



# The Yukon Legislative Assembly

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Number 24

4th Session

25th Legislature

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## **HANSARD**

Tuesday, May 1, 1984 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Bill Brewster, MLA, Kluane

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government House Leader — responsible for Executive Council Office (including Land Claims Secretariat and Intergovernmental Relations); Public Service Commission; and, Finance.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Municipal and Community Affairs; and, Economic Development.
Hon. Howard Tracey	Tatchun	Minister responsible for Renewable Resources; Highways and Transportation; and, Consumer and Corporate Affairs
Hon. Bea Firth	Whitehorse Riverdale South	Minister responsible for Education; Tourism, Recreation and Culture
Hon. Clarke Ashley	Klondike	Minister responsible for Justice; Yukon Liquor Corporation; Yukon Housing Corporation; and, Workers' Compensation Board
Hon. Andy Phillipsen	Whitehorse Porter Creek West	Minister responsible for Health and Human Resources; and, Government Services

## GOVERNMENT MEMBERS

### (Progressive Conservative)

Bill Brewster	Kluane
Al Falle	Hootalinqua
Kathie Nukon	Old Crow

## OPPOSITION MEMBERS

### (New Democratic Party)

Tony Penikett	Whitehorse West Leader of the Official Opposition
Maurice Byblow	Faro
Margaret Joe	Whitehorse North Centre
Roger Kimmerly	Whitehorse South Centre
Piers McDonald	Mayo
Dave Porter	Campbell

### (Independent)

Don Taylor	Watson Lake
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Clerk of the Assembly  
Clerk Assistant (Legislative)  
Clerk Assistant (Administrative)  
Sergeant-at-Arms  
Deputy Sergeant-at-Arms  
Hansard Administrator

Patrick L. Michael  
Missy Follwell  
Jane Steele  
G.I. Cameron  
Frank Ursich  
Dave Robertson

**Whitehorse, Yukon**

Tuesday, May 1, 1984 - 1:30 p.m.

**Mr. Speaker:** I will now call the House to order. We will proceed with Prayers.

*Prayers*

**DAILY ROUTINE**

**Mr. Speaker:** We will proceed at this time with the Order Paper.

Are there any returns or documents for tabling?

Reports of committees?

Petitions?

Introduction of bills?

Notices of motion for the production of papers?

Notices of motion?

Are there any statements by ministers?

This brings us to oral questions.

**QUESTION PERIOD****Question re: Macdonald Commission**

**Mr. Penikett:** I have a question for the government leader, regarding the issues of job costs and this government's forthcoming brief to the Macdonald Commission.

The Commission's interim report identified two challenges that, in its view, must be met. Namely, providing meaningful employment for those willing and able to work and creating a stable cost and price environment. Does the leader of this government administration support and share those goals?

**Hon. Mr. Pearson:** Certainly we support the observation that there must be something done in this country generally, and probably in the north even more specifically, to help alleviate the serious problems that we are facing in respect to employment.

**Mr. Penikett:** Before I forget, may I also bring belated birthday greetings to the government leader.

In supporting its appraisal of these goals, is it the Yukon government's policy to consider restraining prices within its control as well as wages, as has been its policy to date?

**Hon. Mr. Pearson:** We do not restrain wages. It certainly is not a policy of this government in any way, shape, or form.

**Mr. Penikett:** About 1,000 people around here could have been fooled, I guess, on that.

Since the expenditures planned for this government, are some three percent higher than actual last year, is it the policy of the government to soon begin pursuing a more expansionist policy, coupled with approaches to limit inflation and inflationary distortions, in order to create, as the Macdonald Commission suggests, and distribute, more work. Or, has the government not considered those kinds of formulas yet?

**Hon. Mr. Pearson:** We are going to be working very closely with the researchers for the commission during the year. We will be participating in employment creation, doing that very job. So, there is no doubt about it, we are going to be most anxious to see what the recommendations of the final report.

**Question re: French language program**

**Mr. Byblow:** My question is to the Minister of Education. Yesterday, the minister advised me that her department was seeking funding information from the Secretary of State, regarding the various components of a French language delivery. Why is the department, or her government, only now seeking funding information, when the original request for the program cadre began over a year ago?

**Hon. Mrs. Firth:** Without being unnecessarily long in my response, the original request was not over a year ago; I believe we received a letter from Madame Henderson — I received the letter in the office — requesting the establishment of the program cadre for the past school year. So, we received the letter just before the school year was about to begin in September.

After receiving that letter, I contacted the president of the Association Franco Yukonais because I never met with these people, nor had they made any representation to the government that that was, in fact, their desire. A public meeting was then held in the very late fall, at which time the association decided that it would seek input through the school committees, and would also do its survey again to find out the number of children who were involved.

It is just recently that I have met again with the association after its deliberations, and sat down and had a discussion with it about the program cadre. I am not denying that the government was aware that that was going to be their ultimate request. When we had the letter from Mr. Serge Joyal confirming some assistance, making a commitment to assist with funding — and, as I explained, we always realized that the federal government would assist us with funding for a french school or french program — we wanted some more specifics so that we could take them into consideration when we were listing our options and making the ultimate decision as to which program we would pursue.

**Mr. Byblow:** The minister should review her correspondence, because the first discussions on the subject did begin a year ago. The minister's first response to the issue is dated June 1st, 1983.

Is it correct that the minister withdrew a request for funding of a program cadre last November in a submission to the Secretary of State?

**Hon. Mrs. Firth:** I am sorry, I did not hear all of the question, I am not sure what the member is asking. Perhaps he could repeat it please.

**Mr. Byblow:** I reluctantly have to restate the question and I hope I am not penalized by being disallowed a third supp.

My question to the minister was: Is it correct that this government withdrew a request for funding in a submission to the Secretary of State for the program cadre last November?

**Hon. Mrs. Firth:** I am not, at this time, able to answer what he is asking. I do not have any recollection of withdrawing a request for funding.

**Mr. Byblow:** Did this government make any request for funding of the program cadre, last year, to the Secretary of State and, if so, why not?

**Hon. Mrs. Firth:** No, we did not make any previous requests to them. Since the association has identified for us the 67 children, we have to sit down, as a government, and assess what our options are.

In the assessment of those options, we have to have, from the Secretary of State, more than a commitment to assist us; we have to have something a little more specific. I have indicated to the members opposite exactly what questions we have asked the Secretary of State.

**Question re: Revised Yukon statutes index**

**Mr. Kimmerly:** I have a question for the Minister of Justice.

Yesterday, I asked about the revised statutes of Yukon; this is a slightly different area. Has the Minister of Justice considered writing an index to the revised statutes of Yukon?

**Hon. Mr. Ashley:** I believe there is a motion on the Order Paper dealing with that. I think, from the member opposite, we will be looking at a number of things when we are doing the revision of the statutes.

**Mr. Kimmerly:** Is the minister aware of the index to the revised statutes of Newfoundland and the way they achieved their index?

**Hon. Mr. Ashley:** Our draftsmen, who are working on this project at present, have looked at all systems across Canada and are aware of them all.

**Mr. Kimmerly:** The minister spoke of draftsmen working on the problem. Is the department now writing indexes to the Yukon statutes?

**Hon. Mr. Ashley:** What the department is doing right now is consolidating all of its acts.

**Question re: Highway signing**

**Mr. Porter:** On February 8, 1982, the minister wrote to an

Alaska Highway lodge owner and committed itself that highways and tourism officials will be placing a sign on Highway No. 37 notifying the motoring public of services in each direction. Have the departments acted on their commitment and, if not, when can we expect the necessary signs erected on Highway 37 near the junction of the Alaska Highway?

**Hon. Mrs. Firth:** That letter was sent when I was responsible for the highway signing policy under tourism. Since then, that has been transferred to the Department of Highways and I am not sure if the minister is aware of that correspondence. I had not sent it myself, however I appreciate the member bringing it to my attention and I will see that the Minister of Highways has a copy of the correspondence so that he can act on it.

**Mr. Porter:** It will be proper, then, that the second supplementary goes to the Minister of Highways. Has his department seen fit to erect the signs that were committed by the Minister of Tourism on Highway 37 near the junction of the Alaska Highway?

**Hon. Mr. Tracey:** I should clarify one thing: the Minister of Tourism could not permit the signs to go on the highway. The highways department has to allow the signs to go up. I am aware of the problem. My department has been working on it. In fact, I had my assistant check yesterday to try to get the information. I have not received it yet, but I am sure that there will be a sign up on the highway delineating the services that area available.

I should also state, while I am on my feet, that that would not necessarily mean that we would advertise a specific business.

**Mr. Porter:** Can the minister give the House the undertaking that he would put up those signs prior to the onslaught of the tourist season?

**Hon. Mr. Tracey:** No, because I am not aware of exactly what the member across the floor is requesting. If it is to advertise a specific business, no I will not make that commitment. If it is to advertise services on the highway, yes, there will be a sign put up.

#### Question re: Incarceration rate

**Mrs. Joe:** I have a question for the Minister of Justice. The minister has said in this House that he has a steering committee that, among other things, is monitoring the high incarceration rate in Yukon jails. Since the incarceration rate is higher in Yukon than anywhere else in the country, can I ask the minister if his department intends to study this problem with the view of improving the justice system?

**Hon. Mr. Ashley:** Certainly, we have been monitoring the situation. We are not the highest rate in the country, from what I have been advised, depending on how you look at it. A big portion of the problem is the fine option program not being accepted — being ruled illegal — and so we have not been able to correct that one. We may be able to correct it if the new *Criminal Code* amendments are put through federally. If that does not happen, we have to look for something else again. We are trying to correct that situation. Until that legislation, at least, is changed, we cannot.

**Mrs. Joe:** Since the Indian people make up 85 percent of the inmate population, can the minister tell us if his steering committee has recognized that this is a problem?

**Hon. Mr. Ashley:** We are aware of the stats.

**Mrs. Joe:** The minister is aware that these problems have existed since the implementation of the jail system in Whitehorse. Can I ask him how long his department has been monitoring the problem and when does it intend to do something about it?

**Hon. Mr. Ashley:** We attempted to do something about it through the fine option program. That was ruled out, by the federal Crown, which is not under our jurisdiction. It would not have happened at that point, if it were, but it was not, so we do have that problem. The federal minister is aware of it. That is one of the reasons why those amendments were introduced to the *Criminal Code*.

#### Question re: Whitehorse building permits

**Mr. McDonald:** I have a question for the government leader. Recently, the government leader announced that there were \$8,354,000 worth of building permits issued in Whitehorse last year. Since I do not quite recall that much construction took place

around Whitehorse, apart from the dam and the swimming pool last year: can the government leader tell the House if this figure represented the value of all permits issued in the territory or just those projects in Whitehorse?

**Hon. Mr. Pearson:** No, it was just in Whitehorse and, possibly, the major two that the member may have overlooked were the construction on the fourth wheel and the construction at the Whitehorse airport.

**Mr. McDonald:** I did refer to the fourth wheel at the dam.

Can the government leader tell the House what percentage of the value of the \$8 million was in the building permits that the government leader made mention of?

**Hon. Mr. Pearson:** With all due respect, I think it just a little unfair for the member to ask me questions like that without giving me some sort of notice.

**Mr. McDonald:** Is it the government's position that these one-time, government-paid projects, now completed, establish a recovery trend for Yukon's construction industry?

**Hon. Mr. Pearson:** I am not sure about the line of questioning; I am not sure exactly where he is trying to go.

If he is telling me that I should not reveal these statistics to the House, fine, I will not bother doing it anymore. That is all they are; just statistics. I thought there were numbers that would be of interest to this House. If he does not think I should tell the House about them, anymore, I shall not.

#### Question re: Yukon Economic Council

**Mr. Penikett:** I want to ask a question about a number of great interest to the House, and that is the Minister of Economic Development's chairmanship of the Yukon economic council.

Has the minister considered, yet, a policy for handling situations where the views of his government and those of the council diverge? As a matter of policy, which position will the chair articulate: that of the government or that of the economic council?

**Mr. Speaker:** That would seem to be somewhat hypothetical; however, if the minister wishes to attempt to answer it, I will permit it.

**Hon. Mr. Lang:** I recognize we are going into about the fourth or fifth week of this Session, and I understand the quality of the questions become somewhat questionable. I sympathize with you, Mr. Speaker, and the very difficult role you have to perform on our behalf.

I would point out that I indicated to the House, yesterday, that I was going to, at least initially, chair the council, because we viewed it as a very important step, in respect to looking at ideas coming forward. Further to that, I want to emphasize that I took in good faith the idea that the leader of the opposition has put forward on a number of occasions; that the political people on this side of the House could become, perhaps, a little more active, with respect to a number of these boards and committees created for the purposes of conducting government business. I just thought I was acting on his advice and, perhaps, maybe he has changed his opinion; he seems to change it every second day.

**Mr. Penikett:** While I welcome the news that the minister has been listening to me with attention, perhaps he has not been listening carefully enough. It was backbenchers and private members I was proposing that they activate, which would be a welcome change.

Since the minister clearly intends to chair this important body — and we all agree it is important — will the public pronouncements emanating from it — in other words, the advice that it will create — be articulated through the minister, or will there be an independent voice for the council?

**Hon. Mr. Lang:** I think the member opposite is being a little presumptuous. It is my intention to convene a meeting of those parties whom I would deem to be interested in such an organization and to work out the terms of reference. I do not think that the member opposite should have any problem if I decide I am going to make a number of announcements. I have tried to inform the House on all matters as openly as I possibly can so that I can get their constructive observations, in respect to the conduct of the government. I would assume that that would continue.

