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**Official Report of**  
**DEBATES OF THE LEGISLATIVE ASSEMBLY**  
**(Hansard)**

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**MONDAY, MARCH 5, 1973**

Afternoon Sitting

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The House met at 2 p.m.

Prayers.

**MR. SPEAKER:** Hon. Members, last week the House agreed to approve in principle the use of television, but reserved the manner of its use in this chamber. Today I ask your leave on what I think is an historical occasion of our first question period, to permit television on the floor for the 15 minutes of that question period. The reason I seek that permission is because we would like to preserve that historic occasion on film for our provincial records. Have I your leave?

Leave granted.

Introduction of bills.

### AMBULANCE SERVICE ACT

Hon. Mr. Cocke moves introduction and first reading of Bill No. 106 intituled *Ambulance Service Act*.

Motion approved.

Bill No. 106 read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

### AN ACT TO AMEND THE BRITISH COLUMBIA RAILWAY ACT

Mr. McGeer moves introduction and first reading of Bill No. 112 intituled *An Act to Amend the British Columbia Railway Act*.

Motion approved.

Bill No. 112 read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

### BRITISH COLUMBIA AUDITOR GENERAL ACT

Mr. Gardom moves introduction and first reading of Bill No. 113 intituled *British Columbia Auditor General*

*Act.*

Motion approved.

Bill No. 113 read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

**MR. GARDOM:** Mr. Speaker, I would also ask leave of the House to withdraw notice of Bill No. 11 standing in the orders of the day, being an *Act to Amend the Small Claims Act*, the Government having brought in similar legislation.

Leave granted.

**MR. SPEAKER:** The Hon. Member for Mackenzie.

**MR. D.F. LOCKSTEAD (Mackenzie):** Mr. Speaker, we have in the galleries today 25 students from the Texada Island Secondary School accompanied by their principal, Mr. Don Spragge and his wife. Also in the galleries are my wife and two daughters. Please join me in welcoming them.

**MR. SPEAKER:** The Hon. Member for Saanich and the Islands.

**MR. H.A. CURTIS (Saanich and the Islands):** Mr. Speaker, I would like to draw the attention of the House to two municipal colleagues present in the galleries today. Mayor Jim Quaife of the City of Duncan and Alderman Mrs. Margaret Robertson of the municipality of North Cowichan.

**MR. SPEAKER:** The Hon. Member for Delta.

**MR. C. LIDEN (Delta):** Mr. Speaker, today everyone has a Havana cigar on their desk. This is the result of an addition to the socialist hordes. More particularly, the Hon. Member for Delta (Mr. Liden) has had a new son on the weekend.

Correction, Mr. Speaker — it's the Member for Richmond (Mr. Steves) sitting in front of me. (Laughter).

**MR. SPEAKER:** I wish you would clear that matter up.

The Hon. Second Member for Vancouver Point Grey.

**MR. GARDOM:**...for the wife of the Hon. Member.

Oral questions.

**HON. W.A.C. BENNETT (Leader of the Opposition):** Mr. Speaker, I am very glad to return to the Legislature after a short holiday. Last August the people of British Columbia said, "Bennett, you should take a little holiday." So I took them at their word and I took a little holiday. I had some telegrams the other day saying, "Please come back." So here I am, Mr. Speaker.

**MR. SPEAKER:** What is your question?

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## WITHDRAWAL OF GOVERNMENT BILLS

**HON. MR. BENNETT:** The question is this. I am glad you, Mr. Speaker, are so anxious to hear it because I am sure the people of the province are anxious to hear it as well.

This question is addressed to the Hon. Leader of the House. the Premier: Since your budget address, Bill No.

102 — the Development Corporation Bill, Bills 34 and — the Insurance Bills, Bill No. 42 — the Land Bill and Bill No. 44 — the Mining Bill call for many millions of dollars of new expenditures. All these bills, many think, will cause hardship on our people throughout the province.

**MR. SPEAKER:** Order, please.

**HON. MR. BENNETT:** Would the Premier agree to withdraw all these bills?

**MR. SPEAKER:** Order. On a point of order, the question is inadmissible. You will note in Beaulieu at page 148 that no question may anticipate an order of the day or other matters that are appointed by the House. Those questions appear to do so.

**HON. MR. BENNETT:** Then, Mr. Speaker, I'll ask a supplementary question.

**MR. SPEAKER:** You can't ask a supplementary if you can't ask a main question.

**HON. MR. BENNETT:** Then I want the people of this province to know that we have closure! We have a dictatorship! Those are sick things!

**MR. SPEAKER:** Order, please. The only master I serve in this House is the House itself and the rules.

The Hon. First Member for Vancouver–Point Grey.

## SALE OF POISONED LETTUCE

**MR. P.L. McGEER (Vancouver–Point Grey):** Mr. Speaker, I have a question for the Minister of Agriculture (Hon. Mr. Stupich). Would the Minister of Agriculture state whether any poisoned lettuce from California is being sold in British Columbia food stores?

**HON. D.D. STUPICH (Minister of Agriculture):** I thought you said poisoned letters and I haven't looked at the addresses. (Laughter). Not to my knowledge.

**MR. McGEER:** Supplementary question, Mr. Speaker. Is the Minister of Agriculture aware that 10,000 cases of lettuce had been seized in the State of California because of excess Monitor 4 and Phosdrin on them, and that these had been shipped very widely through North America and possibly to British Columbia?

**HON. MR. STUPICH:** No, I'm not aware of that.

**MR. McGEER:** Second supplementary question, Mr. Speaker. Would the Minister of Agriculture check into this matter and find out whether appropriate tests are made on agricultural products coming into this province.

**HON. MR. STUPICH:** I've already started writing a note to my Deputy to check it right away.

**MR. SPEAKER:** I may point out to Members that matters should relate to something known to the Members within British Columbia and affect our jurisdiction. The Hon. Member for Oak Bay.

## PROVINCIAL ELECTION

**MR. G.S. WALLACE (Oak Bay):** Mr. Speaker, I'd like to ask the Premier if he has any information to give the House on the subject of the pending provincial election? (Laughter).

**HON. D. BARRETT (Premier):** I wish to thank the Member for the first question that I can answer in this House as Premier, and also to inaugurate this new freedom service that we've never enjoyed in the past.

I want to tell the Hon. Member that to my knowledge there have been no resignations of any MLA due to any

reason including absence. (Laughter). As far as the Government itself, we intend to govern as the people of British Columbia chose us to do on August 30. We'll stand or fall on our record over those years.

**MR. SPEAKER:** The Hon Member for Boundary-Similkameen.

## VANCOUVER ISLAND

### NATURAL GAS PIPELINE

**MR. FX RICHTER (Boundary-Similkameen):** Mr. Speaker, I'd like to direct a question to the Minister of Commercial Transport. Has the Government any plan to immediately construct a natural gas pipeline to Vancouver Island? British Columbia Hydro at the present time is refusing new connections for service in the greater Victoria area even to the extent of refusing new connections for an interrupted service.

**HON. J.G. LORIMER (Minister of Municipal Affairs, Minister of Commercial Transport):** At the moment these matters are all under review. There is a

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report coming from the PUC (Public Utilities Commission) which has not yet arrived. These matters will be looked into when we have more information on it.

**MR. RICHTER:** Mr. Speaker, supplement. In view of the reply by the Minister, I would like to ask what instructions has the Government given the Public Utilities Commission to bring in an immediate recommendation for the construction of the Vancouver Island gas pipeline?

**HON. MR. LORIMER:** As you probably know, Mr. Member, there was an inquiry and we're waiting for their report on the public inquiry.

**MR. SPEAKER:** The Hon. Member for North Vancouver-Capilano.

## LOGGING IN SKAGIT VALLEY

**MR. D.M. BROUSSON (North Vancouver-Capilano):** Mr. Speaker, I'd like to address a question to the Hon. Minister of Lands, Forests, and Water Resources. Is there presently any logging taking place for coniferous trees in the Skagit Valley in the area that has been designated for flooding?

