make life less arduous, and it is going to remove some of the hardships that they now experience as a result of dealing with the Workers' Compensation Board.

Now, Mr. Speaker, this is the amendment: I move, seconded by the member for Fogo (Mr. Tulk), that the motion before the House be amended to add as Section (5) the following: 'The said act as amended by deleting Section (21) and by adding the following Section' - Section (21) just has to do with how the Board is constituted now, if I recall correctly - 'There is hereby constituted a tribunal to be known as the Workers' Compensation Appeals Tribunal.' Point two. 'The Lieutenant-Governor in Council shall appoint a Chairman of the Appeals Tribunal, one or more Vice-Chairman of the Appeals Tribunal, and as many members of the Appeals Tribunal, equal in number, representative of employers and workers respectively as is considered appropriate.' So this part attempts to give representation from employers and from workers, equal in number, the chairman to be appointed by the Lieutenant-Governor in Council, and as many vice-chairman as we think is necessary.

And to carry on, Mr. Speaker, point three, and this refers to appeals to the Board. We are substituting this, because there will be a tribunal. Subject to Section (22) the Appeals Tribunal has exclusive jurisdiction to hear, determine, and dispose of (a) any matter or issue expressly conferred upon it by this act; (b) all appeals from decisions,

orders, or rulings of the Commission respecting the provision of health care, vocational rehabilitation, or entitlement to compensation or benefits under this act; (c) all appeals respecting assessments, penalties, or the transfer of costs; (d) the Appeals Tribunal shall not hear - we did this to try and clarify some of the things that we said earlier - determine or dispose of an appeal from a decision, order or a ruling of the Commission unless the procedures established by the Commission for consideration of issues respecting the matters mentioned in 3 (b) and (c) have been exhausted, and the Commission has made a final decision, order or ruling therein. So, Mr. Speaker, I submit the amendment and ask your

MR. SPEAKER (Greening)

Order, please!

I must inform the hon. member the member for Bonavista North (Mr. Lush) that the amendment cannot be made during second reading, it must be made during Committee stage on the bill.

MR. TULK:

He is not putting it forward now for debate.

MR. SIMMS:

Oh, he is not presenting it now.

MR. TULK:

No.

MR. SIMMONS:

He is giving notice.

MR. LUSH:

Giving notice.

MR. SPEAKER:

That is fine.

MR. LUSH:

Mr. Speaker, the purpose of the proposed amendment would be to ensure that there is a more practical and more independent and more objective method of appeal than is now the situation. That is the sum and substance of the proposed amendment and, as I say, I cannot see any members objecting to a situation that is going to do that for the employees and the workers of this Province, to ensure, in as much as this House can ensure through legislation, that the workers of this Province are dealt with in respect to injuries, in respect to medical attention in a fair, equitable and just manner.

Mr. Speaker, I certainly hope that members opposite will give the amendment due recognition and consideration, and certainly support it. As the Leader of the Opposition (Mr. Barry) indicated, this is only falling in line with legislation that is in other parts of Canada. This particular piece of legislation, I might add, is almost word for word, in principle, as that in Ontario. It is very, very close to the Ontario legislation.

MR. MARSHALL:

We do not follow Ontario or any of the provinces, we are our own bosses here.

MR. LUSH:

Mr. Speaker, I am not going to deal with the situation just raised by the member for St. John's East (Mr. Marshall). All I have done is to illustrate that we are trying to establish a method of appeal that is just and fair and equitable for the workers of this Province. We are not up to scratch with the other jurisdictions in Canada in this

respect. Nobody can disagree with the fact that the present system, with the Board of Commissioners, is not the most effective one, is not the most efficient one, otherwise, all members in this House would not be dealing with the problems we are dealing with, all of us would not have the complaints and the problems that we get from our constituents. More so than that, Mr. Speaker, it is not to eliminate complaints to members, that is not the point, the whole point of the thing is to give workers of this Province, and employees of this Province, an avenue of second appeal, where they can be sure that they are going to get a good, just hearing. We have said that this legislation is imperfect. We realize that it is not perfection, it needs more legislation to strengthen it, to fine tune it, but all we are dealing with today is the principle of the amendment.