**Mr. Penikett:** We have always admired the artfulness with which the minister chooses the careful scraps to give the House. Could I ask the minister, if he has assessed the degree of public confidence in the independence of the council under the chairmanship of a partisan politician, when in fact that politician is the government minister responsible for the Yukon economy, such as it is?

**Hon. Mr. Lang:** I think I am taking on a fair amount of responsibility over and above the duties that have been assigned to me to date. I said, initially, that I was going to be the chairman at least initially in the stages of formation of the council and then it would have to be assessed. I think it is safe to say, from our perspective, that I feel the minister should be involved. I find it difficult to understand how the member opposite can sit there and say because I happen to have committed myself to a political party and have happened to have won the confidence of the electorate, three times round — as opposed to the member's two — that he would question the credibility of my ability to act as an MLA and a minister of this government.

I would say the member opposite that I am prepared to go poll to poll with him next time in the election.

#### Question re: Government decentralization

**Mr. Byblow:** I will direct my question to the same minister, though perhaps I should direct it to the government leader. Yesterday the government leader confirmed with me that this government was clearly committed to a policy of decentralization. I want to ask the Minister of Economic Development, who is up a pole today: in light of the total dependence of the community of Faro on a single mine, is this government giving any consideration to extending its policy of decentralization to that community?

**Hon. Mr. Lang:** I find the question very vague in respect to the question of decentralization. I want to emphasize to the member opposite that, as the Minister of Economic Development on this side of the House, we very much supported, under certain circumstances, the development of the North Slope, and the members opposite deemed not to support it. I would suspect the members opposite are opposed to decentralization as opposed to what this side of the House is.

**Mr. Byblow:** Quite clearly the minister did not answer the question. Quite clearly he stated an inaccuracy: that this side was opposed to North Slope development. Could I ask the same minister to respond as to whether his government considers a vocational school development in that community as a desirable, feasible, or useful economic initiative?

**Hon. Mr. Lang:** It is obvious, from what the Minister of Education said to the member opposite, that the initiatives we have taken in the area of advanced education have been many. I am sure the minister, later on today, will elaborate further on those and inform the member further as to just exactly what steps we have taken.

As far as the location of a site is concerned, I think it is safe to say that it will probably be appended to the present Yukon College. However, at the same time, it is my understanding that we have greatly expanded the apprenticeship programs, et cetera, which have, incidentally, been of great benefit to the community of Faro. It is my further understanding that various night courses have been offered, in various communities throughout the territory.

If one takes a look at all the departments and the delivery of services that we are providing, in 1984 as opposed to 1970, we have gone a long way in respect to delivering programs to the various communities of Yukon.

**Mr. Byblow:** The minister has a masterful ability of talking and talking around an answer to a question.

What consideration is this government giving in its policy of decentralization — which I wish he would address, as opposed to delivery of services — to the development of either Faro or Ross River as a regional centre for the MacPass development?

**Hon. Mr. Lang:** It is obvious. We looked at the community of Faro for the purpose of development in that area, as well as Ross River, for the purpose of towns and communities to service that particular area. I recall when we came into this House and put forward dollars for a liquor store and the member opposite voted

against it. One of the purposes was that it was going to serve the community and the surrounding area, for the purpose of people purchasing liquor.

I recognize that the members opposite are in favour of prohibition and who am I to argue with that? I know where I stand.

**Mr. Speaker:** Order, please.

#### Question re: Automobile insurance

**Mr. Kimmerly:** I have a question for the Minister of Consumer and Corporate Affairs.

I have received inquiries, recently, about the rising rates of automobile insurance. Is the minister monitoring these insurance rates and can he say if, generally, they are comparable with other regions of the country?

**Hon. Mr. Tracey:** The member dropped something in my lap that I was not even aware of: I was not aware that automobile rates are going up. However, if they are, I am sure that my departmental people are monitoring it and will be looking at it. My colleague from Whitehorse Riverdale South did not fill me in on this.

#### Speaker's Ruling

**Mr. Speaker:** I must say that the question was out of order, in that the question was asking an opinion of a minister, which, I am sure the hon. member will know, is not acceptable in question period.

**Mr. Kimmerly:** Concerning automobile insurance, in a general sense, has the minister considered legislative action to create an unsatisfied judgment fund?

**Hon. Mr. Tracey:** It has been addressed, on more than one occasion. I am not sure just where it stands right now, but it is something that the government looks at, every once in awhile. However, it is not my intention to have it brought in at this time.

As I have stated on more than one occasion, we are very busy trying to develop the labour legislation, in that department, and we do not have time to develop all of the legislation that is required.

**Mr. Kimmerly:** Is the minister aware if the insurance companies use Yukon's impaired driving rate in arriving at Yukon's automobile insurance rate?

**Hon. Mr. Tracey:** I would be very surprised if they did not.

#### Question re: Highway signing

**Mr. Porter:** On the issue of the North Slope, there is only one question and that is: where is the rock?

In response to the previous question that the Minister of Highways answered, he was questioning the services. Clearly my question addressed the issue of services. Seeing that there is a sign on Highway 37 indicating services south of the junction, when will his department put in place a sign to indicate services north of the junction?

**Hon. Mr. Tracey:** The reason for the sign showing services south of the junction is to show that the community of Watson Lake is there, 13 miles away. We have signs in great many areas of the territory that show that there are services available to the general public. That sign is there specifically for that purpose. If the member across the floor is suggesting that we should also put up a sign that says at 710 there is such an such service or that at 737 there are some other services, we are not prepared to do that. We are not advertising private businesses.

**Mr. Porter:** Surely the minister must recognize that there are five existing businesses between the highway junction and Teslin that offer accommodations and services to the tourists. Will he not recognize those services and then erect a sign to state to the motoring public those services do exist?

**Hon. Mr. Tracey:** I am sure that any tourist who is coming up this highway is well aware that there are services on the highway.

**Mr. Porter:** Am I to understand that it is the policy of this government, in this instance, on this question, to recognize the dominance of the community of Watson Lake over the services that are provided by the lodge owners north of the junction?

**Hon. Mr. Tracey:** No, we provide signs in most areas of the territory that show the services are available. There are also signs

on the Alaska Highway to show that services are available. What the member across the floor is asking me to do is to put a specific sign at a highway junction to say that there are services north of the junction. It should be relatively easy for anyone coming up the highway, and know that the highway is going on — which they certainly do — to know that there are services on the highway. We do, farther on down the highway, provide signs that show that there are services available, as we do on every other highway in the territory.

**Question re: Young offenders incarceration**

**Mr. Joe:** I have a question for the Minister of Health and Human Resources. Since young offenders ages 12 to 18 years are presently being held in the same facilities, guarded by the same guards as adult inmates, when does the minister's department intend to put a plan in place to separate these two groups?

**Hon. Mr. Philipson:** The problem that is being delineated by the member for Whitehorse North Centre is one that is well understood by the Government of Canada on implementation of the *Young Offenders Act*. If my memory serves me correctly, the Solicitor General of Canada, in a discussion with the ministers, stated that anybody who was incarcerated before implementation of the *Young Offenders Act* could stay in the senior facility. If a secure facility was not presently available, after the implementation date, then it would be possible to place a young offender in an adult secured facility until such time as a secure facility could be built for young offenders.

It was realized that there were areas of Canada that did not have secure facilities for young offenders, upon implementation.

**Mrs. Joe:** Since a facility for young offenders appears to be years away, can I ask the minister if his department has an alternate plan for separating those two groups?

**Hon. Mr. Philipson:** It is only the opinion of the member for Whitehorse North Centre that a facility is years away.

**Mrs. Joe:** Once again, a non-answer.

Can the minister tell us if his department is monitoring the disturbances and other problems in the adult jails with a view of how it may affect young offenders being held in the same facilities?

**Hon. Mr. Philipson:** The reason for the *Young Offenders Act* is that basic problem: it was monitored, and that is the reason why, in principle, the separation of young offenders from adult offenders is there, in the first place.

**Question re: Farm Credit Corporation**

**Mr. McDonald:** I have a question for the Minister of Municipal and Community Affairs.

It is becoming increasingly clear that the federal Farm Credit Corporation is becoming less useful as a competitive lending institution, as its best long-term interest rate of 14 percent can be bested by some private sector lenders, who can offer five-year, fixed rate loans, with CMHC insurance, at 13¼ percent. Given that the federal government is, essentially, abandoning the long-term credit field, is this government considering any assistance pertaining to interest rate relief to give the farmers in the territory the sort of encouragement they need to accelerate agricultural development?

**Hon. Mr. Lang:** I am not going to accept the preamble of the statement made by the member opposite until I have had it verified. I do know, in good faith, the Farm Credit Corporation is up here. In fact, it was advertised, I believe, this morning, that they were prepared to meet with people in Dawson City to let people know what is available. Until we see the success of that, I think it would be unwise for the government to take any action, at all.

**Hon. Mr. McDonald:** The minister, obviously, loves making inaction a virtue.

The Yukon and federal governments have been sitting on approximately \$5 million in small business development assistance, in what has been, up until now, a vain attempt to negotiate a delivery system for the money. Has the government considered negotiating with federal officials to use this funding as a long-term, low interest, territorial farm credit program?

**Hon. Mr. Lang:** It has been very difficult to negotiate with the Government of Canada for the outstanding dollars that were

available for the small business loan fund that was instituted in 1973 or 1974. We are still doing everything we can to see whether those dollars are available.

I want to conclude by saying that I take exception to the member's remarks about inaction. It was this side of the House, in good part through the actions of the MLA for Hootalinqua, that has taken the various steps in agriculture. I think it is to the credit of all members of this House that we have, as opposed to being derogatory about the steps we have taken.

**Mr. McDonald:** Highly debatable, highly debatable.

During the recent agricultural seminar in Whitehorse, the minister mentioned that part-time farmers, under the federal *Income Tax Act*, would be permitted to deduct \$20,000 in losses from farm income. As it is my information that the recent federal budget speech made no such promise and that a consultative group has been formed only to assess the impact of the proposal, can the minister say what information he had to represent this proposal as fact?

**Hon. Mr. Lang:** That was the advice that was provided to me by the department. I guess it is a question of who is right and who is wrong, and I assume I am right until I am proven wrong.

**Mr. Speaker:** We will now proceed to orders of the day.

GOVERNMENT BILLS

**Bill Number 19: Third Reading**

**Mr. Clerk:** Third reading, Bill Number 19, standing in the name of the hon. Mr. Philipson.

**Hon. Mr. Philipson:** I move that Bill Number 19, *The Children's Act* now be read a third time.

**Mr. Speaker:** It has been moved by the hon. Minister of Health and Human Resources that Bill Number 19 be now read a third time.

**Hon. Mr. Philipson:** In speaking to this third reading motion, I would like to express my appreciation to all those who have contributed to the process of bringing forward what I consider to be an excellent piece of legislation.

When my predecessor tabled Bill No. 8, it was met with considerable expressions of concern. Much of this concern stemmed from a lack of appreciation of what was intended by that early version of the act now before us. The fortuitous delay of the proclamation of the *Young Offenders Act* permitted our government to provide more time for public involvement in the discussion on the topic of this legislation.

I would like to thank all those who took advantage of that opportunity and provided me with their comments in private meetings, or through letters. I also appreciate the active participation in discussion at the numerous community meetings, which we had throughout Yukon.

I would also note, especially, the major contribution of the Council for Yukon Indians in the form of its critique of the act and their willingness to meet to discuss areas of concern in that earlier act. As a result of the discussions with the Council for Yukon Indians, I am satisfied that we were able to meet the major portion of their concerns in the amendments that have now cleared the Committee of the Whole.

I must emphasize that it is indeed gratifying to me to receive the endorsement of the Council for Yukon Indians and through the Yukon Council of Indians, of the native people of the Yukon for this important piece of legislation.

There are those who have said in this House that the majority of people in Yukon are opposed to this legislation. I am sure it will come as no surprise to this House that after my visits to the communities through the Yukon, I find that proposition impossible to accept. It is certainly true that the people feel strongly about this legislation and I am gratified to know this. People should feel strongly about so important an aspect of our society as the family and the children in that family.

I do not take the expression of a strong point of view on this subject, however, as opposition to the bill, which is now before us. On the contrary, I am convinced that there is much strong support for *The Children's Act* among the Yukon public. There are those who would point to the petitions that were tabled in this House as

an indication that people were dissatisfied with this legislation. Were I satisfied that the petitions were obtained from individuals who had a clear understanding of what the legislation said, I would have had cause for concern. As my colleague for Porter Creek East has capably pointed out, the validity of the apparent concern expressed by petitioners is undermined severely by the manner in which the signatures were obtained.

<sup>14</sup> We are aware, for instance, that those who were obtaining signatures on a petition resorted to outright misinterpretation of the facts, as to the content and intent of *The Children's Act*, in order to frighten people into signing the petition. I am also aware that some of those who peddled these petitions resorted to coercive tactics in order to secure signatures on the petition. I am aware that more than one person signed the petition simply to be rid of an individual who was harrasing him for his signature.

Such tactics as these cast serious doubt on the validity of concern, which some may say is indicated by the signatures. This concern is heightened by the fact that, at the time the petitions were tabled, only a very small number of Bill No. 19, which was then available throughout the territory, had, in fact, been picked up by interested members of the public.