**HON. R.A. WILLIAMS (Minister of Lands, Forests, and Water Resources, Minister of Recreation and Conservation):** To my knowledge, no.

**MR. BROUSSON:** A supplemental, Mr. Speaker. I'm advised by letter — and I believe the Minister has received a copy of the same letter within the last 10 days — that observations have been made of such logging. Perhaps the Minister would advise as to what action he has taken to investigate this?

**HON. MR. WILLIAMS:** I might say I'm unaware of the letter; it hasn't arrived on my desk. But we'll pursue it forthwith.

**MR. SPEAKER:** The Hon. Member for Kamloops.

## SOCIAL CREDIT LEAGUE

**MR. G.H. ANDERSON (Kamloops):** Thank you, Mr. Speaker. I'd like to ask the Attorney General as the Minister responsible for consumer affairs if he has any knowledge of why, in the recent two weeks, value of membership in the Social Credit league has dropped by 75%. (Laughter).

**MR. SPEAKER:** Order. You can only ask the Member something that has to do with his administrative responsibility in the House. The Hon. Member for Columbia River.

## COPPER SMELTING FACILITIES

**MR. J.R. CHABOT (Columbia River):** A question to the Minister of Mines and Petroleum Resources. Has the Minister of Mines and Petroleum Resources made plans to get copper smelting facilities established in British Columbia to replace the firm proposals which were in hand at Kimberley?

**HON. L.T. NIMSICK (Minister of Mines and Petroleum Resources):** The question of a copper smelter in British Columbia and the details are in progress.

**MR. CHABOT:** A supplementary question. You state that they're in progress; I wonder if you're prepared to announce to the House a construction schedule for a copper smelting facility in the province. We all realize the importance of these facilities to the general economy and the high rate of unemployment in the province ...

**SOME HON. MEMBERS:** Order.

**MR. SPEAKER:** Order, please.

**MR. CHABOT:** Can you give us a construction schedule at this time? Unwilling to answer?

**HON. MR. NIMSICK:** Not at this time.

**MR. SPEAKER:** I might point out that you cannot embark on a statement of policy too large for a question of this kind under standing orders and page 148 of Beauchesne. The Hon. Second Member for Vancouver–Point Grey.

**MR. G.B. GARDOM (Vancouver–Point Grey):** Mr. Speaker, I'd like to ask the Hon. Attorney General, being his responsibility and portfolio, if the Government plans to initiate any action this session on a report of the Law Reform Commission concerning expropriation laws in the Province of British Columbia.

**HON. A.B. MACDONALD (Attorney General):** The answer is not at this session.

**MR. GARDOM:** A supplementary question, Mr. Speaker. Is it contemplated for the fall session?

**MR. SPEAKER:** I'd like to point out to the Hon. Member that you can ask a question such as you did in general terms. But under Beauchesne in note BB, you cannot ask the Government's opinion on matters of policy. The Hon. Member for Saanich and the Islands.

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## CONDOMINIUM CONVERSION

**MR. H.A. CURTIS (Saanich and the Islands):** Mr. Speaker, I trust this question is in order. On Friday, the Member for West Vancouver-Howe Sound (Mr. Williams) raised a matter with respect to a threat to tenants in a building about to be converted into a condominium. The Attorney General expressed concern at that time. May I direct a question to the Attorney General to determine if further action has been taken by his department in the interval since Friday afternoon?

**HON. MR. MACDONALD:** Yes; and with cooperation with the Hon. Member for West Vancouver-Howe Sound, I believe the immediate problem has been solved. The larger legislative problem remains and will be dealt with at this session of the Legislature.

**MR. SPEAKER:** The Hon. Member for North Peace River.

## RCMP CENTENNIAL CELEBRATIONS

**MR. D.E. SMITH (North Peace River):** Thank you, Mr. Speaker. I'd like to address this question to the Hon. Attorney General. As we all know, this is the centennial of the RCMP — the celebration of 100 years of service in Canada. Has the Attorney General any plans for a major celebration to commemorate 100 years of service by the RCMP, formerly the Northwest Mounted Police, to the Province of British and the Dominion of Canada?

**HON. MR. MACDONALD:** Well, I know there will be a gala banquet in the City of Victoria honouring the occasion and, of course, I and other people will try to be present. It's a very good question and we should think in terms of some other recognition in addition to what I've just suggested. I think it's something that the Government should take under consideration.

**MR. SMITH:** A supplemental question then, Mr. Speaker. I take it that the Attorney General will take this under advisement to see if we could get a large celebration within the province to commemorate such an anniversary?

**HON. MR. MACDONALD:** Yes, we will. There are some plans for it.

**MR. SPEAKER:** The Hon. First Member for Vancouver-Point Grey.

## RED CROSS VIETNAM

### REPRESENTATIVE

**MR. McGEER:** A question to the Minister of Health Services and Hospital Insurance, Mr. Speaker. Does the Minister plan to get in touch with the returning head of the Canadian Red Cross team with respect to the proposed medical aid to Vietnam on the part of the British Columbia government?

**HON. D.G. COCKE (Minister of Health Services and Hospital Insurance):** Yes, Mr. Speaker, through you. We have an appointment on Wednesday to meet with that returning head of the Canadian delegation to the Red Cross.

Orders of the day.

House in committee of supply; Mr. Dent in the Chair.

## ESTIMATES: DEPARTMENT OF

### THE ATTORNEY GENERAL

*(continued)*

On vote 16: Attorney General's office, \$74,004.

**MR. CHAIRMAN:** I recognize the Hon. Attorney General.

**HON. A.B. MACDONALD (Attorney General):** Mr. Chairman, when the committee rose on Friday noon I was caught with a number of answers down following the speech of my friend, the Minister of Rehabilitation (Hon. Mr. Levi), and I'd like to try and catch up very briefly with the questions that have been raised in committee.

Now, in terms of future Government legislation, I don't really propose to answer those questions.

The Hon. Second Member for Vancouver-Point Grey (Mr. Gardom) and the Member for North Peace River (Mr. Smith) inquired about legal aid. I would like to say — and perhaps this will save the time of the committee

when we reach that particular vote — that we are engaged in expanding very rapidly our programme of legal aid at the present time. The planning has advanced to the stage that the Legislature will be asked to vote additional funds.

There will be a federal contribution which I think the Hon. Members are familiar with. The formula is 90 per cent or 50 cents per head, whichever is the greater. Ninety per cent of that is actually spent on criminal aid — only criminal.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** Oh, no. Everything's beautiful in the province. (Laughter). The farmers are sowing their fields. The people are happy and contented.

Mr. Chairman, we're proceeding on the basis

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of new area offices. This is a new concept — supported by legal aid funds. We have had what you might call a storefront legal aid office in the City of Vancouver.

**MR. G.B. GARDOM (Vancouver–Point Grey):** There he goes. (Laughter).

**HON. MR. MACDONALD:** Mr. Chairman — I'm going to say this rather quickly. We propose to open area offices, or if you want to call them storefront legal clinics — walk-in legal offices — which I think can be of great advantage to a community, in Prince George, Victoria, northern Vancouver Island and hopefully Kamloops and the lower Fraser Valley. Those are the initial stages.

Staffed as they will be, we hope, with two lawyers each and two to three secretaries, their duties will be to interview applicants for legal aid and to perform the service of duty counsel. This means that hopefully there will be a lawyer on duty in the criminal courts, so that somebody coming in with a summons or a legal question can get ready advice as to the kind of case it is there and then; or as to the availability of legal aid; or as to the availability of bail, if it's that kind of a case; and possibly some cursory opinion as to whether he should plead guilty to the charge or get a lawyer and fight the case.

That's a very important new concept in the field of the administration of justice. It has been tried in the City of Vancouver very successfully and we hope to expand it.