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

Mr. Speaker, I want to thank my able friend for Bonavista North for the contribution that he is making in this proposed amendment which will certainly, if the hon. House should choose to accept it, add to this Bill No. 19 and make it much more relevant to the day. I also want to thank my hon. friend for the outstanding speech which he gave to this House today. But I am somewhat disgusted, to put it in plain language. When my hon. friend was up speaking, the Minister of Labour (Mr. Blanchard) was genuinely trying to listen to what the hon. member had to say. I believe the hon. the Minister of Labour is concerned about this

Workers' Compensation Board. I recall, Mr. Speaker, that in some committees last Spring the hon. the minister had opportunity and took advantage of the opportunity to let us know that he was indeed concerned. But, Mr. Speaker, no matter how much that hon. minister was concerned, he was unable to hear, he was literally prevented from hearing what the member for Bonavista North (Mr. Lush) had to say. The hon. heckler, I would like to call him, the Minister of Forest Resources and Lands (Mr. Simms), who should have better sense. Because what other sector of our economy experiences more injuries and draws more on the Workers' Compensation Board than within the Minister of Forest, resources and Land's own jurisdiction? The hon. the minister should have had better sense and should have allowed the hon. the Minister of Labour to hear those words that my friend and colleague for Bonavista North had to offer.

A member opposite vacated his seat, Mr. Speaker, and made it his business to sit in the front row, which he will never have the privilege of sitting in because he is going to be appointed to a ministry which will not put him there. He will never get there unless he scrambles up when somebody happens to vacate the seat. And he made it his business to prevent the Minister of Labour from hearing a good speech which contained a lot of good, plain common sense, Mr. Speaker. Because my friend and colleague for Bonavista North knows the anguish that is out there. And I believe that the hon. the Minister of Labour knows the problems that are out there. And if it were not for the political nonsense and silliness that we see day after

day in this hon. House, the Minister of Labour would like to accept this amendment which we are putting forward. He would like to accept it because, Mr. Speaker, I still maintain that he is a Liberal. He is a Liberal at heart, and any day now, Mr. Speaker, I expect to see that hon. member come across where his true philosophy is. The hon. the Minister of Labour, who I believe is genuinely concerned with this problem, Mr. Speaker, I, for one, would be glad to have him come across.

Now, Mr. Speaker, I could go into a list of complaints that I have from my district. The hon. the Leader of the Opposition -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (McNicholas):

Order, please! Order, please!

MR. DECKER:

Mr. Speaker, I am pausing so that other members of this House can see the frivolity. No matter how serious a problem is brought before this House, we have hon. gentlemen who are hon. hecklers. Surely, goodness, Mr. Speaker, we can recall the seriousness of Question Period today. It was met with heckling and laughter and the same thing is happening now when we come forward with this Workers' Compensation Board bill, Mr. Speaker, Bill No. 19. The same thing is happening, the same frivolity, Mr. Speaker, the personification of heckling, the personification of all that is not serious. Surely, Mr. Speaker, hon. members must realize that the government of this Province is not a laughing matter, it is not a joking matter, it is not who has the most wit, Mr. Speaker. If I

had a meaner streak, I could say what it is, Mr. Speaker, but I would not stoop to such depths. This, Mr. Speaker, is a very serious bill and I would appeal to hon. members to treat it with the seriousness that it should have. And when we, on this side of the House, get up and try to amend it and give it more meat, make it more weighty, I think it deserves the seriousness of people who are elected to govern, not to laugh and mock and scorn.

MR. SIMMS:

Do not be so sullen!

MR. DECKER:

The Minister of Forest Resources and Lands would even try to make me laugh. He would even try to make me look at this as if it were some silly little motion.

MR. SPEAKER:

Order, please!

MR. DECKER:

Mr. Speaker, it is downright disgusting, the tactics they will use. To try to divert a person, an hon. gentleman from getting to the heart of a matter, they will use the lowest tactics. Mr. Speaker, I wish there was some way we could fill those balconies and we could let the people of Newfoundland see some of the things that are going on in this hon. House. Would to goodness the television cameras were allowed in this House so that the people around this Province could see the lack of seriousness and the lack of concern -

MR. BARRY:

They do not need it, they already have the Goon Show.

MR. DECKER:

Thank you. Mr. Speaker, in

addressing this bill, I would like to look at it not just from the employee, the injured person's point of view, I am going to come to that later. First I would like to look at it from the employer's point of view because, contrary to what people would have you think, all employers are not ogres. There are employers out there, Mr. Speaker, who are genuinely concerned with their employees, who are genuinely concerned that they have an insurance plan so that if they become injured, Mr. Speaker, they can receive compensation for their injuries. The law of the land, Mr. Speaker, compels an employer to adopt Workers' Compensation.

How many times, Mr. Speaker, do injured employees have to come to the employer, who is caught in the middle of the system, who is genuinely concerned about his employee who has a broken back or a broken leg or a broken arm, and who sees his employee wait for weeks and months and sometimes a year before his claim is settled. Also, as well as having to cope with his back injury, or his leg injury, or whatever the case might be, in many cases the employee has to trust to the goodness of his merchant to supply him with groceries so that he will not starve to death.

Mr. Speaker, since we are within the last minute or so, I will adjourn debate.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Thursday, at 3:00 p.m. and that this House do now adjourn.

On motion, the House at its rising
adjourned until tomorrow,
Thursday, at 3:00 p.m.