I feel that the debate in this House on Bill No. 19, and the amendments that flowed from it, was generally productive. I am convinced that the majority of changes that came about in Bill No. 19, as a result of the debate here, are good changes, which will mean that the legislation that affords protection for children in Yukon is better as a result of debate.

One of those amendments made to the bill during the course of this debate had to do with the requirement to report child abuse. As a result of that amendment, Yukon is the only jurisdiction in Canada that does not make the reporting of child abuse obligatory. The basis for amending that particular section was the concern expressed by the public regarding such a requirement.

When I brought forward the amendment, it was in the hope and belief that members of Yukon society will take seriously the collective responsibility to protect the weaker members of society; in this case, often entirely helpless children. I would stress that this is a responsibility that each of us must take seriously. I received an assurance in this House from the member for Whitehorse South Centre that he would be approaching that professional group of which he is a member to establish, as one of their professional ethics, the obligation to report to the department any knowledge that they, as individual members of their profession, may have of child abuse.

Should it prove to be the case that voluntary reporting is not sufficient to protect children from abuse in Yukon, then we may very well see, in the future, an amendment coming before this House requiring that the reporting of child abuse become obligatory, as it is in all other jurisdictions in Canada.

The member for Whitehorse South Centre has been reported, in the local news media, as being unable to support the bill, in spite of the changes that were made as a result of debate. The reason that was cited in the newscast was the fact that the bill places the best interests of the child ahead of those of the family. I would like to reiterate, as I have on numerous occasions in this House, that this is a children's act; this bill deals with the best interests of the child.

The member for Whitehorse South Centre has, in debate of motion on the subject of wife battering, has said that the interests of the family cannot always be paramount. He has made the point that society has the responsibility to protect the weaker member of the family. In the context of this act, that weaker member is the child.

<sup>15</sup> We must, as a society, protect those who are helpless to protect themselves and that is what this bill sets out to do.

That is not to say that we, in this government, consider the family of no importance; that is clearly not the case, as certain sections of the act clearly indicate. This bill provides new meaning for my department to ensure that whatever is possible is done to enable the family to remain intact. I will not have it said that this government does not recognize and support the importance of the family in today's society. We do recognize the importance of the family unit and support it in this legislation.

Almost exactly a year ago, the member for Whitehorse South

Centre was quoted in the local news media as saying that Bill No. 8 was, basically, a sound piece of legislation, but required a few changes. Since then, the member has obviously changed his position and has become an outspoken opponent of both Bill No. 8 and then Bill No. 19. I find that attitude perplexing.

If the member could, at first, make the statement, which the news media attributed to him, concerning Bill No. 8, then I think that it should follow that, on the basis of the changes that have been made to Bill No. 19, *The Children's Act*, as it has been debated and amended here, should receive his enthusiastic support. That he has not done so is quite clear, and I will leave it to the Yukon public to draw its own conclusions.

One further point that I would like to make, in this regard, is that the dissatisfaction the member for Whitehorse South Centre expresses as still having with the legislation did not prompt him, during debate, to bring forward any amendments in those areas of the bill that he found objectionable. I find that curious and I am sure the Yukon public will, as well. It is easy to criticize the legislation that government brings forward, but it is quite another thing to be critical and not suggest change in the forming of an amendment.

I would repeat the numerous positive changes that this legislation brings to law, as it effects children in Yukon, but I have said it all before. I should briefly note that this act deals with the equal status of all children; it deals with custody, access and guardianship of children — a matter not previously dealt with under the existing *Child Welfare Act*; it deals with adoption and the mechanism for reuniting adopted children with their natural parents, where both parties are in agreement; and, in connection with adoption, this bill provides for the continuation of what has been referred to as native custom adoption, under the custody section of the bill.

This bill also, as we have debated at great length, deals with the matter of child protection and clearly delineates what the responsibilities of the various players, in the process of ensuring the protection of children, shall be. It has been argued, in this regard, that the powers of the director of the family and children services have been greatly enhanced and those of the courts diminished.

As I have pointed out repeatedly in debate, and as some of my colleagues have, as well, this is not the case. The tools available to the court, in the form of laws, have been more clearly defined, but it remains my view that the power of the court has not been diminished. It remains my view, as well, that the role of the director has been carefully set out and accountability, contrary to what has been expressed by some, is most clearly required.

The passage of *The Children's Act* is an exciting event in Yukon. This legislation will provide us with the necessary tools to ensure that children are well provided for and well protected in Yukon. Much remains to be done. The bill allows the delegation of some of the powers of the director to the community groups and we have only just begun to work out the details of delegation of some of the director's responsibility to some of the native bands.

<sup>16</sup> This is an exciting opportunity under the new legislation. Regulation remains to be completed and policies resulting from this bill to be developed. Implementation of this act will be challenging, but something to which we look forward to with eager anticipation.

I am proud to have been involved in the process of bringing this legislation before the house. I would again like to thank all those who were instrumental in improving this legislation and I would particularly like to thank my colleague, the member for Tatchun, for the work that he did in initiating this whole process.

**Mr. Kimmerly:** This is the time to put our position firmly on the record, especially as it may have changed through the changes in the committee stage.

It is a very long bill with a number of principles in it. At second reading I spoke for rather a long time concerning a number of the different principles. Today, I am going to speak only about one principle. That is the major one to argue, and I will refer in passing to the process and a rebuttal of some of the points that the minister just made.

I am going to quote from one small section of the bill, section 2, because it clearly spells out a principle and it gets at the crux of the principle here. I am going to quote a section of the proposed

Alberta legislation, which is also section 2, and put them side by side in order to compare the two principles. That process will clearly express what our major concerns are.

In *The Children's Act* Bill No. 19, section 2 says:

"This act shall be construed and applied so that in matters arising under it the interests of the child affected by the proceeding shall be the paramount consideration and where the rights or wishes of a parent or other person and the child conflict, the best interests of the child shall prevail."

In Alberta legislation, Bill No. 105, section 2 says:

"In exercising any authority or making any decision pursuant to this act, a court and all persons shall consider the following principles:

<sup>17</sup> (a) that the family is the basic unit of society and its' wellbeing should be supported and preserved;

(b) that the family has the right to the least invasion of its privacy and interference with its freedom that is compatible with its own interest, the interest of the family members and society,

(c) that parents are responsible for the care and supervision of their children and every child should have an opportunity to enjoy a parent-child relationship as a wanted and valued member of a family"

It goes on to talk about services in exactly analogous terms to the principles in section 107, 108 and 109 of the Yukon *Children's Act*.

It then addresses the concerns and the principles involved in the removal of a child from the custody of his parents and outlines the concerns that should be taken into account there and clearly establishes the principle that where it is necessary, it is in the family's best interest and society's best interest and the child's best interest that that relationship be broken considering the benefits to the child and the family and the risks involved.

This bill could have expressed those principles expressed in the Alberta legislation; it does not. It is primarily for that reason that the basic underlying principle of the bill is flawed. In our view, the drafters of the bill have considered the very laudable goal of protecting children. Really, when we consider protecting children, and especially protecting battered children, there is no disagreement in principle on both sides of this House. The only disagreement is in how best to achieve that and which principle should be paramount: the best interests of the family or the interests of the child. It is our view that the expression in the Alberta legislation clearly delineates what most family members believe.

<sup>18</sup> It expresses in law what is a biological fact and, to many people, a sacred fact. The Yukon law, in its statement of basic principle, is flawed. It is flawed, I believe, because the drafters of the bill were considering the problems that have arisen in the last five or 10 years and failed to see the overriding, all important interests of the family, especially where there are not significant problems. They have simply neglected to see the overall importance of that major principle.

We spoke about that principle for days in committee. We expressed our view repeatedly and the government did not accept that that principle — the paramountcy of the best interests of the family — should be specifically stated and protected in law. They simply did not accept that. It is for that reason that we believe the overall direction and the major principle of the bill is wrong.

How did that come about? Is it that Alberta Conservatives and Yukon Conservatives are different? I do not think so. I think it is because of the process that this bill followed. Initially, it was a bureaucratic process and it could have been debated here and in the public in a non-partisan way. All members know that we spoke repeatedly about a select committee to study the principle of the bill and to receive public input. The government simply did not listen. There was a reliance on their experts, on their bureaucrats, and they failed to see the overall political importance of the general principles.

<sup>19</sup> It could have been that the consideration of *The Children's Act* was essentially non-partisan; that could have been. With an act like this, that was an achievable, possible goal and it is a discredit to the party system generally and the government method of proposing legislation that that did not occur in *The Children's Act*.

The minister spoke about various issues and he personalized some

of them and I identified them myself. I should report and rebut that on the wife battering issue referred to by the minister. I did not say that the interests of the family were not paramount. I said that there were times when actions taken within the family are not simply private acts and the overall right of the society to supervise weaker members should come into play. It comes into play with wife battering and also child battering and some other situations.

The minister referred to a news report about my reaction to the bill. That news report clearly said that I emphasized, when I spoke to the reporter, that I had not finished reading the bill and I had not got to the later, more controversial sections. The minister spoke about the lack of amendments coming from this side. I answer this way: it was absolutely clear that our position was in favour of committee study in a select committee, in favour of direct public input to a legislative committee and it was clear, on second reading, that we did not support the principle of the bill.

<sup>20</sup> How can we present amendments and try and improve very small parts of the bill when we do not support the principles? There was a point where, if the principles of the bill, especially in section 2, were amended, it would be a consistent for us to present further amendments. If we had presented all of our amendments and won, or if the amendments were accepted, the principles of the bill would be substantially changed and it would be essentially an entirely different bill. Aside from that, from all of the work in presenting amendments on previous bills, the government simply stood firm and did not accept them. It is not our role to do that about a bill, the principle of which we do not accept.

I have identified in the committee stage specific sections where the power and the discretion of the court is diminished and other members of our caucus will discuss the cultural sensitivity of the bill.

**Mr. Porter:** In speaking to Bill No. 19, *The Children's Act*, I, as well, would like to mention the fact that it has been a long, and sometimes arduous, task of debating it in the House. However, like the minister responsible for the bill, I also recognize that the debate that has occurred in this House on this particular act has been very much a necessary debate. For that we owe our thanks to the member for Whitehorse South Centre and the minister responsible. For many of us sitting in this legislature, not only was the debate a very thorough one, but it was also a very educational debate on many of the issues that affect child welfare in Yukon.

On the question of the act itself, I think that in addition to the principles that it does not address, and in addition to the way in which it addresses the principles, I think that the act itself clearly has not addressed the issue or the role of the aboriginal people in child care in Yukon. I think that, in my view, the act falls short on recognizing the problems that affect aboriginal children in Yukon. I think that this particular legislation, more than any other, has a great deal of relevance to the aboriginal people of the Yukon. The elders have been saying for many years, in the communities, that they want their children back.

<sup>21</sup> That does not mean only that they want everyone to be recognized as simply aboriginal people, as opposed to being distinguished as status and non-status, but it very clearly means what it says; that they want the children who have been taken out of their communities, who have been taken elsewhere and who have been adopted out of Indian society. I think that we as legislators should start to listen to those people who form the important cornerstones in aboriginal society, not only in Yukon, but throughout the world where aboriginal peoples exist.

I think that the special relevance to aboriginal people is not only a problem in this legislation. We heard in Question Period today that in respect to incarceration of aboriginal people, the levels are clearly higher in that area than non-aboriginal people. I think that if we examine almost every aspect of life in Yukon we would find that to be the case. The aboriginal people do, in fact, occupy the lower rungs of the societal structure of Yukon's society. Clearly it is a fact that life for an aboriginal person in Yukon, and many parts of this country, is still a pretty tough occupation in just attempting to survive, with a whole series of problems.

I do not mean to suggest that in debate today we are going to resolve a lot of those issues. That is the issue that must be met by



this legislature, met by this government and met by organizations that are set up to deal with it. Hopefully, through the efforts of this legislature and this government and aboriginal organizations in Yukon, through positive efforts, life for aboriginal people in Yukon will continue to improve and conditions in aboriginal society will continue to get better in the future.

In terms of dealing with this issue, this legislation has not adequately dealt with it. When you have a problem, the solution is never to ignore that problem. The best way to deal with a problem is always to meet it head on and grapple with it. As we know, if we leave problems, they simply grow to bigger problems. I think, in a sense, that is how this act has been treated.

I understand that during the process of questioning the minister in the Committee of the Whole, the minister very clearly stated that he recognized the problem that aboriginal people have in Yukon, with respect to this particular piece of legislation, in terms of the vast number of aboriginal children in care in Yukon. He recognizes that, but he tells us that he cannot do anything about it because of the restrictions of the constitution as it relates to these issues.

22 I would like to take a different position. I think that, as opposed to viewing those sections of the *Constitution* that can be considered to be a legal hindrance on recognizing the special problems of aboriginal people in this legislation, the minister should have taken the other point of view. We should have looked at the *Constitution* in a positive way. He should have said, "Yes, the *Constitution* clearly recognizes and affirms aboriginal rights". He could have structured this act in such a fashion as to recognize that and make provision for the recognition of aboriginal children.

I think the best way in which to clearly put force into my argument is to, like the member for Whitehorse South Centre, refer to what another government in Canada has done or proposes to do, with respect to the child welfare act in its jurisdiction. I speak, of course, of the bastion of conservatism in this country: the Province of Alberta. Last fall, the Province of Alberta introduced Bill No. 105, which is its version of the child welfare act.