There will be in these neighbourhood-type clinics referral of cases to practitioners — both civil, now that we're moving into the civil field, and, of course, the criminal. The legal aid clinics will take some cases themselves for applicants.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** Well, we're financing the civil side from the additional moneys that the Legislature will be asked to vote. There will be minimal tariffs of fees to be paid to individual lawyers taking civil cases that are referred to them from the Legal Aid Society or these offices or the area directors throughout the province.

We will concentrate the expenditure of our legal aid civil funds in the field of family and domestic law to begin with, such as custody matters involving a child, *Protection of Children Act*, *Equal Guardianship Act*, *Family Relations Act* insofar as defences of an individual are concerned charged under that Act, divorce, and matrimonial matters.

We will try to expand in the lower mainland area the excellent services that are already being offered by CLAS — Community Legal Assistance Society. We hope that they will have a budget of \$40,000 plus other funds from other sources. I may say that not only is this group doing excellent in the field of law for those who can't pay for the advice or take cases, but they also occasionally take test cases and sue the Attorney General to establish some



new point. So I'm in the anomalous position of agreeing to extend funds to a group that may sue the Attorney General.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** That will be a separate question.

In the field of criminal legal aid, I think the system is working very well. Now that we're paying by the case, rather than by the adjournment and the court appearances, we estimate that the cost overall is about \$100 per criminal case when you average it out, which I think is a very good record in this province.

As I said, we intend to expand the role of duty counsel. I've already told the Legislature about our plans for court workers as an experimental project in areas where there is a native Indian population to begin with. I can say that in addition to the \$100,000 that is in the estimates, since I spoke in the budget debate the federal government has agreed to match that figure.

There are a number of questions about consumers' affairs, which again I'll deal with quite briefly if I may. I think the Hon. Member for North Vancouver-Capilano (Mr. Brousson) and some others asked about the size and our plans for our Consumer Affairs Office. Let me say to begin with that the present staffing is pretty comparable with, say, Ontario. Ontario includes many other things in it. They've got 13 people but when you look at some of the things that are under them, such as the *Horse Racing Act*, censorship of moving pictures, real estate and insurance, it's very difficult to compare province by province. Our five people, I think, compare favourably at the moment with the other provinces of Canada, including Manitoba which has been mentioned.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** Yes, the Manitoba office is bigger but it includes landlord and tenant matters, which they've entered on a big scale. We have five, including the counsel, Mr. Mel Smith, in my own department, who actively assists as the director of consumer affairs. I include him in and I realize that one of them is engaged in hearing aid work. But I don't want to be part of presiding over a mindless, burgeoning bureaucracy at the expense of the taxpayer.

**MR. GARDOM:** You'll have to resign. (Laughter).

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**HON. MR. MACDONALD:** Much as we'd like to, we can't have somebody at everybody's elbow when they make a bad deal. But I would also ask the committee to bear in mind that with the opening up of our legal aid offices and freer availability of legal aid, we are strongly reinforcing, throughout the province, consumer protection as well.

Interjection by an Hon. Member.

**MR. CHAIRMAN:** Order please.

**HON. MR. MACDONALD:** Let me say this. There will be two conferences in this field as we chart the future. One will be interprovincial in Quebec in May or early June. The host will be Mr. Tetley. Following that, I expect to hold in the Province of British Columbia a round table of people knowledgeable in this field, including, I would hope, Prof. Neilsen from Osgoode Hall who is a recognized authority in the field of consumer affairs.

It will help us to chart our future course in this province: the relationship between the consumer branch and the legal aid offices; the possibility that we might go into consumer testing of products; the possibility that we may consider a consumer advisory council; the question of our total staffing and whether it should be expanded usefully to the taxpayer and to the consumer. So all of these things will be charted, I would hope, after fruitful discussions before July of this year.

**MR. CHAIRMAN:** I recognize the Hon. Member for Langley.

**MR. R.H. McCLELLAND (Langley):** Mr. Chairman, I have about four separate items I'd like to talk about and ask the Attorney General for opinions on.

First of all, I wonder if the Attorney General might take up the cause of the British Columbia musician in the next short little while. The musicians are actually working in a depressed industry because of some of the liquor regulations in this province. They not only work for substandard wages, Mr. Chairman, but they also work on a very erratic schedule, mostly because of problems with regard to liquor regulations.

Generally, it's because we have watering holes or drinking holes instead of friendly places to not only drink but have entertainment as well. What we need — and we need it immediately I think — is live music in our hotels instead of constant and enforced guzzling. Let's put some musicians to work. I realize that this Government, Mr. Chairman... I beg your pardon?

**AN HON. MEMBER:** I'll drink to that.

**MR. McCLELLAND:** I'll drink to that too.

I realize, Mr. Chairman, that the Government has said that there is no priority on changes in liquor regulations but I think that this is one area in which there should be a priority and as quickly as possible.

**HON. MR. MACDONALD:** There is.

**MR. McCLELLAND:** Thank you.

The next item, Mr. Chairman, has to do with a probe in Surrey regarding one of the aldermen in Surrey, who has had his house searched under warrant by RCMP officers. I want to ask the Attorney General if this probe was ordered by the department in Victoria and if any charges are to be laid or if any charges have been laid.

More important, I'd like to comment on one of the aspects of this particular probe, Mr. Chairman. That is, at the time of the RCMP raid on this Surrey alderman's home, the alderman in question and his wife were away on a holiday in Mexico. His children were home alone at the time, when the RCMP broke in very early in the morning. I shouldn't say "broke in" because they had warrants, but it was very early in the morning — something like 6 o'clock. The children were very frightened because of this turn of events and had to phone their parents in Mexico, as I understand it, and let them know what had happened.

I'd really like to know, Mr. Chairman, to the Attorney General, if we could have some kind of assurance that this isn't the usual procedure for these kinds of probes and searches and, if it is, that it wouldn't happen again. I think that in a case such as this, where really there was no earth-shattering event happening, it could have waited perhaps until the people in question came home, instead of harassing the youngsters in that family. Perhaps just a statement about general policy from the Attorney General, along with those other questions, could be answered.

The next item, Mr. Chairman, has to do with — and I hope this has to do somewhat at least with the Attorney General's department. Because there was a letter addressed to him written by a concerned citizen in White Rock.

Recently there's been a petition signed by some 1,400 residents of White Rock who are very concerned about the legality of the City of White Rock establishing a new sewage outfall into the beautiful beach at White Rock.

The Attorney General has been asked, through this letter, to rule on the legality of the posting that went up on the beach at White Rock; first of all that in order to get to the post at all, on which the legal description of the application is situated, the people must trespass over the Burlington Northern tracks at the White Rock beach. The notice is posted facing

away from public traffic on the beach.

All of these things are contrary to the Act. The application in full has not been posted. It is not a true copy of the application. The date of application is wrong. It was not filled out correctly in the opinion of the people in White Rock. There are many other problems with regard to the legality of this posting of an application for a sewage outfall.

Since this letter came to you — it was addressed February 26, Mr. Attorney General — some new developments have happened. Only in the past week, as a matter of fact, the City of White Rock, in my opinion, virtually admitted that it's in error legally and posted a new notice one day last week — it's dated March 1. In the opinion of these same people in White Rock and on legal authority they feel that the notice is still illegal.

This is a serious situation, in that it's one of the finest beaches that we have in the area. I realize that we could perhaps bring this up under the portfolio of the Minister of Lands, Forests, and Water Resources (Hon. Mr. Williams). But if we allow it to wait too long, then we're going to have sewage pouring into that beach.

If there's a question of legality here I'd like the Attorney General, Mr. Chairman, to look into that question so that perhaps we can approach it from that end, and we can bring it up again in the estimates of the Minister of Lands, Forests, and Water Resources later on.

One other item, Mr. Chairman. The Attorney General (Hon. Mr. Macdonald) has made some remarkable comments on the radio in recent months about some of the bills that are before this House. I won't mention them or refer to them. But for the chief legal officer in the Province of British Columbia to have expressed astonishment about some of the provisions which are in the bills that are before the House is a very disturbing thing, to me and to other Members of this House.

It shows, for instance, that he was remarkably uninformed about at least one of the major bills before this House and expressed his surprise at some of those sections on the radio. He is, as I've mentioned, the chief legal officer in this province. I'd just like to ask the Attorney General, since you read the bills before, have you read them since? Perhaps we could ask the question: as chief legal officer in this province do you, in fact, read all of the bills and do you comment upon them as to their legality? That's a very important question, I think, and we deserve some answers.

**MR. CHAIRMAN:** I recognize the Hon. Attorney General.

**HON. MR. MACDONALD:** Good suggestions in terms of reviewing the liquor situation, in terms of moderation and employment. That we regard as a fairly priority item.

The probe in Surrey: with normal police activity with my knowledge and concurrence. I don't want to comment further about it because it's midstream in the course of an investigation.

Search warrants sometimes have to be executed. The hours at which they're executed are something in which I'd ask the officers to use discretion.

White Rock — a legal opinion: I've made a note of what you said but I don't think, Mr. Chairman, on these estimates I'm supposed to give legal opinions, since I'm no longer a lawyer. I'm a reformed character now; not a practising lawyer. (Laughter). But we'll have a look at it.

I am like Bottom in *A Midsummer Night's Dream*. I have been translated.

**MR. G.B. GARDOM (Vancouver–Point Grey):** Have you read the bills?

**HON. MR. MACDONALD:** Yes, that's my bedtime reading; yes, all of the bills, every section and the subsections and the punctuation. I recommend it as bedtime reading.

**MR. CHAIRMAN:** I recognize the Hon. Member for West Vancouver-Howe Sound.

**MR. L.A. WILLIAMS (West Vancouver–Howe Sound):** I'm not surprised the Attorney General reads

legislation at bedtime. They certainly are fairy stories. (Laughter). The trouble is, there's always a dragon. That's the kind that really excites the young children.

I wish to bring the Hon. Attorney General's mind back to the question of legal aid and the manner in which it may be utilized in the consumer protection programmes of this province. I think, Mr. Attorney General, that you will need to change in a drastic way the whole direction of legal aid if you are to make it a part of the consumer protection service. I suppose because of the limited funds that have been available to legal aid, it's almost entirely been involved with trying to aid people who have already got themselves into serious difficulty, and they're before the courts either civilly or criminally, or they're about to be. Therefore, it's a rescue operation that legal aid has been carrying on.

[Ms. Young in the Chair.]

If you are to truly carry out the legal part of the consumer protection responsibility, I think you have to recall what was said by the Hon. First Member for Vancouver—Little Mountain (Ms. Young) about the kind of advice that people need. I am sure, Mr. Chairman, that the Attorney General, although I know that he was distinguished counsel when he was

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practising law, will be the first to agree that if individuals will seek legal advice before involving themselves in a transaction of even moderate consequence, they can perhaps be kept from falling into error and then placed in the position from which they can only be withdrawn at great expense — if at all. Quite often you can't remedy these things.

In my experience in practice it is always a matter of regret that people come to me and say, "This is a situation into which I have placed myself. How do I get out?" You have to tell them that you either cannot — or if you can, then only at very great expense.

Therefore, Mr. Attorney General, through you, Ms. Chairwoman, I suggest, in the expansion of your legal aid facilities, that real consideration be given to staffing those offices with lawyers who can give advice, and then promoting in the communities where those offices exist the concept that before buying that second-hand car before entering into any transaction in which you put your money on the line, pause a moment and seek competent advice.

If you can't afford to hire a lawyer, or if you don't have your own lawyer, drop in to the legal aid office and say, "This is what I plan to do. Am I doing it the right way?" I think that that momentary pause will save us much in the way of heartache so far as our citizens are concerned. Indeed, Mr. Attorney General, it will save much in the expense of legal aid which, as I say, is going to rescue them from the entrapment in which they find themselves.

**MS. CHAIRWOMAN:** The Hon. Member for Oak Bay.

**MR. G.S. WALLACE (Oak Bay):** Thank you, Ms. Chairwoman. I would like to ask a few questions of the Attorney General regarding crime in general, which seemed to be brought home very clearly over the weekend by comments about William Head prison.

Now, Ms. Chairwoman, I realize that this is a federal prison. I have made some inquiries and I gather that there should be, if there isn't, considerable liaison and communication between the federal and provincial authorities in dealing with such a serious matter as changing a facility such as William Head, which has been a minimum security jail, to what I believe is termed a full security jail — not maximum, I understand.

In this respect I'd like to make a few comments on the increase in crime in general. We have here a quotation from a newspaper of December 20 last year (1972) saying that British Columbia is first on the national scale for murder, wounding and assaults, rape and suicide and, compared to the other provinces, comes second to Quebec in terms of robbery.

This, I suppose, is borne out by the statistics quoted in the Press on Friday in discussing William Head security, or at least the transfer of prisoners; because the B.C. Penitentiary is described by the director, Mr. Graves, as being so overcrowded that inmates have to sleep in the corridors.

Surplus beds have been sent from William Head to cope with emergencies. Mr. Graves, the director, states that, "We can accommodate 517, but our population goes as high as 600 on various occasions." He explains that the overcrowding is largely due to the number of inmates from other parts of the country.

Ms. Chairwoman, I realize that this isn't in large measure a federal problem. Nevertheless, whether or not all the people living in the neighbourhood of William Head are federal citizens or provincial citizens is a little beside the point if they're concerned about the fact that there are to be more prisoners accommodated there serving longer sentences.

There's natural concern as to the security of the new facility. It's also interesting to note that throughout 1972 there were 32 escapes from William Head, and eight of the escapees are still at large. Since the first of January five prisoners have escaped from William Head.

So first of all, Ms. Chairwoman, I would be very interested to know to what degree the Attorney General (Hon. Mr. Macdonald) was consulted by the federal authorities, or is being consulted in relation to what is obviously a crisis in the jail system in British Columbia.

We read also of the hopelessly inadequate facilities at Oakalla, where there is overcrowding. This of course is a provincial jail. I personally have never visited Oakalla to see it at first hand, but certainly the people from whom I've sought my information tell me that it is archaic, completely out of date with the needs for our present penal philosophy. While we may give lip service to our hope that rehabilitation and reform should underlie all our efforts, to talk in this way and then put persons in Oakalla is a complete contradiction of your aim.

Without saying too much more I'd like to know, first of all, what hopes there are of improving constructively the facilities for provincial offences, which I gather are sentences under two years by and large. Secondly, with regard to prisoners serving more than two years who are to be transferred to William Head, what measure of confidence can we have that security of that prison will be sufficiently increased to try, as far as humanly possible, to keep the prisoners in the prison?

Another point I'd like to raise, Ms. Chairwoman, is the question of delay in the courts. I'm told by many of the lawyers that there is an ever increasing backlog of cases, particularly civil cases, which are frequently bumped or placed further and further back in the list of cases to be heard because of the greater need to

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hear the criminal cases first.

The suggestion, I believe has been made that certainly in this area, to cover Victoria and Nanaimo, there should be one more Supreme Court judge, who might conceivably serve in both the greater Victoria and Nanaimo areas. Again, I understand this is a federal appointment, which is dependent upon a provincial request. I'd like the Attorney General to comment on that, Ms. Chairwoman.

Another very important point to many people is the apparent inefficiency of family court. I have correspondence on my desk dating back — the case in question dates back to 1962, regarding a husband who has not supported his wife and five children. It just reads like an unbelievable chronological document, Ms. Chairwoman, to read that time and time again this man has been sought — occasionally they catch up with him, and he pays for one month, and then disappears for six months. Then they get him again and they put him in jail and after he serves his sentence he disappears for another period of time. As I say, this saga has gone on for several years, and the fact is that the mother at this present time is getting no support for herself or her children.

I communicated with the clerk of the family court, and in passing I would say that I got nothing but

cooperation and a very full attempt to answer my queries. But the very distressing thing, and this is what I'd like the Attorney General's comments about, is that the clerk of the court, Mr. Greenman, finishes up by saying, "Upon checking our files thoroughly, I can assure you that everything possible has been done to enforce the said orders and to make Mr. X realize his responsibility to his children." This is the part I'd like to comment on — "As there is a warrant outstanding for his arrest, there is nothing more that we can do at this time."