You also have to keep in mind that the Province of Alberta was the province that was singularly responsible, when the constitutional question was brought before this country, and argued — and, I might add, unfortunately successfully — to water down the provisions of aboriginal rights, as they were put into the *Constitution*. At the last constitutional meeting, they were, again, at the forefront of the negative forces that opposed aboriginal rights.

However, this same government, in its child welfare act, which is entitled Bill 105, and which, I understand, is now in the process of second reading of the sitting of the House, clearly recognizes that Indian people do exist in the province and that Indian people do have band councils and that those band councils do have a role to play in child welfare matters and that it clearly recognizes that.

I think that is something that can be done and I would like to quote — to substantiate the argument that I am presenting here, today — section 36, on page 19 of that act, which clearly states that, "if a court makes a supervision order, temporary guardianship order or permanent order, with respect to a child who is an Indian and a member of a band, as defined in the *Indian Act*, the minister shall provide the chief of the council of the band with a copy of the order, not more than 20 days after the date of that order".

Now, in Yukon, the situation is different. Yukon aboriginal people do not like to have legislative references to them being Indian, as per the meaning of Indians as enunciated in the *Indian Act*.

23 That issue could clearly be met with a definition of Indian as being those Indian people who are recognized as beneficiaries of settlement. This is what Indian bands in Yukon have been talking about. They have talked about, in the community meetings that I have sat in with the minister, being informed when their children were apprehended. They wanted that guaranteed to them in legislation. They wanted to participate in the process to determine where those children ended up. Clearly, that is not recognized in this legislation, Bill No. 19. It is recognized in the Province of Alberta.

Further on in this particular proposed legislative initiative of the Province of Alberta, section 61 of that act states: "If a person

adopts a child who is an Indian, that person shall endeavour to (a) take any measure on behalf of the child necessary for the child to exercise any rights he may have as an Indian; and (b) inform the child of his status as an Indian before the child reaches the age of majority." As well, in that particular legislation, section 33 states: "Not more than 35 days after an adoption order is made, the clerk of the court shall send a certified copy of that order to (i) if the adopted child is an Indian, the registrar under the *Indian Act*, and (ii) if a child who is an Indian is adopted under this act, or any predecessor to this act, the director of vital statistics, on the request of the child or his guardian, shall provide the registrar under the *Indian Act of Canada* with a copy of the original birth certificate of the child."

The reasons why I make reference to the proposed bill in Alberta, called *The Child Welfare Act*, is to substantiate that the Province of Alberta does not recognize any problem with specifically mentioning and recognizing the legitimacy of the role of Indian people in child welfare matters. They are not afraid to put it in their legislation that there are Indian people in the Province of Alberta, and that those Indian people have rights. To this day, I still cannot understand why this government has taken this position with respect to aboriginal people in Yukon society.

The minister has stated that the CYI continues to endorse the minister. Clearly that may be the case, but I, as of last night, called three of the bands in my area, and of those three bands, two of the bands clearly had continued problems with the act as drafted. The third band that I talked to stated that the person I talked to was not knowledgeable enough in respect to what was contained in the legislation to offer an opinion. The minister stated that the CYI supports him. The CYI may support him, but that does not mean on this issue he enjoys the support of all of the bands in Yukon. This does not mean that he enjoys the support of the Indian people in Yukon. It is still a problem.

Hopefully in the future, if the minister sees the light, we may expect amendments from the minister that would clearly recognize once and for all the important role that aboriginal organizations and people that work for those organizations have in the final determination of the welfare of Indian children.

24 **Mrs. Joe:** I could not give up this chance of speaking for the last time on *The Children's Act*. Although it is a children's act and includes all children in Yukon, my colleague and I are still very concerned about those children of Indian ancestry who are taken into care by this department; 70 percent or more, in most cases, and sometimes much more than that.

The government has said, time and again, that all people in Yukon should be treated as equals and that no special considerations should be given to Indian people because they are Indians. I think that, because of the statistics of the number of Indian people whose children are in care in this territory and the number of people who suffer other problems as a result of being incarcerated or of alcohol or whatever other problems they have, the statistics do prove that there are more Indian people involved in those kinds of problems. I think that for this government to ignore those problems is something that it has been turning its back on for a long, long time.

The minister has convinced and appeased members of the Council for Yukon Indians by telling them that they could not legislate, specifically, their concerns that deal with Indian problems, with dealing with Indian bands or with dealing with Indian children; that it could not put that in the legislation. They have appeased them by telling them that they would regulate some of those recommendations. I fear that what has happened is that they did not realize that those regulations could be changed from day to day.

The existing *Child Welfare Act*, right now, includes regulations that deal with foster parents, foster care rates and clothing allowances and along with those regulations go the Indian recommendations. I fear that the Indian people in Yukon have, once more, been led down the garden path by this government.

**Hon. Mr. Tracey:** As a former minister responsible for *The Children's Act*, I am very happy to see that we finally got it through this House.

There have been some amendments made to Bill No. 19 that, on

the whole, are beneficial to us and to the people of the territory and to the family unit in the territory. A lot of those proposed amendments were already drafted for Bill No. 8, if we had proceeded with it, although I will admit that there has been some real benefit from having the act go around the territory with the minister explaining it to the people.

25 However, I am still very concerned when I hear members across the floor, who should know better, still making statements that are totally contrary to what is in the act and trying to imply that the government is doing something underhanded or taking something away from the aboriginal people. The member for Whitehorse South Centre talked about the family unit and quoted out of the proposed Alberta act. It is not the act of Alberta, it is only a proposal that has been circulated for responses from the public. It is not an act. But, he has quoted out of that proposed act, about the family unit. There is nothing in there that says the family unit is paramount. All we have stated in our act is that the child is paramount. We are writing a children's act for children and children are paramount. That proposed act does not say that the family unit is paramount. That whole thing could be quoted in our act and it would not have changed anything.

The member for Campbell talked about the rights of the aboriginal peoples and he is contradicting himself. He says that we should give the Indian people special recognition and then, in the next breath, he says that the Indian people in the territory do not want to be treated separate from the rest of the people in the territory. I begin to wonder just exactly where the member for Campbell is coming from with regard to aboriginal people in the territory. I think that all he is doing is trying to stir up dissension between the government and the aboriginal people.

The member for Whitehorse North Centre talked about the constitutional right of the people and says that the government has consistently led them down the garden path. The constitutional right of the people, including Indian people, is their respect for their privacy. The point that the Indian people and the Indian bands have consistently put forward is that the Indian bands should be notified when the Department of Social Welfare is dealing with an Indian person in that community. That is constitutionally impossible for us to do. If we were challenged in court for doing so, we would be in serious trouble as the member for Whitehorse South Centre very well knows. It is not the government's responsibility to notify the Indian band.

All in all, I think that, although it was watered down to some extent and the required reporting of possible child abuse has been watered down to an extent that I consider very serious to the people of the territory — I think that it should have been required that people had to notify the government if they suspected child abuse — I think that the bill, in total, is a great deal better than what we had previously, and certainly will be of much benefit to the children of the territory.

**Hon. Mr. Lang:** I wanted to make a couple of comments with respect to the act and try to be as brief as I possibly can.

26 I think it is safe to say that the minister has made it very clear in debate that, from this side of the House, the family unit, of course, is very important. There are sections of the bill — I believe 107 and a number of others — that refer directly to the importance of the family unit.

At the same time, I also think it is important to note — and I think the general public should be made well aware of this — that the act was designed and brought in because of a very small number of people who have problems to the extent that the government has to provide either assistance or step in with the judicial system to make a decision about a child. I think it is important, for the record, that it be made very clear that the principles of the act are designed to meet those problems incurred by families who are having problems between themselves, as parents, and the child. It is important that we have a statute on the books that will deal with this fairly and deal with it expeditiously. I believe this bill has brought that forward.

I think, with respect to the act that is just in the process of third reading, that the point must be made that this is very similar, if not identical, to all the other bills across this country, with, perhaps,

some revisions in some areas. However, overall, in the context of the bill that has been presented, it is very much a copy, in many respects, of some of the other provinces' acts.

I think it is important that we recognize a very basic principle that has been expressed here, today, and I want to alert the members opposite that it is going to be brought up again. We have been told, time in and time out, from the members opposite, that if the CYI does not agree with it, the members opposite will not support what this side of the House has done.

Now, the Minister of Health has gone out and spoken to the bands, and has spoken to the CYI to get the necessary support, and to explain the act so it could be presented to this House, from a point of view of consensus. Now we have the member for Campbell standing up and saying, "Well, you may have the CYI support, but that does not really count for anything". I could just imagine that if the Minister of Health and Human Resources did not have the support of the Council for Yukon Indians, that the member opposite would have given a two hour speech on why that support was so essential to this piece of legislation.

27 I think it is important that the media sees the contradiction here because the Minister of Health and Human Resources went out with all good intentions and the member for Campbell, at times, was with him. The member for Campbell many times agreed with the Minister of Health and Human Resources, yet, at the same time, he has the audacity to stand up here and take a run at the Minister of Health and Human Resources. On that point, I just want to say that hypocrisy is still alive and still here.

I just want to make a point, and it concerns me because I think the member for Whitehorse North Centre brought up an area that she was very concerned with — and rightfully so. The question was of native kids in care. It concerns me not only as an MLA and a minister of the Crown, but it concerns me as a citizen. I think we are losing in debate just why those kids are being taken into care. That is the question. I think it is very important that we recognize that we are very lucky at this time, in the affluence of our society, that there is an agency that has the capabilities of taking in many cases of these unwanted kids or uncared for kids, into some semblance of care.

The government, whether it be the federal government, the territorial government or municipal government, provides many services. The member for Campbell gave a very impassioned speech the other day, which, in part, I concurred with. He talked about government, big "g" government, coming in a taking children away from families, whether it be up the Aishihik Road or down Teslin way, and taken into residential schools. There was good merit in his comments, but, I wanted to talk about the government — and let us not talk about the government as that side of the House as opposed to this side of the House, let us talk about it from the perspective of the general public, the taxpayer, the people who provide the necessary financing for the government to take various steps in different areas with respect to their everyday life.

I take a look in the past 10 years. Take a look at the community of Watson Lake and at the educational facilities, the recreation facilities, the housing facilities — both native and non-native — the public infrastructure, and the various commitments that this House has made with respect to communities. You can compare Watson Lake with Mayo; you can compare it to Dawson City. The question that I have to ask myself is how much more can government do, whether it be the member for Mayo or the member for Porter Creek East on the government side of the House, with respect to attempting to arrest a very serious problem that the member for Whitehorse North Centre spoke about.

28 I think we are in a transition phase, with the consequences of the land claims in the process of being implemented, but I think the most important aspect that we cannot lose sight of is the fact that government — and primarily the Government of Canada, intentionally or unintentionally — took, in many cases, the pride from those people. Therefore, there was less dignity and, therefore, you had a very serious situation where, even presently, the children of many of these families are coming into government care.

I think that is one thing we cannot lose sight of. I do not think

that we should be totally looking to government to solve those problems, because, if you say it, I, personally, believe you are telling a lie: government cannot solve everybody's problem.

The key to it, in my opinion — and I think some members across the way share this opinion, at least in part — these people, the father and the mother, have to get out and do things for themselves, as opposed to going to a government department or a government agency for a cheque and go to spend it in whatever manner wished. That is not, totally, in the native community, either; it is a general malaise in a small segment of our population.

However, I think that is the key area: how can government encourage these people to be out on their own, as opposed to providing free housing, free education and everything free. If somebody else is paying for it and they are getting it for free, in the long term, I do not believe it is of as much benefit as those benefactors, who provided it, perhaps, a number of years ago, thought it was going to be.

I think that is a very fundamental principle that we have to look at, because, when the member for Whitehorse North Centre was speaking, I said to myself, "Why, when you take a look at the advancements that have been made in the communities, the dollars that have been made available, whether it be through the native organizations or whether through the federal government and, in part, the territorial government for incentives to go into business, to go into cottage industries, why do we still have this happening?"

I think we should address not the fact, so much, that the kids are in care of government agencies, but the question of why. If anyone can tell us why, then what is the solution?

There has been a lot of fear expressed, with respect to *The Children's Act*. No matter how many times you say it, the previous piece of legislation gave the government all sorts of powers to do almost anything it wanted. The bill we have before us, as the minister has indicated, has redefined the powers; defined them clearly and concisely.

<sup>29</sup> The fact remains that obviously in 98 percent of the cases, if not 99.9 percent, those people employed to work under that act were operating in a very judicious and credible manner. The reason I say that is that the decisions that were made, whether it be at the administrative level or in the courts, in most instances were in the best interests of the child and the family. As an MLA, I have to ask: how many actual complaints have you had of people coming to you either privately or publically asking about individual cases.

What I am saying is that the act that you have before you defines those powers clearly, concisely, as the minister has said, very clearly brought in new concepts as far as guardianship, custody, and therefore, there is a lot of very good new innovative principles that were brought forward to the legislature.

I want to make another point that concerns me and that is the misinformation at times that the general public received in respect to this act. We spoke about this some time ago, in second reading at the beginning of the general debate in committee: of the petition that was circulated, the information that was being provided — that the media knows as well as members on this side of the House was being proved to people whether it be in the Mall or at their door in respect to this bill — in all instances where it was brought to my attention and I researched it, it was total and absolute misinformation.