I assume that the man cannot be found, and I would like the Attorney General's comments. Is it simply a matter of not enough staff? Is it the fact that to have enough staff to cope with this kind of problem hardly makes it worthwhile? What is the explanation?

The fact is that here is a man who has had an order against him of so much a month to support his family. He isn't doing so. There's a warrant out for his arrest, and apparently he is able to defy the warrant.

As a sort of a supplementary question, I would be interested to know to what degree we are encouraging weekend jail sentences on a man like this. I think there's an undercurrent of feeling. Why put him in jail? It costs the state money to put him in jail and he's not supporting his children while he's in jail. So there seems to be an increasing attraction, shall we say, to the idea that that kind of person could perhaps serve his 30 days by doing two days for 15 weekends and working while he's out of jail. I believe I've read in the Press of cases where this has been done. I'd be interested in the Attorney General's comments.

On a similar subject, there has been quite a bit of concern over the handling of juveniles. I was surprised to find that, contrary to public opinion, conviction in juvenile courts does carry a record. The information is not generally available to the public, Ms. Chairwoman. I realize that, but it can be obtained apparently by future employers such as the armed forces or the immigration authorities or the police forces. I understand that it's not uncommon in adult court for a person on trial to have juvenile convictions taken into consideration when the adult sentence is being arrived at.

I thought that the word "juvenile" implies that they are immature and require a different approach than the approach to adults. It would seem to me that this is not what is generally understood by the public at large to be the case.

Now, Ms. Chairwoman, I also know that a bill was introduced into the House of Commons about two years ago, which would have given young offenders the same rights and safeguards as apply to adults. Unfortunately this bill federally was never proceeded with. I'm wondering if the Attorney General has any comment to make on this whole subject.

The other point is that a juvenile apparently is not charged with a specific offence. He is charged with delinquency, whether he has stolen a candy bar or whether he's killed somebody. There seems to be some reason to promote the idea that juveniles should be charged with a specific offence.

The matter of land registry, Ms. Chairwoman: I mentioned this last year, and I'm delighted to see that the Minister has allowed for 47 additional staff — I think that's the number — in the Land Registry Office. This is much to be encouraged, because again I understand that in such transactions as buying a house, the individual can sustain substantial expense in delay and time in the Land Registry Office. More than that, the person who doesn't happen to live too near a land registry office has some distance to travel, referring particularly to the Lower Mainland and the Okanagan, where apparently they have to go either to Kamloops or to New Westminster.

Perhaps, Ms. Chairwoman, the Attorney General would care to tell us whether, in addition to more staff, there are to be more offices opened in other parts of the province. Or are the staff simply to be added to those offices that presently exists?

The whole matter of land registry apparently can do with a modernizing, in terms of more use of microfilming and some of the modern hardware that would help not only to make the department more efficient but to speed up the service to the client. Of course, the more that the client is delayed, I presume the more time the lawyer spends on the case, and the

more time he spends, the more expense to the client. So that, all in all, there seem to be tremendous benefits to be gained by speeding up and modernizing the land registry department, and we would welcome the Attorney General's comments on that.

In passing, we would like to add from our party in the House that we certainly support what has already been said about abolishing the fiat system, and that we would approve of the right to sue the government. On that note, I would also like to ask, with respect, Ms. Chairwoman, the Attorney General whether the Law Reform Commission is just a bit of window dressing in this province, or whether it really means anything. I'm particularly concerned. My only personal connection with the commission has been the expropriation study which was carried out, and then last year at this time I was on the standing committee of this House which studied the expropriation report.

The report was produced in 1971. It is now 1973 and the Attorney General has told us today that there is nothing doing this year on rewriting the expropriation statute. For the benefit of Members, you'll probably recall that there are about 60 separate statutes in the province which involve expropriation. The very central theme of the Law Reform Commission report was to write one expropriation statute.

Two years have gone by and it looks like another year is about to go by. What really is the purpose of the Law Reform Commission, if it puts this kind of deep study and earnest consideration and public hearings and so on that takes a great deal of time and effort to produce what I, as a layman, thought was a very reasonable document, and here we are with nothing done and nothing about to be done?

Perhaps the Attorney General would answer in the debate. I know when he was asked this afternoon in the question period, it was a simple answer to a straightforward question, but talking about his department, I would hope that he would feel ready to say a little more than he said earlier on this afternoon about action on expropriation.

The Law Reform Commission, of course, also talked about the right to sue the government. It's interesting to read their comment, Madam Chairman. They just state that the present system has little to be said in its favour and much to be said against it.

We now share the questionable honour with Prince Edward Island and Newfoundland of being the only other province of the 10 which does not allow the individual to sue the Crown. Some arguments have been produced in the past that this would lead to a rash of frivolous actions. This has not occurred in the other provinces. Perhaps I could just leave it on that note and hope that the Attorney General will comment.

I think it should be mentioned in regard to expropriation that we had the Cline Report in 1964 and nothing was done about that. Now we have the Law Reform Commission report of 1971 and nothing's been done about that. It does seem to any objective observer that this Law Reform Commission is just some kind of window dressing to give people in this province the feeling that the law will be reformed. But nothing is done when they come forward with recommendations.

Certainly the whole question of law reform, I think, could gain tremendously from this kind of body, particularly if we could involve the public to a greater degree. Certainly in the few years that I've been an MLA, with people coming to me with problems such as the family court and the problems of juveniles and the problems of drugs and so on, it's very obvious that any commission of any kind whose purpose is to reform the law should certainly be very close to the public in terms of public hearings or other forms of exposure by the commission to listen to the problems encountered by the people at the periphery.

I think that it's not unreasonable to say that many people feel that the law is not only archaic but complex and difficult for the ordinary citizen to understand. In many cases, because of lack of understanding, the individual finishes up in a more complex situation than need be the case and also is subjected to additional expense.

We welcome the comments regarding legal aid, but I don't know if the Attorney General answered as to whether or not civil suits would also be encompassed in the enlarged programme. I don't know if that was asked or

not.

**HON. MR. MACDONALD:** The answer is yes.

**MR. WALLACE:** Good. This is something we would favour.

Finally, Madam Chairman, we would just like to comment upon whether or not there is any thought on the part of Attorney General to simplify the rules of court. The individual citizen sometimes only goes into a court once in a lifetime, or seldom, and the whole system could be modernized. Could it not only be made more understandable to the individual, but could it be speeded up? Could we hope that maybe here again is an area where we could ask the Law Reform Commission to give us some up-to-date ideas?

**MS. CHAIRWOMAN:** The Hon. Attorney General.

**HON. MR. MACDONALD:** Madam Chairman, I might answer one or two things. I may say that we're — it's fine with me if it's fine with the Chair — straying over a number of votes, such as land registry and correction. Now if that saves the time of the committee in total, and it's all right with the House, it's fine with me. But we have been doing it, and I've

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been doing it too. It may be that you'll want to use your gavel at some point and say, "Wait for this vote," but I'm not pressing the point.

I shall answer some of the inquiries of the last Member. William Head: We try to keep the new Solicitor General informed of these things, but it is a federal institution. Oakalla: Task force report, quite soon, I hope, and a very good report. I hope that we will be able to chart our course in corrections as a government in the reasonably near future.

The backlog in the courts: We've asked the federal government for the following judges at the present time, with a very good prospect of the request being granted. I think the Member for Vancouver–Point Grey mentioned this too. The county court of Vancouver badly needs two — there is a terrible back-up on the criminal side. Victoria-Nanaimo needs a county court judge. Yale-Cariboo needs a county court judge. We believe those four will be granted very soon. One more is needed in the court of appeal. The supreme court will be expanded but later in the year. That has not reached the point where it is a pressing request. But the other ones, we consider, are.

Non-support: You know in the family court you can collect up to 70 per cent of your support orders. That is pretty good. You can't get blood out of a stone, and you can't get blood out of a man. You can jail somebody sometimes who is determined not to pay or determined not to work. But that is a very high percentage. Sometimes I see a report that they've collected up to 77 per cent of their orders in a given area, and I think that that is fantastically high.

We're trying to improve that. We now have a full time chief judge, and one of his functions is to inquire in all of these fields. How is the administration of justice going in this respect — non-support for a wife and children? We favour the principle and will encourage it. We have, through the judicial council and new chief judge of the provincial court, a better means of bringing to the attention of the judges, through the district judges and conferences, things that we as a legislature or government as a matter of policy think are important. The decisions are out there but they like to know what we think in terms of policy.

Juvenile offences: That is the federal *Young Offenders Act* which was introduced in Ottawa and withdrawn. I'm not sure if it has been re-introduced. But that should deal with the whole matter, including the question of the juvenile records.

Land registry: I can only say that I agree with the Hon. Member's remarks.



Law Reform Commission: Some very good practical things. For example the debt and harassing of debtors legislation which is now before the Legislature is the direct result of a study by the Law Reform Commission. Another one that may be introduced at this session, if we have time in terms of legislative priorities, is "seize and sue" legislation, to prevent somebody's car being picked up under a finance contract and then sold off by the finance company at sometimes a ridiculously low price. The debtor has not only lost the car but he is then sued for the deficiency, as it were. There have been some really great injustices in that field. Good work by the law reform commission. They are now working on the administrative procedure and appeals, which was brought up by the Second Member for Point Grey (Mr. Gardom) the other day.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** No that is one of the subjects that they are actively working on — small claims and the use of an umpire at the courthouse door to possibly settle things without taking up the time of a full hearing.

Personal property legislation and the family court which was also mentioned in terms of trying to bring all of the domestic matters within one unified, informal, non-adversarial, well staffed and complemented with social workers and matrimonial advisors and so-forth, court. I think it is going to have to be, if we have that kind of court, through our provincial system. Because we are out there in all of the parts of the province. I would hope that, as a result of this study, at a certain point some of our provincial judges will be designated by Ottawa so that they also have, say, divorce jurisdiction. It could all be done locally, without too much expense and delay and in an informal procedure.

I think that brings the questions up to date.

**AN HON. MEMBER:** The expropriation question?

**HON. MR. MACDONALD:** Oh, expropriation. That's a matter of legislative priorities. It's a big subject, but we intend to bring it up. I wouldn't like to say October because I can't be certain of that.

**MS. CHAIRWOMAN:** The Hon. Member for Skeena.

**MR. H.D. DENT (Skeena):** Thank you, Ms. Chairwoman. Today we are considering the estimates of the Attorney General's department. That is, we are being asked to provide the necessary funds for the Attorney General's department. Before we actually vote on these estimates, each MLA is allowed to offer comments, to ask questions, and even make comments about the philosophy of the department. I would like to address myself to that latter part.

I believe that we must strive to establish the right balance between public justice and individual justice. That is, we must ensure that the rights of the public are adequately protected from abuses by individuals

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or groups; while at the same time, doing all that we can to safeguard the rights of the individuals and these groups that make up society.

Just as an example, drug traffickers are a menace to the public good — that is to all of society as a whole. The same as a cancer is a menace to the human body. Just as a cancer can destroy a human body, so the cancer of drug trafficking can destroy the society in which we live — as we know it.

Just as a surgeon must be ruthless and precise in applying his scalpel to remove a cancer from the human body so that it might survive, so that the human person might live — I believe that the Attorney General (Hon. Mr. Macdonald) through the actions of this department must apply the necessary measures, and if necessary ruthlessly, in order to control and cut out this cancer of drug trafficking as well as other criminal actions that might get out of hand in our society.

But we must not only be concerned with society as an organism. We must be concerned about the individual.

This I believe has been the tradition of justice in B.C. and in Canada, and is partly from the Christian tradition that we've had in this country and in this province. As an example I would quote these words: Jesus Christ said, "I have come to seek and to save that which is lost."

He meant individual sinners, or criminals, or whatever you want to call them — people who were contrary to society. A good example is the thief on the cross who represented just before death because of the compassionate concern of Jesus who also had another cross right beside him. I believe that this kind of concern of one individual for another is the same thing that must occur in regard to the operation of justice in our province by the Attorney General's department.

Therefore I would ask these questions. In regard to public justice what measures does the Attorney General anticipate bringing in or using as a means of ensuring the protection of society as a whole from such things as drug trafficking? For an example does he anticipate changing the form of our police services, enlarging them or whatever — providing more assistance for these particular problems such as the drug problem?

Does he anticipate developing more co-ordination with other departments such as education and so on? I think for example that our young people — and I've talked to many young people — simply do not have an understanding of the importance of maintaining law and order. And I don't think this is a right versus a left issue. I think it's something that concerns everyone in this place, throughout the province, and even throughout the world. Our young people must develop a positive appreciation of the importance of respect for law and for order in our society. Otherwise we lose the benefits we are now enjoying. I would ask the Attorney General what measures is he proposing in order to meet that need now?

The second part is the concern for the individual and this, I think is equally important. Does he anticipate an improvement in the probation services and parole services? Again in co-ordination with other departments such as rehabilitation and social improvement and so on, to try to assist individuals in being genuinely rehabilitated into our society — not only for the good of society, but for their own happiness as well.

It is my view that we must safeguard society as a whole, to the maximum, in order to guarantee the safety and rights of each individual in that society. We must also save the individual — and I mean literally save the individual — in order that he might achieve happiness and also guarantee permanently the safety and rights of society. This is a big job I agree, Mr. Attorney General, and I'm sure that you can't do it alone. But I would like you to answer these questions.

**HON. MR. MACDONALD:** Ms. Chairwoman, in answer to the Hon. Member for Skeena. I may say I agree that the rising crime figures which are referred to are a reality. They were referred to by the Member for Oak Bay (Mr. Wallace). And we can only combat that by co-ordinated action between justice department activities, education and even health and rehabilitation. It's a many-pronged attack that will be needed if we are to succeed. It must include improvement and building up of our probation services and our parole services. Because really, jail does not rehabilitate.

**MS. CHAIRWOMAN:** The Hon. Second Member for Vancouver-Point Grey.

**MR. GARDOM:** This afternoon the House is in a very pleasant mood. The Hon. new Premier looks a little paler than the Hon. Premier, but it's nice to see the happy wanderer back to Camelot I suppose. I find...

**AN HON. MEMBER:** Be charitable.

**MR. GARDOM:** I am indeed sir. When I think of you I am always charitable.

I'm thinking though, Madam Chairman, when the Member for Oak Bay (Mr. Wallace) was talking about the expropriative proceedings that we have in the Province of British Columbia, it drew to memory a quotation by Mr. Justice Thorsen who was formerly of the Exchequer Court of Canada. It was a very, very brutal statement that he made.

He said that save and except in the Soviet Union, we find more arbitrary modes of expropriation in Canada than anywhere else in the free world. And he

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was particularly referring to British Columbia.

Then we had the Hon. Attorney General this afternoon talk about the legislative priority. Well, it would seem to me, Ms. Chairman, that the greatest statutory bulwark for the preservation of individual and citizen rights is the right to sue the Crown.

When the Attorney General was talking about the opening of these legal aid offices — which we indeed commend him for doing and which is a step long, long overdue — he said, "by gosh I may be giving the right to sue me." It should not be "may" be, but "shall" be giving them the right to sue you. We must, without any question of a doubt, have in the Province of British Columbia the citizen's rights against his government, the same way that the government has against him. Make no mistake of that — these are fundamental pillars of individual rights.

When you're talking about legislative priority, it's very strange to me that you can come up with some of the suggestions you raised this afternoon and you did not mention the right to sue the Crown and fair expropriation laws in B.C., all of which still are nonexistent.