That concerns me when I see information being disseminated that is not accurate, or at least not as accurate as it possibly can be, even if it has a bias where the facts are not being presented so people cannot make up their own mind. I just want, for the record, to emphasize this.

Last evening, I had a woman approach me who told me that one particular church was very concerned about the section of abortion in *The Children's Act*. We know the issue was raised during debate by the critic, but the point that has to be emphasized is that responsibility is under the *Criminal Code* and this act does not, nor does it purport to, deal with that particular issue. I think the public has a right to know that. There is a misconception out on that street in view of the debate that strayed into many areas during that debate in Committee of the Whole.

<sup>30</sup> It disturbs me as an MLA that people are under the impression

that we are dealing with a very contentious issue, which is a federal responsibility, when we are not. I want to put that on the record in respect to this bill.

I want to say to the Minister of Health and Humna Resources who has graduated very quickly from being a rookie to a veteran in the space of five days, that I am very pleased to see the end of the debate on *The Children's Act*.

**Mr. Penikett:** It will come as no surprise to you to know that I was not planning to get into this debate until I heard the last speech.

I have been of rather placid disposition through much of this session. I have been even-tempered, benign, kindly, dispassionate and, on the whole, thoroughly objective. Fond as I am of myself in this mood, I found it dissipating rather rapidly as I listened to some of the things being uttered by the member opposite. I will not describe them as thoughts, because they are not what any informed person would call fully crafted ideas. They really were the expression of some evisceral attitudinal kind of things that the member was giving us.

We have heard before the member utter his vaguely-concealed kind of prejudices about the native community and the minority in this society before. We have come to expect them. We have even come to expect from him his synthetic outrage when members in this House attempt to articulate the circumstance and the social and economic condition of that minority in this community. We have even come to expect from him criticism for members who attempt to talk about this issue.

It is, I suppose, if you analyze it logically, the opposite member's view that everybody in the House should be representing the interests of the majority at all times. That is what, in his simple-minded notion, democracy is all about. The unfortunate consequences of that rather thin perception of our purpose is that the rights and needs of minorities would be entirely expendable, even in the democratic legislature.

He had the incredible gall to use the words hypocrisy and contradictions. I would not have the time today, nor the inclination, to want to waste the patience of this House in exploring in great detail all the contradictions and hypocrisies that I perceive in the member opposite.

<sup>31</sup> However, let me say that it would probably suffice to illustrate my point to recall for you that the member opposite is the person who has personally stated his personal and fundamental opposition to the idea of aboriginal rights, yet he belongs to a government and Cabinet that accepted that fine principle, no matter how reluctantly. In the fine British tradition, of which you are so well aware, were a member of the Cabinet to adopt a position that that member was opposed to in principle, the normal course of response for that member, on the issue of principle, would be to resign if he found the government doing something that he could not agree to. We all know how important his opposition to aboriginal rights was to him, because it was his entree into politics and, in fact, he did involve himself in an organization to oppose that very thing. Therefore, I would appreciate, when members are making charges about hypocrisy and contradictions, that they not find themselves in the situation of the pot calling the kettle black, or there may be some Biblical injunction about looking at one's own house too.

The member rhetorically raises the question about why is it essential to be concerned here about the views of the Indian community on this important question. The answer, of course, is obvious: there are historically a disproportionate number of Indian children coming into care and a disproportionate number of Indian people and Indian families affected by this legislation.

He then rhetorically asks the question: why? I think the main answer is obvious for anyone who cares to look. The answer, in a word, is poverty. The solution to the problem of poverty is not as he might have rhetorically suggested on behalf of his opponents, that the government can provide the instant and total and absolute solution to this problem. Nobody here and nobody in my knowledge has ever suggested that. Nobody who, I think, had lived in Yukon and had experience with this government would ever expect it to. It would be the most lurid of fantasies to imagine that they would expect this government to solve their problems.

However, it is fundamentally important, from my perspective and

from the perspective of my party and my movement and my philosophy, that the means be provided or found for people to solve these problems themselves or, at least, begin to address them. The means to be found, whether they be private means or public means, is an open debate. We do not expect, at least in the short run, to provide private means to avail themselves of and, therefore, the debate about what public means can be brought to bear on this problem of a minority of poverty and a minority of our population is a serious one.

People who are powerless, who are economically weak or who do not have wealth, do not have position and do not have influence in society, of necessity, are going to have to band together.

They are, of necessity, going to have to act cooperatively. Of necessity, they are going to have to work with their friends for the community and the society if they are going to solve these problems. That is the core of our approach to the problem. It is also the root of our desire to see the people who are affected by a problem involved in solving it, rather than have a big brother or great white father solve it for them. There is, if you like, a philosophical, or difference in, principle about our approach and the government office's approach, on the other side.

There has been some discussion today, with respect to this act, about the state of the family and about the condition of the family in our society. I think we have to recognize that the family has undergone some very serious changes. I think the family has, since the industrial revolution, when families went from being producing units to being consuming units, gone through some very major changes. The family today suffers incredible threats. Let us be frank about what those threats are. In the main, those threats are economic. The people who settled this area — I am not talking about the aboriginal people now — who come from all over this country — whether they come to work in a place like Faro or Whitehorse or Elsa, wherever — do so at a cost. A part of the cost to them is an uprooting of themselves from their neighbourhoods and their own communities. Part of the cost to them is that they leave behind the traditional support systems, which have been available to individuals in families for much of our history. They leave behind the parents, the grandparents, the aunts and the uncles who could, in times of stress and crisis, share the problems of families and deal with them.

I can tell you, from my own personal family history, that there was a time in the Victoria age when someone — a person who was troubled, who had difficulties — came to the age of majority without having demonstrated any ability to make his way in the world to support himself, would have been looked after if the family — if they were a middle-class family — had the means to look after him. In many Victorian families, there were a bachelor uncle or spinster aunt in an upstairs room who was not expect to either marry or to make her way in the world because she was not born with the attributes nor had she been out to acquire the social skills necessary to make her way in the world.

It was understood in those days — in the days of the zenith, if you like, that the ideas of charity — that most middle class families would be able to look after such relatives. I am not saying anything profound to say that in this day and age, even middle class families would have difficulty absorbing that burden. I know middle class families who have two grandparents in the house, and while the family is often enriched by the experience, it can be a financially difficult situation for them.

That is why, in this modern society when we bring people to a community like Yukon in order to work, and that is why when the family is stressed, that we do have to have some societal aids. I was pleased, incidentally to hear the Minister of Health and Human Resources the other day talk about the kind of family support systems and assistance to families that might be provided in order to prevent, not only the disruption and the decay of the family, but also to prevent, if possible, family members having to depend permanently on the welfare system because of some major or permanent rupture or dislocation in their lives.

Because of the nature of our economy, and because of the recently high participation rate by women in our economy, there are a lot of single parents in our community; a very high number.

I want to talk about government action to help those families. Perhaps the most important issue that we have debated historically in this House, since it bears on this issue and the interests of children, is the question of daycare.

There are some people who oppose public spending on daycare because they regard it as another welfare measure that is not justified in terms of the people who are, in fact, having to foot the bill. However, giving a single parent the choice of being able to go out to work or be on social welfare assistance is a very liberating step for a government. Without those kinds of systems, without those kinds of welfare mechanisms, without that kind of assistance of public funding of adequate, quality daycare, not only does the child suffer but the parent may suffer as well because someone on social assistance for a long time may well suffer considerable loss of their own self-esteem, their own self-respect and their own self-regard. I have no illusions on that score that the children growing up in such homes suffer as well.

The reason why the state or society comes to the assistance of families in such circumstances is hopefully to enhance their choices and prospects, to be able to put themselves once again where they can look after themselves.

To repeat: the threats to the family in our society are largely economic in my view. Unemployment is the biggest threat of all. It is a profound threat to family life. That is why, for me, given an economic choice between the options that we have had to face in the last few years of fighting inflation and fighting unemployment, unemployment to me has always been the more immediate kind of problem.

As I said, the reason why the family, and our notion of the family, is so important, is because it is quite literally a model of the kind of society I want to see. It is the kind of societal model in miniature that I would hope the full community would aspire to. We cannot all be producers in society. We cannot all even be good consumers. The very old and the very young are not part of that system. The family provides us with a model of how society should operate. Whether the family has one or two earners, or producers, all members of the family benefit. We all recognize that at different stages of our life all of us will be producers and contributors at one time. It does not matter whether the member of the family is five years old, or six years old, or fifteen years old, or 95 years old; when it comes to mealtime, all get their share of the food, and hopefully, in the right kind of family, will contribute in the work of that family or the chores of the family.

I admit that there are different ideas of family. There is, if you like, — and if I may not be permitted in a slightly facetious note — the Tory model of the family, which is one I know from my own history is not an entirely unusual one. A Tory model of the family I think could be described as the family where the basic rule is father knows best. I think there is also a liberal model of the family; the rule in that family would be go ask your mother. There are, however, other models of the family where the principle of sharing or the principle of responsibility or of mutual respect and mutual regard is a definite one. It is enhanced and it is achieved.

One of the good things about the debate that we have had, and about this legislation, is that there is no question anymore but that in this community in law children have the status of persons. This was not always the case. It was not too long ago in our history that children were quite literally the chattels of their parents. In fact, not very long ago in our history women did not have the status of persons.

It is very important for us to understand that children do not exist by themselves. They do not exist in isolation. Children are not simply adults in waiting. Children are an essential part of families; they are not a necessary part of families, because you can envision families without children. Children, if we look at their role in our society — the member for Tatchun is muttering, he will have to speak up if he wants me to hear — are people, without voice, for the most part, in our political system.

If you look at the situation of children prior to birth to the time they enter the education system, they are probably the people in society who receive the smallest share of public attention, either by way of public spending or public discussion. These are the most

critical years in the development of a human being. The support of the family as a sanctuary and as an environment for them to grow, is a very critical issue.

I only say to members opposite, with regard to the question of which children enter care and why they enter care, I suspect that there are no perfect answers and I suspect there is a large element of chance, in any event. I suspect that any one of us could suffer, or could have suffered, in our family life, or may still yet suffer in our family life, one of those accidents of change in relationships or change of fortunes that could put our families or those of our friends in crisis.

↳ To leave it to some external agency, a welfare bureaucracy, where some social engineers would come along and fix it up or patch it up, or, in fact, remove the problem or take the problem of the children or, if you like, the future resources of the family, out of the way or out of harm's way, is an approach of diminished credibility, somewhat. There are times when children will have to go into care.

I think the thrust and the emphasis of what we do here should be very much in terms of enhancing and protecting the family unit. I say that because I do not want there to be any kind of silliness or pettiness about which side of the House is more in favour of the family or not. Surely, that is not the issue.

There may, in fact, be a dispute amongst us. There may be a dispute amongst us about the definitions, about what type of family is desirable. I know the member for Tatchun has much more neanderthal views on this subject than I do. I accept that.

I can also accept the fact that, from time to time, I may be on the side of minorities, on some issues, and I say that to both the member for Porter Creek East and the member for Tatchun. I am not afraid to do that because history will be my judge; history will be our judges as to whether we were right, whether we had courage, whether we had foresight, or whether we were simply here to protect the values — archaic values — of a previous age.

**Hon. Mr. Pearson:** I am saddened that this very important piece of legislation has now been reduced to a philosophical argument between the two sides of this legislature, as to who has the better kind of families: NDPers, Tories or Liberals. I am so sorry that we have been lowered to that level that we would have to discuss that. I am not prepared to debate with the leader of the opposition whether my type of family is better than his.

↳ Certainly, history will prevail. The fact of the matter is that we are here to vote on this piece of legislation; we are going to vote in a few minutes and, really, that will record in history whether members opposite are in favour of child protection legislation or whether they are opposed to it. That is what we are talking about. That is what this bill is about.

This bill protects families, but it is child protection legislation, and that is what we are dealing with. That is what we are going to vote on and it is going to be a vote, I am sure, like so many other times in this House, where they are not going to allow their consciences to vote for them, they are going to vote politically. I really question the validity of that.

↳ **Mr. Falle:** I have been in this House for quite a while and I have listened to the debate, today, with a little bit of sadness. I do not think I have seen so many sad faces on the other side of the House and some on our own side of the House.

For me, today is a proud day; I am proud to be a member in this House. I have seen democracy in action and I see compromise. I have seen a government that listens to the people; I have seen the bill change quite a bit from Bill 8 to Bill 19. I do not think there is any one of us here who is a loser. I believe all the children of Yukon are winners.

We may have great differences and I am not even going to try to pretend that I can match wits with some of the differences that are around here today on what has been said. To me, being an MLA is trying to pass legislation in this House for the people of Yukon — the people who I represent — as PCs, and the rest of the people in Yukon.

I think this bill shows that this government, the Tory government, on this side of the House are not trying to ram anything down anybody's throat; we were listening. We did not get exactly what

we wanted; the NDP did not get exactly what it wanted. But we are not prepared to take our frustrations out — at least, I am not — on one another.

I think we have a good bill. I think it is a compromise to what we wanted, but I think it is the best possible bill that we, today, can come up with. I am glad the minister did say that if there are changes we need in the future, he will be more than welcome to bring them into the House and make them.

**Mr. Speaker:** The hon. Minister of Health and Human Resources, now speaking, will close debate.

**Hon. Mr. Philipson:** I, too, am saddened by the nature of the debate that has gone on since the opening statements. I suppose the major problem that I have is the ongoing assertion by the member for Whitehorse South Centre that they do not support the bill because of a philosophical difference and an interpretation of the second clause of the bill that we just debated.