**HON. MR. MACDONALD:** Put a bill on the order paper.

**MR. GARDOM:** Oh, I'm delighted to put a bill on the order paper again. Will you accept it?

In the field of expropriation, Ms. Chairman, there is no established set of rules in the province; there is no established mode of hearing; there is no established method of determining fair compensation. The expropriative power of any government is always a sinister kind of a cloud that is lurking over individual rights.

I would tend to say in view of the very confiscatory type of legislation that this Government is introducing now — and I can't refer to the specific bills — that we should have a fair compensation Act. We should have the right to sue the Crown in the Province of B.C. so we can have the citizens go to the court. The court may be their last resort against the bureaucratic thumb that will be pushing them down here. And that does worry me a great deal.

I liked some of the remarks of the Deputy Speaker, when he spoke over there on law and order, and the attitude of the young to law and order. He didn't, however, go too much into the meaning and the function of the police. I would very much like to make a couple of comments here, and hope that I would receive favourable response from the Attorney General dealing with this aspect.

I think we should have some allocation of time and money by the Government to public education and a public relations programme concerning the meaning and the function of our police forces in their various branches and in their activities — specifically with a view to better informing the youngsters in our community.

We are living in a day of the permissive society and it seems a fantastic amount of publicity is given to the anti-police situation. An unbelievable amount of publicity given to the anti-police situation. Their public image insofar as the Press is concerned — and I'm not criticizing them, they have to print the news, and maybe this happens to be news — but the police's image is certainly not as good as it is and it's certainly not as good as it should be. I would very much hope that the media could do a little more day by day routine reporting of the function of the police and the assistance they provide, the very good work they do, and the help they furnish — attending accidents and fires, putting out domestic outbreaks. Taking care of the innumerable number of tragedies which are of so infrequent occurrence to the general public, but are day by day routine to these officers. They should be looked upon, which they are, as the friend of society. I think that we've got to have a campaign to try to get this message properly across to the general public.

Interjection by an Hon. Member.

**MR. GARDOM:** Well, personally, my friend, I don't take any exception to the police. I was brought up to believe that they were the friends of society and any experiences that I've ever had with them I've certainly found that they have well qualified that definition.

If there happens to be an excess insofar as police action is concerned — they are servants of the government, servants of the state — surely to goodness those types of excesses can readily be stamped out.

**MR. G.V. LAUK (Vancouver Centre):** In which part of town were you raised?

**MR. GARDOM:** Well, if you happen to be a police hater, my friend, that's your prerequisite. It's not mine.

I would like to mention one item dealing with coroners in this province. I recognize that there's a bill here and I'm not transgressing upon the bill. But, Mr. Attorney General, as you are aware these are the only jurors in the Province of British Columbia who do not receive compensation?

They have a job that is mighty unpleasant, and for such tasks as viewing the body and hearing the grief and witnessing the bereaved there is no reason why coroners' jurors should not be entitled to compensation; exactly the same kind of compensation that other jurors in the province receive; namely \$10 a day for the first 10 days and \$20 a day thereafter. Now the Canadian Bar Association has recommended that

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that be increased to \$25 a day.

There's no question that it is a responsibility of citizenship to sit upon a coroner's jury. But surely to goodness it's a responsibility of the state to be fair. We've not had that situation continuing on here, which is too bad.

I'd like to say a couple of words about driving. I do hope that the Attorney General can come up with a little more than the former administration did dealing with this specific topic. I think that we should have a six point programme.

(1) I would recommend that we have compulsory driving in all of our British Columbia high schools. This could be a well-documented course with as much audio-visual as possible. It could cover the whole aspect — road condition and repair of vehicles, traffic rules, accident causes and consequences. There could be practical courses phased in as electives.

I understand — and if I'm incorrect in this the Attorney General or his deputy beside him could correct me — that we've not yet proclaimed the amendments to the Motor Vehicle Act of 1969 which was to the effect that, except with the consent of the Superintendent of Motor Vehicles, no person under the age of 18 years could drive a car unless he happened to pass a certified driver-training programme. My understanding is that that section has not been proclaimed and I think it should be.

(2) I would suggest to you, Mr. Attorney General, that for the more interested students and adults, and certainly insofar as the chronic driver or problem drivers are concerned, the present eight hour defensive driving course should be programmed into every community in the Province of B.C.

Getting back to the age situation, if I would have the attention of the Attorney General, I do believe California happened to be a very path finding area in the world dealing with that. There, in California, if driver-training courses are not taken, licences may not issue until the age of 18 years. Otherwise they can issue at the age of 16 years.

(3) We must have province-wide compulsory motor vehicle inspection and testing. Now this seemed to be a problem of structures, I gather. The former administration felt that they would have to build stations everywhere and so forth and so on. I've never accepted that theory. I couldn't see why this couldn't be done on a county basis throughout B.C., utilizing existing public structures such as schools or firehalls and so forth, or even programme it

into local garages.

I'm not too sure how many mobile testing units we have. A year or two ago we had one in the Province of B.C., and it cost about \$25,000. But we're finding a default situation — or a rejection situation is a better way to express it — of between 30 and 40 per cent of the cars that are tested.

We're only having about a third of a million cars tested. Say we've got two million people — that's one million cars in the Province of B.C. So of the third that we are testing, 30 to 40 per cent of those are failing.

Now think; you've also got another 600,000 or 700,000 cars untested in the province which would at least fall into that kind of a similar category. Quite frankly it's just like looking down the barrel of a gun. I cannot see for the life of my why we don't have province-wide motor vehicle inspection and province wide testing.

(4) Another good thing to do would be to have a complete review of the traffic rules and regulations and, I think, a solicitation of public opinion to update those. We need more divided highways in the province, and that is a question of dollars and cents. But we should be pushing to more divided highways and more one-way routes and, I think, a rather close look at the privileges of the pedestrian.

We do find many pedestrians who unfortunately will walk right smack out into the largest stream of traffic and think that every driver is 100 per cent alert and is going to stop. That's not happening and we're having far, far too many fatalities as the result of that,

(5) One of the earlier Members this afternoon, I believe the Hon. Member for West Vancouver–Howe Sound (Mr. Williams) said something about the consumer's side. I think there should be a consumer protection bureau and it would be your responsibility, Mr. Attorney General, to set minimum safety standards for the commercial sales of all new and used cars in the province.

(6) A final word about the ghastly problem of drinking and driving. I mentioned this before — and I would very much appreciate your answers on these six points. I would commend to you that you've got to advertise and bring home the fact that we mean business in the Province of B.C. If you drink don't drive — just as simple as that.

I think that you should post in all of the bars, in all of the liquor outlets and the beer parlors and the liquor stores and in every gas pump in the province — and indeed on every bottle of liquor for that matter — "Don't drink and drive." Let the people know. Let everybody be totally aware of the penalties that will ensue.

A coroner in Nanaimo a couple of years ago did a very good thing, in my view. There was a fatality and he insisted upon morgue attendances in the situation. I believe he insisted upon more than one of them. There was a lot of criticism taken of him by virtue of the step that he took in this, but I think it was a very good thing.

Maybe in this particular field there could be some kind of social agency custody outside of the provisions that are available under the Criminal Code. Maybe these people should have to ride shotgun with

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a traffic officer in a traffic car. Maybe they'd have to spend some time in the emergency wards or some time in the morgues in the province. Because the message has got to be got across. So far it hasn't.

Before I sit down I'd like to cover one final item here, Ms. Chairwoman. This deals with quite an anomaly in the law, but it's an historic one. It deals very much with the rights of women and more particularly the rights of married women. You can have this situation: a husband and wife, say, are separated and the husband comes to see the wife to pick up the children or to have a discussion about maintenance or maybe a discussion about divorce — whatever it may be. We can get into a situation where tempers become short, they become very acrimonious and the husband loses his temper and he strikes the wife and he breaks her jaw. Right! Under those circumstances he can face criminal proceedings.

But does she have any property rights against him? Can she sue him for damages for assault in the civil field? The answer is "No." If he'd done it to someone else, certainly, that person would have been entitled to damages for civil assault.