I will probably go to my grave wondering, because I doubt if anybody is ever going to give me a good explanation, but if the member for Whitehorse South Centre had a problem on the second clause in this bill, before debating the 119 pages of bill, why he did not bring forward an amendment to that clause, so that the policy that he wanted to see would be directed in a different direction and debated, at that point, before putting the people of this territory and the members of this legislature through hours of debate?

Then, to stand up afterwards and say he did all that and it did not matter, anyhow, because he did not believe in the bill from the very first or second clause, is something that I am never, as long as I stand, going to understand.

↳ That clause states very clearly, and was debated for a long period of time: that the best interests of the child are paramount. I have heard every one of the members standing up and saying there may be cases where it may be in the best interests of the child not to be with the family. It is an undeniable fact of life that there are going to be times when it is not in the best interests of the child to remain with a family.

That is why you cannot place, in a piece of legislation that is children's legislation, which is brought forward to look after a child, that a paramount interest of another nature will supercede the paramount interest of the person you are trying to protect in legislation. It is an unthinkable proposition; it will not fly. It will not be believed by any good, clear thinking person that I have ever met, that you can take the best interests of a child and supercede that with the paramount interests of another sort. It just does not work.

The members opposite know that or they would have, at the first point of this piece of legislation, proposed an amendment that they thought was workable. I will never accept the proposition that they just debated the bill because they had nothing better to do for the month of April.

I also have a great deal of difficulty in accepting the fact that members of this House wish to reduce this debate to racial lines. I have gone to great lengths and I have spent a considerable amount of time with the Council for Yukon Indians, who brought forward 32 recommendations. Those recommendations were taken into consideration throughout the entire reprinting and redrafting of what is now Bill 19.

At the point in time when we got into debate of clause-by-clause of the areas that were brought forward by the Council for Yukon Indians, I stood them over and waited while the Council for Yukon Indians discussed the recommendations and their implementation of Bill 19. They were discussed with the Council for Yukon Indians: the social director, the vice chairman of the social department, the social directors of the bands, and the chiefs of the bands. There is only one area of contention in those 32 recommendations and that is an area that deals with the contracting out of services, an area that we are now deeply involved in with two bands in Yukon, and an area where there is strictly a difference between accountability and responsibility; and an area that I think is not a racial issue.

↳ The figures quoted by the member for Whitehorse North Centre, even after debate on the issue, were wrong. I am sure, if the member for Whitehorse North Centre will go back and read *Hansard*, she will find that the figures quoted by herself were the

ones quoted by the member for Whitehorse South Centre and she will find that, on the day following, I brought back a comprehensive set of figures that are significantly smaller and lower than the figures that the member for Whitehorse South Centre brought forward. It does not, in my mind, lessen the problem area that she was bringing forward, but the figures should be correct when they are brought to this House.

The member for Campbell has made statements on the issue of Indians, and I would state that the departmental policy ensures that Indian children, who are eligible for benefits as a result of their status, will have their rights protected under land claims.

The member for Whitehorse South Centre points out areas from Bill 105 of Alberta; a bill that is presently being looked at in Alberta. These same points are addressed in our Bill 19 and the unfair way that the member for Whitehorse South Centre points out the direct comparison is strictly that: it is unfair. The member, if he took the trouble to go through the piece of legislation that we have just gone through, would realize that the issue that he brought up, in one paragraph from the Alberta bill, are throughout our legislation.

All those areas are addressed; this is a good piece of legislation. It deals with the best interests of the children in Yukon. I am happy and proud to have been part of the process of bringing this piece of legislation before the House and I am saddened that the debate has been lessened and brought down to the level it has by some of the debate here, this afternoon.

**Mr. Speaker:** Division has been called. Mr. Clerk, will you kindly poll the House.

**Hon. Mr. Pearson:** Agreed.

**Hon. Mr. Lang:** Agreed.

**Hon. Mrs. Firth:** Agreed.

**Hon. Mr. Ashley:** Agreed.

**Hon. Mr. Philipson:** Agreed.

**Hon. Mr. Tracey:** Agreed.

**Mr. Falle:** Agreed.

**Mrs. Nukon:** Agreed.

**Mr. Brewster:** Agreed.

**Mr. Penikett:** Disagreed.

**Mr. Byblow:** Disagreed.

**Mr. Kimmerly:** Disagreed.

**Mr. Porter:** Disagreed.

**Mrs. Joe:** Disagreed.

**Mr. McDonald:** Disagreed.

**Mr. Clerk:** Mr. Speaker, the results are nine yea; six nay.

**Mr. Speaker:** I must declare that the motion has carried.

*Motion agreed to*

**Mr. Speaker:** Are you prepared to adopt the title to the bill?

**Hon. Mr. Philipson:** I move that Bill No. 19 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the hon. Minister of Health and Human Resources that Bill No. 19 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** I declare that the motion has carried and that Bill No. 19 has passed this House.

**Mr. Speaker:** May I have your further pleasure.

**Hon. Mr. Lang:** I would move that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

**Mr. Speaker:** It has been moved by the hon. Minister of Municipal and Community Affairs that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Mr. Speaker leaves the Chair*

#### COMMITTEE OF THE WHOLE

**Mr. Chairman:** I shall call the Committee of the Whole to order.

We shall now recess until 4:05 and, when we return, we will go back on to *Second Appropriation Act, 1984-85*, and continue with

general debate on the Department of Education, before we go back to general debate.

#### Recess

**Mr. Chairman:** Committee will come to order.

We shall now continue with Bill No. 12, *Second Appropriation Act, 1984-85*. We are now on the Department of Education, Advanced Education and Manpower, general debate.

#### Bill No. 12: *Second Appropriation Act, 1984-85* — continued

**Hon. Mrs. Firth:** It is fortunate that the member for Whitehorse South Centre is just arriving, as, when we left last evening, the member asked me a question regarding priorities and goals that had been established or enunciated by myself, some two years ago, when I first assumed the portfolio for education and advanced education and manpower.

Not wanting to be unduly lengthy, I would like to give him an answer to his question about an update as to where we were in the department, according to the goals and priorities that the deputy minister, along with the government and myself, had set for education.

Two years ago, we were in a restraint position with this government; we were required, in all departments of government, to find monies. I believe we found our share, within the Department of Education, without having to damage, at all, the quality of education that was delivered to the students in Yukon. We were able to maintain the programs that were in place and provide for them the quality of education that the children were used to receiving in the past.

I reviewed the comments in *Hansard*, the ones that came foremost to my mind, which reminded me of what my feelings were and what the goals and priorities were, as I started out as Minister of Education. I believe comments were made about concerns being brought forward as to the administration being top-heavy. There were also some concerns, on behalf of the public, that their voice was not being heard.

We had made a commitment that education would be a high priority within this government. We did look at administrative reorganization, within the Department of Education, to facilitate the better delivery of programs. We also made a commitment that we would be seeking public input, through the school committees. We would maintain and enhance the quality of education. In particular I remember two comments, in regards to education, generally, taking in public schools and advanced education, that we wanted to keep the students more interested. In advanced education we wanted to get the department organized in such a manner that we would be able to benefit from federal funding assistance that was available to provincial and territorial governments.

We did embark on quite an organizational review of the administration of the Department of Education. We did a lot of transferring and re-establishment within the department. I believe in the budget book this session there is an explanation on page 65 about the relationship between organization and programs. In the last O&M budget tabled, we had a review of the organizational restructuring that took place in order to deliver programs. We do not feel that the administration is top heavy. However, I appreciate that, with the establishment of new programs, it has increased somewhat in numbers, when we have to identify coordinators for new programs such as the gifted program and the alternate program.

In regard to public input, we have been very diligently keeping in touch with the school committees and with the education council. I attend school committee meetings as the minister and very often I take department officials with me so that the parents have an opportunity to sit down with us and ask us questions. We have an opportunity to exchange some philosophical concerns about education. As well, we have an exchange with the education council. We completed a tour of all Yukon schools and are just going to be embarking on another tour of the Yukon schools, when I will be able to have an opportunity to look at the physical facility of all the schools in Yukon and also meet with the school committees.

I like to go into each individual classroom when the children were

still in the classroom and have the opportunity to talk to the children to see them in their learning environment and to have an opportunity to make some assessments of those children within the present day society and learning environments.

I may repeat myself somewhat from last night because I wanted to go through some of the programs that we have established in the public school system in the past two years.

The youth venture capital program I mentioned last evening is a new initiative this budget. We have extended French immersion from kindergarten to grade 12 and established it as a permanent program; it is no longer considered a pilot program.

We are anticipating purchasing computers for the children. The gifted and special education programs, rural school study, and alternate programs and the establishment of the futures committee: I discussed all these endeavours in detail last evening. There is also the junior high questionnaire.

We have also been able to maintain what I think is an excellent pupil-teacher ratio. I appreciate that the opposition will raise the issue that there are still some classrooms that have more pupils in them than they would like. We are reviewing the pupil-teacher ratio.

To give some statistics that are in comparison to the ones I presented at the annual general school committee conference and which the member for Faro and I had some discussion about last evening: two years ago the pupil-teacher ratio was 17.5 to 1, when we had 4,800 pupils, and the present pupil-teacher ratio is 15 to 1, when we have approximately 4,400 students. We have endeavoured to maintain a healthy pupil-teacher ratio.

« The area of cultural awareness for our young people has been enhanced. We have exchanges; French musical exchanges and some French high school exchanges that are taking part in Yukon, in Jeckell Junior High school and the Porter Creek Junior High. The band from FH Collins has just gone on a tour to California. We have continued to support and encourage these kinds of cultural exchanges, and have also tried to keep the students more interested by encouraging them to be ambassadors on behalf of Yukon by providing them with information and with pins that they can exchange and trade.

The Yukon career liaison coordinator has been enhanced, is now in the department and is providing more services round Yukon. We have increased the busing subsidy twice in the past two years.

We have done many things in the capital budget as well. I do not want to go into the capital budget, as we are discussing the O&M budget, but after the tour of the schools in Yukon we were able to identify some physical facilities that need improvement and need enhancement, such as the industrial arts facility in Teslin, and the industrial arts facility in Ross River, with the long term objective of encouraging the young men in those communities, particularly young native men who do drop out of school. The principal encourages them to come back, even though they may be 19, 18 years old, and encourages them to utilize the industrial arts facilities so that they can maintain that contact with them and encourage them to learn certain skills that they will be able to utilize in the work force.

We had a question about art teaching in schools. We did fund, in conjunction with the Guild Hall, an individual to give some assistance to the teachers in the arts area so we could encourage the development of our young people. The leader of the opposition had a question earlier this session about the numbers of art teachers in Yukon schools and I promised I would return with that number during the budget debate. We have three and one quarter person-years identified for art teaching.

« The specialists are at FH Collins, Jeckell Junior High, Porter Creek Junior High, Robert Service School in Dawson, Watson Lake Secondary School, and the Jack Hulland School. Elementary teachers are expected to handle the art curriculum at his or her various grade levels, so we do encourage this.

We are also in constant communication with the Art Society, because of the overlap of the tourism, recreation, culture portfolio. I am in association with the Art Society, which encourages various endeavours in the communities and also in the schools, in all of the areas of visual and performing arts, to help develop these cultural

characteristics in our young people.

Learning assistants, where they have been needed, have been provided. School committees have brought to our attention classes that have been, what they consider, over-sized, in the elementary areas, and we have identified extra person-years for those classes.

The Yukon Native Language project has been further enhanced this year. We have continued to support the native language project and we have continued to identify extra funding for it. We did receive \$47,000 in enhancements and we were able to build that into our base budget for the Yukon Native Language Program this year; so, they have had an additional enhancement. We meet regularly with the Chairman of the CYI, Harry Allen, and Mr. John Ritter, who is responsible for the Native Language Program. When they bring forward their concerns and their aspirations to us, we try to be as cooperative as we can in supporting the program. I think we have shown that we are very supportive of the Native Language Program.

The recent concern, which has been directed to us, is the fact that they need more space, at the Whitehorse Elementary School, for their growing program. With the establishment of the certificate program in Yukon College and Advanced Education, we are finding that we require more space and we are looking for some way that we can make more space available for them in the Whitehorse Elementary School. That will be taken care of in another discussion we are having with the school committees, regarding the possible splitting of the French Immersion Program that is in Whitehorse Elementary and freeing up some extra space.

« Native languages are taught in the communities of Dawson, Haines Junction, Old Crow, Teslin, Watson Lake, Carcross, Carmacks, Whitehorse Elementary School, Christ the King High School, Selkirk Street; Selkirk Street having the cultural component only. When resource people are available, native languages are also taught in Takhini Elementary and Jack Hulland schools.

In addition to the native language projects, there are several native programs offered in different schools, with the support of the department. Some examples are Old Crow, where we are providing the senior trapping program and the girls and boys native crafts program; Teslin has a native crafts program, native outdoor education and a native art program and native carving program; Pelly Crossing, the Eliza VanBibber School, has a native craft program; Carcross also has the crafts and native dancing; and Carmacks has a trapping program that is provided in the school.

In addition to these programs and projects, a number of publications by the CYI and the Government of Yukon are used throughout our school system. Cross-cultural coordinators are employed in a number of communities in Yukon to help the school system and the parents, working together for a better education for our Indian children.

In advanced education and manpower; two years ago the manpower portion had just been transferred to the education department. We were in the process of hiring an assistant deputy minister of education, to be responsible strictly for the advanced education portion and we were successful in filling the manpower positions.

The commitment that has been made as a priority in this area was for this government to have the infrastructure in place, in order to benefit from federal funding assistance that was available. Over the past two years, I believe we have received a fair amount of funding from the federal government, because we have been extremely diligent in doing our homework and getting the department in suitable order to handle these projects and show that we could responsibly take on the same responsibilities that the provinces were assuming.

The position of director of manpower services and industrial training was filled. It is responsible for apprenticeship and industrial training and provides manpower services to various organizations. We received federal funding, in this area, through the National Training Agreement, last year, in the order of \$2,400,000; the year before that, \$2,200,000.

The position of coordinator of industrial training was filled. All apprenticeship and industrial training is monitored so that we can see that it is being done correctly. The in-house apprenticeship

program that the Government of Yukon has come under this individual and we have the 20 apprenticeship positions available. I believe 11 of them are filled and we are still recruiting to fill the other nine positions.

The Manpower service coordinator coordinates the delivery of consultative services to the Council for Yukon Indians and industry. They do research and manpower sector analysis; this is the area that is responsible for consulting with Dome and Esso, and looking after the megaprojects to see what their needs are going to be.

Also, we act in a consultative capacity to the Council for Yukon Indians and to Special ARDA to provide some assistance for special training components and programs.

The position of employment program coordinator was also filled very quickly, although on a contract basis, at first. This area was responsible for all of the job creation programs that we embarked upon two years ago, in conjunction with the federal government.

Just to refresh the memories of the hon. members across the floor, we had all kinds of job creation projects, like Access and the NEED program and Canada Works and Job Core and the Community Recovery Program, or Employment Bridging.

The Government of Yukon worked very diligently, in conjunction with the federal government, to see that terms and conditions of the Canada-Yukon Agreement were amended to allow for greater public sector participation. That was something that the federal government wanted to put more restrictions on than we were ready to accept. We stood our ground and were successful in getting that assistance for Yukoners.

The Job Retention Program for Small Business created many jobs and was a very successful program, enabling many businesses in town and all across Yukon to keep employees on through the winter. In some years, it created 160 jobs to some 63 employers.

The Student Employment Program, which is done through the government, provides employment for 20 students; that program has continued over the past two years. As well, the Student Employment Assistance Program continued over the past two years, which has, in some years, employed up to 250 students through the summer months, enabling them to make money so that they could pursue their post-secondary education and so that we could continue on with our objective of keeping students more interested.

Another area of federal funding that was available to us, because we had an employment programs coordinator, was the Cyprus Anvil Aid Package, at which time \$1,000,000 was provided for the apprenticeship program that this government was able to put in place on behalf of Cyprus Anvil. We also provide the training consultant, who visits Faro regularly to monitor the program.

In conjunction with the general industrial training, funds that are provided by the Canada Employment and Immigration Commission, do pay \$6.26 an hour of the normal wages of 11 apprentices and Yukon picks up the remaining costs. So, we had the ability to give some support, there, as well as seek federal funding.

The Industrial Training Officer is in place and it is this individual who acts on behalf of the government, monitoring the program in Faro.

The *Student Financial Assistance Act* was amended very soon after we were in office and that increased the grants that were available to students pursuing post-secondary education. We have continued to increase monies for grants as the numbers of applicants has risen.

« The numbers of students applying has risen quite dramatically. That is reflected in this year's budget.

The skills growth fund is another federal program for which we were able to acquire some money. We were able to get \$750,000 of federal assistance, which was available under the general industrial training program. The industrial section of the advanced education and manpower branch has helped to promote the recall of three apprentices at the Keno mine site and nine apprentices by M & R Mechanical of Whitehorse.

Because we designated Yukon College as such, and instituted a community college, it gave us the ability to expand our programs at Yukon college and to have access to more federal funds, which was a tremendously progressive step for Yukon. We negotiated with the CEIC so that we could get them to purchase seats and give us some

assistance for programs that they had not previously supported or purchased seats for in other provinces. One of those programs is the Basic Training for Skill Development or upgrading program, as it is more commonly known. We identified some 230 young adults in Yukon who did not even have the ability to enter Yukon College because they required some basic upgrading and we did not have the financial capabilities to provide all that upgrading. We were successful in negotiating with the federal government something that was not in our national training agreement but, because the department had its act together, so to speak, and we had the qualified personnel and infrastructure in place, we were able to do this.

We also were able to negotiate the purchasing of life skills courses, and a very large number of the participants in these courses are native individuals. The CEIC is now buying seats in all of these programs. Two years ago, they were only purchasing seats in most of the trades courses and they were not having anything to do with the other courses. They will never participate in the university transfer courses, but I think it is extremely progressive, on behalf of this government, to have negotiated with the federal government to purchase seats in many of the programs that we now provide at Yukon College.

We established a post-secondary advisory council with representation from all over the Yukon: rural and urban, the Council for Yukon Indians, the Chamber of Commerce, to name a few. We now have community learning centres in six communities: Watson Lake, Dawson City, Mayo, Carcross, Teslin and we have one at the correctional institute. We have purchased an additional mobile for community education. This mobile goes to the communities to give courses in basic carpentry, plumbing, furnace maintenance and some electrical courses and a general home maintenance course. This was in response to demands from the communities.

The advanced education and manpower branch of the Department of Education also assists in the administration of many of the federal programs.

« Under one of the federal programs, the general industrial training at Skookum Jim Hall, a retrofit curriculum was provided. Champagne-Aishihik Enterprises was assisted in developing a training outline for the Elder's Complex project and the Mayo Indian band received assistance in developing a training outline for a log building construction project.

We have also been able, this year, to introduce three new courses at Yukon College and we will be discussing those a little later. I believe I mentioned them last evening, as well.

As briefly as I could, I wanted to respond to the member for Whitehorse South Centre, to show him that all of these initiatives are fulfilling our priorities and our goals, particularly of keeping students more interested and maintaining quality education and enhancing that quality education. This has been attained through the citizen participation process, which we have always been advocates of. I am sure the members in opposition have noticed that we have moved up from number three position, in the O&M budget, to number two, and we only look forward to the time when we can move up to number one.

**Mr. Kimmerly:** I have listened with interest to the minister's use of statistics and that last comment about numbers makes me even more skeptical of the interpretation that the minister puts on fairly abstract numbers.

I asked a very simple question and it elicited a very lengthy answer, for which I am thankful. I am going to ask a more lengthy question in the hope of getting a much more simple answer. The question needs to be explained a little bit. I was referring specifically, though I neglected to refer to it specifically in my question, to the minister's statements on page 85 of the 1982 *Hansard* of November 9. She said, "My objective and my first concern is the child and the adult receiving education and that is where I shall start the priorities from in the department." She went on to talk about keeping students more interested. I followed it up by asking questions, two years ago, about the policy of making schools compulsory and about the addition of popular and self-motivating activities in the schools, such as computer games and computers actually in the school system. It is about the general



issue of the interest of students.

<sup>49</sup> Another word is the motivation of students, the process by which the minister keeps in touch with that issue. It was my interpretation as opposed to the direct statement — but I thought we were getting a statement — that the Minister of Education was going to directly consult with students, or student groups, or representatives of students. It appears that in the last two years the consultation has been primarily with school committees, parents, and with teachers. That is, the powerful adults in the system, as opposed to the students or the children and young adults, and in some cases, adults who are students.

I was particularly interested in the development over the last two years of the consultative process with the actual students. It appears to me that from the attention given to other consultations in the debate last year and so far this year, there is far more attention to school committees and parents, and teachers than there is to students. I was interested in the minister proving me wrong because I would like to be proven wrong.

It was certainly refreshing to my ears to hear a Minister of Education implying her first concern was to speak to and identify the interests and concerns of the student primarily. I am wondering if I misinterpreted, or if the priorities have changed, or where does that goal stand today?

**Hon. Mrs. Firth:** I had a vague idea what the member was getting at, but I could not pass up the opportunity to expound on the many virtues of the Department of Education, and the many very excellent initiatives that we have embarked upon.

I understand what the member for Whitehorse South Centre is asking because we had quite considerable amount of debate about this last time; two years ago, perhaps. Time does pass very quickly when you are enjoying yourself. The consultative process with parents and school committees has been accentuated perhaps because that is more dominant in the public eye. We speak of that more and it is a more formal process and there are channels available for that consultative mechanism.

<sup>50</sup> The consultative mechanism that I do have with children — and I recognize that some provinces have gone to an extreme perhaps according to my own personal opinion for what I may be able to handle right now, for example, the Province of Alberta is considering students legislation, students rights, and so on — has been a very informal one. Part of that is the process of visiting the schools and going to the classrooms, and although I do not have an opportunity to sit down and talk to each student on an individual basis in every classroom, I think I do have an opportunity to ask questions of the children to get some idea of what our children are like in society today and what some of their expectations, dreams, ambitions and wishes are; their desires.

We have met with the student council at FH Collins and had a rather informal discussion with them. I will be doing that again in the very near future to get an idea of what these young individuals are thinking.

I think my own feelings about the motivation of people, whether they be children, or elderly people, or parents, to take on a goal of wanting to motivate people, is extremely ambitious and presents a tremendous challenge. I think many of us are prepared to take on that ambitious a goal and that big a challenge. I probably have demonstrated in some ways that I am prepared to take on that challenge. I found that the motivation process had to start through the parents because there was definite neglect identified in the fact that many school committees and many parents had indicated to me that they felt that they just were not being listened to. We wanted to build up a reputation and some security within these individuals that we would listen to them and I think we have fulfilled that objective now after two years.

The member is quite right to question when we will be pursuing the further objective of consulting with the students and perhaps it is time for a more formal process. That is a decision that I think we will have to make. I still am going to consult with students in an informal way. I never pass up an opportunity, if I see a group of children, to go over and talk to them. Now, kids seem to be quite familiar with who I am when I do talk to them and they are very free to express their opinions and to tell me things that children

think are kind of neat and they like to tell people and see if it has any shock value, or whatever.

In a way, I think I am enhancing that consultative process and that communication, and I plan to continue on with that. However, I have not made any conscious decision or consulted with my colleagues as to some of the direction other provinces are taking and questions that they are putting out to the public regarding legislation for students; should they have a students' act, as opposed to a school act. They are doing a lot of reviews of their school act; should school be compulsory; should it not be compulsory, do students have rights, and so on. In the next year or so, I will probably be having to give some serious consideration to those aspects after we have seen what the provinces are doing and I have been in consultation with some of the ministers from the provinces as to the direction they are taking in education.

<sup>51</sup> **Mr. Kimmerly:** I have one further question and it is an important question that is related to *The Children's Act* and also the debate in the last minute or two. Then, I will cede the floor to the critic who has more questions, I know. The changes in *The Children's Act*, which has now passed, involve a new procedure for reporting a suspected abuse. It is reasonable to assume that many teachers will come in contact with suspected child abuse and I know that that is the source of several of the complaints that are made to the director; that is, the complaints from teachers who see children and are aware of cases of suspected child abuse. In the past, the duty was absolutely clear; there was a statutory duty to report. The situation now is different.

Will the minister be addressing this issue with the Teachers' Association and her departmental officials and is it going to be the policy of the government that, as a matter of professionalism, it is a teacher's professional duty to report suspected child abuse even though it is not an absolute statutory requirement now?

**Hon. Mrs. Firth:** It is refreshing to talk about *The Children's Act* in the context of dealing with children, which, after 10 days of debate, I was beginning to wonder if we were discussing a children's act or if we were discussing some other rights that are supposed to be there; just assumed rights of a family. We had much discussion today about economical and philosophical problems and all of them related to children, but we seem, for some reason, to lose sight of these kids, particularly when we get tied up in family situations and the rights of families; governments, I suppose, have to make decisions as to whether children's rights supercede family's rights.

<sup>52</sup> I suppose that is why many Departments of Education are working on pursuits of legislation because they feel that students have rights and so on. I really feel — and these are some of my personal feelings — that you can never talk about rights without thinking of responsibility in the same context and, although families do have rights, they also have some responsibilities. Adults who have children have responsibilities and they have responsibilities for those actions towards their children and towards other children.

I can speak very briefly of my experiences as a nurse for 15 or 16 years in encountering episodes of child abuse. It was always a question as to whether it was going to be the nurse's professional ethics to report child abuse and the medical profession's professional ethics as to whether they were going to report child abuse. After a few episodes of child abuse being reported by either doctors or nurses — and many years ago, the case would go to court and some very clever lawyer would, of course, represent the family and an equally clever lawyer would represent the person making the charge of child abuse — and, very often, the individual who had reported the case of child abuse, was found to be interfering or found to be at fault for some reason.

I am not making these stories up. These things happened and it discouraged people from reporting child abuse. It very strongly discouraged them from reporting them. It made them reluctant to. It made medical people and teachers turn their heads because they knew that they were up for personal criticism, for professional criticism, for lawsuits and so on. Now society seems to have reversed its attitude about child abuse and, for some reason, they feel children all of a sudden have some rights, which I find rather inconsistent with human behaviour, but that is my own philosophic-

al interpretation of human beings. That is something that we could expound on for ages. I am sure the member for Whitehorse South Centre and I could talk for hours about those things.

So, what are we going to do in the Department of Education about child abuse? Well, we have been discussing, with the Teachers' Association, a concern about child abuse. There were some representations made that there were a certain set of guidelines that teachers would have to abide by. We had some rather unfortunate incidences where teachers had seen children who had had some physical pigmentation on their body that they interpreted as bruising and it was reported and we had some rather unhealthy incidents.

As things happen, when you are trying to do something good and you are trying to protect those who cannot protect themselves, you also have unfortunate situations that do occur.

<sup>53</sup> We hope that we will be able to come to an agreement with the Yukon Teachers' Association and with my colleague's Department of Health and Human Resources; we will be seeking their advice and their input. I will probably be seeking some personal advice from past colleagues of mine in the nursing profession as to what the best method would be. I am not at liberty to say that we are going to make it mandatory, that there is going to be any policy etched in stone or that we are going to consider that it be part of the professional ethics of teachers. I just want to reinforce our commitment in recognizing that family units are very important, but also because families have a unit that is important and has rights, that part of those rights does not include abusing children. Along with those rights go responsibility for the care of children. I feel confident that the department officials in the Department of Human Resources and in the Department of Education and the teachers as a professional group will come to an arrangement and an agreement that will suit the best interests of the child.

**Mr. Kimmerly:** After that, I am not sure what the minister's policy is, but I take it to mean that there will be a consultation with the Teachers' Association and the issue will be addressed and a policy either of the Teachers' Association, of the government, or both, will come forward for the guidance of teachers in the future. It is a new kind of professional issue that will face them.

I would also just point out that it may be useful that teachers be specifically informed by a newsletter, at the least, or something like that, of the policy, once it is established. It is possible that school committees and even students groups may have useful input.

I think that answers that concern. I have other questions but I will wait until the line items.

**Hon. Mrs. Firth:** I just would like to add that we would not establish a policy without consulting all of those groups and when the policy is finally put on paper, I would anticipate that they would all be well aware of what the policy is going to be.

<sup>54</sup> **Mr. Byblow:** I have some questions and will be seeking some clarification in a moment about the public input process that the minister talked about at some length awhile ago. Before that, I would like to just conclude the discussion that took place now, and to some extent began last night, respecting the question of dealing with student problems that relate to the dropout rate.

The minister indicated a positive response to one of the resolutions of the school committee that called for the establishment of a resident psychologist within the formal school system. To complement that, the justification was made that there are many students who are facing a myriad of problems, and are having difficulty coping with the stress of the growing-up process. Certainly it has to be emphasized that there is a growing tendency in the community to coordinate the various social services with education to address this question.

When the minister will be responding to my final question on the matter, I would like her to address the statistics that she produced for us last night dealing with the dropout rate. She cited statistics relating to the grade 10 to 12 student population. From what we have been hearing in the communities and from Yukon at large, the problem does not exist only at that level. The minister earlier commented that the priority of her goals and the department was to keep the students interested in education. Earlier we heard, at some length, a detail of the various initiatives and programs that the

department delivers to keep that student interested.

<sup>55</sup> What I am seeking from the minister is some statement of policy or direction, because policy may not exist in precise terms. I am seeking from the minister some indication of the direction the department is going to use to address the dropout rate. I ask that question in the context of the growing concern, within the Yukon community at large, that a number of students are dropping out earlier than in grade 10, so the statistics may not be as positive as the minister attempted to reflect last night.

I suppose, while she is addressing that, I would like to know why the minister chose those selective years. Was that for the purpose of a random sampling to show the pattern of a decline in dropouts? Was there some other reason or are those the only years they are available?

I leave the minister to, essentially, address the question I posed about the direction the department is taking to face head-on the growing concern in the community, with respect to the high dropout rate, subordinated by the student problems that exist and, certainly, that position being supported by a resolution that came from the school council conference and, from what I am hearing, a desire to see a greater coordination of the delivery of available services to the student and address the problem at its roots.

**Hon. Mrs. Firth:** Dropout rates will be the topic of discussion this Session. The figures that we chose, grades 10, 11 and 12, are the figures that we have kept, in the past, regarding dropout rates. I have those grades all categorized as to the percentage of dropouts in each grade and I will read them off for the member, if he would like to have them.

For grade 10, across the line, 74-75 was nine percent; 76-77, 21 percent; 81-82, 22 percent; 82-83 nine percent. For the 1974-75 to 1977 figures, we were doing some guesstimates; we did not have a formal procedure for keeping track of dropouts. We had just started that when I assumed the portfolio for education.

In grade 11, the 1974-75 year and the 1976-77 year are 17 percent and 19 percent; 1981-82 is 17 percent; 1982-83 is 11 percent.

<sup>56</sup> In grade 12, 1974-75 is 10 percent; 1976-77 is 17 percent; 1981-82 is 12 percent; and 1982-83 is 6 percent. So, the figures I gave last night were the averages for those three grades, which gave us an average dropout rate, from grade 10 to 12, in 1982-83, of 8 percent.

I appreciate the comments the member makes about the dropout rate being more evident now in the junior high grades, before grades 10, 11 and 12. Part of the studies that are taking place within the department, right now, because the figures, for FH Collins, will help us identify some of these problems, these concerns. The junior high questionnaire that has gone out will give us some information and, also, the rural school study should give us some additional information about dropout rates.

So, they are part and parcel of the studies that are taking place. Also, it is an area of great concern and we are examining it within the context of the overall continued improvement of the delivery of education services in Yukon.

**Mr. Byblow:** I recognize that what the minister is saying can be summarized in a sentence like: "The dropout rate is lowering in the school system".

As well, from the fact that the statistics cited appear to be those of Whitehorse schools, it would appear that we do not have any statistical data, as such, for the rural areas. I can appreciate that the rural study may produce these, but I certainly raise that concern with the minister, because it is one that is being emphasized to us, in the outlying communities.

As pointed out last night, the problem is much broader than identifying the problem. One has to look at the various approaches that could be taken, relative to addressing it. What the minister did not address, when she answered — and I will now remind her — is the question of coordinating services and the use of more psychologist services within the department. I think the minister knows what I am seeking. Could she respond to it?

**Hon. Mrs. Firth:** Maybe I do not, because I felt I answered this question last evening. We had considered hiring a psychologist and that I was aware of the resolution that was presented at the

school committee conference. That is the decision that we will have to be making in the next year; whether this government is going to hire, within the Department of Education, a child psychologist.

<sup>57</sup> **Mr. Byblow:** I think the one concluding remark that I would make on that is that because we have the evidence of this as a growing concern at the junior high level, I think the minister will have to admit, and is doing so, that we are addressing this. Because it exists probably more so in the rural areas, we are going to have to give special attention to the problem there.

I have a couple of questions and I seek some clarifications on the minister's statements regarding the public input process that she says her department is undertaking. By way of background to the question, I believe the minister will admit that her position a year ago with respect to public input was that the school committees provided that channel and whether or not that was adequate the minister was not saying. I think what I would like to say in a positive way is that I am glad to see a broadening of that process. We have the minister now identifying that it would be useful to talk to students. Over the course of the year, we have seen an improvement in communications with the YTA. We have the question of parental involvement being addressed through the questionnaire. I believe that is positive. I am sure that the minister, in using other avenues of input; that is, the principal's association and the groups who try to represent interests in education, whether they be language interests or social interests. I am sure that the minister will be making an effort to receive input from this. In that respect I can make the point that the minister has somewhat changed her attitude toward the public input process in the course of the past year.

There are several concerns that come out as a result of that, and emanate from the school committee input process. Again, the minister is aware of a couple of resolutions that came from the schools conference this past weekend that would give rise to some concern that proper input was not taking place or is not taking place. I believe one of the resolutions calls for the examination of school boards and the entire process of participation in budgeting, participation in the decision making and participation in aspects related to the delivery of education.

I believe there was another resolution that dealt with a call for more consultation with respect to facilities. Certainly I would say to the minister that while she may think that communication and input is on a firm footing with the school committees, I believe that there are substantial improvements that can be made.

What my colleague from Mayo and I have heard, in communities around the territory such as Carcross, such as Dawson, such as Elsa, such as my own community of Faro is that there are some frustrations from the school committees that they are not being heard, that they are not being listened to and that they are being bypassed in their contribution to decision-making in the process of delivering a total program.

<sup>58</sup> So, having made those remarks, relative to the public input process, I would give the minister an opportunity to clarify, for the record or in response to my statements, just what the public input process the minister recognizes.

**Hon. Mrs. Firth:** I have a colleague who always teases me and says that if you have a problem in education, throw money at it, because the problem will go away.

So, we have this problem with kids and I am getting the message loud and clear that we should maybe throw a psychologist at them. Well, I have some reservations about that and I have indicated to the member for Faro that we are looking at it. I told the school committee members that, also.

We have looked at having a psychologist within the Department of Education and I am sure the time is going to come when we are going to require those sophisticated services as we grow and mature in Yukon. However, I want to indicate to the member for Faro that the public participation process is alive and it is well in Yukon. I am prepared, as Minister of Education, on behalf of the Government of Yukon, to encourage that participation and to encourage parents to get involved and to continue to encourage school committees to get involved.

Even though there may only be 15 or 16 to 25 delegates at a

school committee conference, out of 60, as I said before, they are there because they want to be there. It is something that children find very reassuring, that there is somebody who cares about them, because their needs are very basic; and we really do need a psychologist to tell us that about children, now. They do not need to have someone who can give them a lot of psychological analysis, although, granted, we are reaching that stage and that is going to come in Yukon. We have already had children who have displayed behavioural patterns that have benefited from that kind of professional help.

I think we are going to encourage the parental input and the parental concern. I can remember, when I was first Minister of Education, I read a book about this thick that told you how to involve the public and how to motivate people; things the member for Whitehorse South Centre was talking about. I had many parents come to me and express concerns that their children were not learning to read quickly, that they were not keeping up with the other children or that their tests were not rating as well as other children. A lot of them were kids within the communities and school committees within the communities were expressing this concern to me; that they felt their kids were generally behind.

<sup>59</sup> When we investigated the curriculum that was provided at that school, we found out that they had a very large number of options of programs they could take and that many of the children were taking many of the programs and that, after school, there was not very much for the children to do within the community. So, we had noticed in other communities that where there were volunteers active who were spending time with the kids and there was a lot of community participation and interest and community spirit, the kids were thriving better.

I think that is very important and I think that is something we should never lose sight of, before we jump right into hiring a psychologist. It is something that the member for Faro has indicated to me, in his questions about utilizing community services and coordinating services. We have to encourage adults, parents and otherwise, to be more interested in children and to involve them within the community, because the children need very desperately to feel that they are contributing something to that community and that they are part of the community and that they are needed there.

I think, in some areas, the children are not getting that feeling, and I would prefer to encourage that and to try and motivate — although it is a very ambitious goal and objective — people, parents and the public to encourage that kind of activity for children.

With regard to the school committees and school boards, after two years now, I see the same faces on the school committees and I see the same people on the education council, the same parents always coming out, the same parents calling me with concerns. I always try to encourage them to get one of their friends to call or participate and I think that is how we are going to encourage the participation of the public.

I really do not feel that the school committees, from the indication I have had from them, are very eager to jump into being school boards. There has been talk about it and I always hear this word "power" come up, which the member for Faro expressed. The occasional school committee member will say that they do not feel that they have any power, they do not have any authority or power — it is the same connotation — they want to have more say.

Well, when you get down to the nitty-gritty of it, and you discuss it with these people, they recognize that they may not be able to have 26 school boards in Yukon and how are they going to divide the money up and so on, and do they have the expertise and do they really want the responsibility. It has been indicated to me that they really do not want that responsibility.

A resolution has been presented to the school committee conference asking that a pilot project be set up in the Catholic school. I can see why the school committees, in the Catholic school, would want that particular authority, because they do have some different things to decide on their curriculums, and so on.

On communication and public input, the member for Faro asks me if I think it is adequate or if it is doing all right. Well, there is always room for improvement; I am not saying that the communication has been 100 percent or that, in some instances, it could not

have been better. I am saying that we encourage public input and that we are going to continue to encourage community participation, parental participation and public participation, when it comes to deciding the future for our children in Yukon.

« We encourage the participation of children. They are probably the freest individuals when it comes to expressing their opinions, as they have not learned many of the inhibitions that adults seem to have when it comes to expressing their real feelings.

In view of the time, Mr. Chairman, I would move that you report progress on Bill No. 12.

**Mr. Chairman:** You have heard the motion, do you agree?

**Some hon. members:** Agree.

**Hon. Mrs. Firth:** I move that Mr. Speaker do now resume the chair.

*Motion agreed to*

**Mr. Speaker resumes the Chair**

**Mr. Speaker:** I will now call the House to order. May we have a report from the Chairman of Committee?

**Mr. Brewster:** The Committee of the Whole has considered Bill No. 12, *Second Appropriation Act, 1984-85*, and directed me to report progress on same.

**Mr. Speaker:** You have heard the report of the Chairman of Committee, do you agree?

**Some hon. members:** Agreed.

**Mr. Speaker:** May I have your further pleasure?

**Hon. Mrs. Firth:** I move the House do now adjourn.

**Mr. Speaker:** It has been moved by the hon. Minister of Education that the House do now adjourn.

*Motion agreed to*

**Mr. Speaker:** This House now stands adjourned until 1:30 p.m. tomorrow.

*The House adjourned at 5:27 p.m.*