Under the same circumstances if he had gone to see the wife and, say killed her dog or had broken her furniture — under those circumstances she would have been able to sue him for the value of the animal or the value of the broken furniture.

A wife cannot sue a husband in tort except insofar as it goes for the protection of her separate property. The law has never considered her body to be separate property in that sense. I think this is a grave injustice and I think that we could readily have an amendment to the statute this session to take care of it.

**HON. MR. MACDONALD:** Possibly this session, but if not, very soon.

**MR. GARDOM:** Good. Would you like to answer some of those questions?

**HON. MR. MACDONALD:** Answering the Hon. Member's questions that were not rhetorical — because his rhetorical questions answer themselves — may I say that in terms of driving inspection stations we now have Victoria, Vancouver, Richmond, Burnaby — and under construction Nanaimo for this year. Trouble in Surrey because the location is in the Green Timber area and there is local protest. Duncan, we have land. Haney and Kamloops are also on the line but they're in the planning stages.

Coroners should be paid: that's a rhetorical question and it's a very good rhetorical question. I think, under the...

**MR. GARDOM:** Coroner's jurors.

**HON. MR. MACDONALD:** Coroner's jurors, yes. I think under the new legislation there will be leeway to deal with a situation like the Quilt inquest. But we have not tackled the question at this time of an actual per diem.

Interjection by an Hon. Member.

**HON. MR. MACDONALD:** No, we haven't tackled that in terms of legislation. The Hon. Member has made a good point. I think I've mentioned that the anomaly with respect to married women, Madam Chairman, is something that should be erased quickly from the laws of the Province of British Columbia.

**MS. CHAIRWOMAN:** The Chair recognizes the Hon. Member for North Peace River.

**MR. D.E. SMITH (North Peace River):** Thank you, Madam Chairman. I'd like to deal with one specific matter and refer to the Attorney General in his capacity as chief law enforcement officer for the Province of British Columbia.

The matter I have to raise this afternoon comes about as a result of an item published in the February 23 edition of the *Beaver Valley Bulletin* published at Montrose, B.C. I'd like to quote from an article contained in this particular publication: "Chris D'Arcy is going to keep NDP office open all the time, and guess where it's located? Right across from the Kootenay Hotel. Cool man! Old Bertie Willie Harding could never afford it to keep an office open across from the Kootenay Hotel. How come?"

In that respect, I say that it's of no concern to the Attorney General because any MLA who wishes to keep an office open within his home constituency should be complimented. But the following few lines of the article give me cause for concern and perhaps they will the Attorney General as well. "D'Arcy also has an executive assistant, a Mr. Tom Fox. I always thought Tom Fox was the ruddy sheriff."

In checking with the provincial office in Nelson, I find that Mr. Tom Fox is the sheriff in that particular area. It occurs to me, Mr. Attorney General, that if an MLA is involving or compromising a civil servant by involving him in party politics then that person is exceeding political integrity to say the least.

**HON. MR. MACDONALD:** Yes, but you say "if".

**MR. SMITH:** I say "if". This is what I'm asking you to do, sir.

**HON. MR. MACDONALD:** Yes, stick it out.

**MR. SMITH:** If this is right then the man has exceeded political integrity and should resign. If, however, this is a matter that the party is involved in

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and they are knowingly involving civil servants of this province in a political manner, then that is something that the Attorney General himself should look at. He should question his ability to sit in this House as Attorney General if that in fact is taking place within the NDP within the Province of British Columbia.

There is no way, Mr. Attorney General, that any of us in this House should back away or divert from a tradition that the civil servants of the province should not be involved in any way in party politics, regardless of what the party is.

If this is an NDP policy, I'd like the Attorney General to state it; if it's not, I'd like him to come out and say what the policy is. If that article is correct, then it places a cloud over the head of every civil servant in this province who does not allege to be a supporter of the NDP.

**AN HON. MEMBER:** Sheriff of Nottingham.

**MR. CHAIRMAN:** Order. I recognize the Hon. Attorney General.

**HON. MR. MACDONALD:** Mr. Chairman, even the Hon. Member is not saying it's correct, so the thing is totally hypothetical. But if you want to write and have that investigated, I'll be glad to. I know nothing about it. And apparently neither do you.

**MR. SMITH:** The supplemental question to the Attorney General is this. I'm not taking responsibility for that statement; the man who wrote it is taking responsibility for it. But I ask the Attorney General as the chief law enforcement officer of the province, if I put this matter in his hands, will he investigate it?

**MR. CHAIRMAN:** I recognize the Hon. Member for Rossland-Trail.

**MR. C. D'ARCY (Rossland-Trail):** Mr. Chairman, anyone with the surname of the Member for North Peace River (Mr. Smith) should be aware that there can be many people named Smith. It's also possible that there can be many people named Fox. I suggest that your allegation is a slur on a very competent member of the civil service.

The gentleman in question who has been working very hard for me is a native of Vancouver and Powell River. He is a radio announcer in the City of Trail. He has never, now or at any time, worked for any department of the provincial government, the federal government or the municipal government.

[Mr. Dent in the chair]

**MR. CHAIRMAN:** I recognize the Hon. First Member for Vancouver–Point Grey.

**MR. P.L. McGEER (Vancouver–Point Grey):** Point of privilege.

**MR. CHAIRMAN:** State your point of privilege.

**MR. McGEER:** I ask the Hon. Member for North Peace River (Mr. Smith) to withdraw every remark he made with respect to the Member charged.

**SOME HON. MEMBERS:** Order, order!

**MR. CHAIRMAN:** I recognize the Hon. Member for North Peace River.

**MR. SMITH:** In no way do I withdraw any remarks that I have made. The Hon. Member across the floor (Mr. D'Arcy) has stated what he thinks to be a fact. The fact is that the man who is the sheriff in Nelson is named Tom Fox. He is indicated to be the man who this article suggests is acting as an executive assistant.

The further question to the Attorney General, then, is this: Is the government of this province in the process of providing executive assistants for all the backbench Members of the NDP within the Province of British Columbia?

**MR. CHAIRMAN:** Order, please. There is no point of privilege. I recognize the Hon. First Member for Vancouver–Point Grey.

**MR. McGEER:** Mr. Chairman, there's been some fairly foxy manoeuvring here. I'd appreciate changing the topic for a moment or two to go back to an extremely serious issue which was raised on Friday by the Attorney General, the Minister of Rehabilitation and Social Improvement (Hon. Mr. Levi) and the Member for Oak Bay (Mr. Wallace).

I refer to the discussion about drugs and the suggestion that at some future time consideration might be given to making heroin freely available to registered addicts. I appreciate some of the comments made by the Minister of Rehabilitation and Social Improvement and agreed with both him and the Member for Oak Bay in two respects.

The first of these is that there are no cures for the heroin addict, which means that once a person is addicted the medical profession has little to contribute at the present time. The second is that there is nothing being accomplished by the jailing of the small-time addicts. It serves as neither prevention nor cure.

But, Mr. Chairman, I disagree as deeply as I can with the judgment that at some future time we should make the tragic error of making heroin available to registered addicts. I say this because we have already made tragic errors in this country with our permissive attitudes toward drug use of all kinds.

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Many of us warned publicly of what the consequences of this permissive attitude would be. Our warnings were not heeded but the consequences have been beyond what even the most pessimistic of us might have believed.

We have in Vancouver and in British Columbia a full-scale heroin plague. It's a matter of the greatest public urgency that proper and effective measures be instituted to bring this plague under control. It's in this respect that I want to make some suggestions today to the Attorney General with the hope that some of the things that we've been saying for years will begin to be heeded.

Mr. Chairman, the first and most important principle to recognize is that drug abuse follows absolutely the epidemiological characteristics of an infectious disease.

A century and a quarter ago, it was impossible to get doctors to accept the notion that diseases were spread by microbes. There are many famous cases of doctors holding out against others in their profession who refused to accept the evidence of communication from person to person. Now, with drug abuse, we have evidence from many countries around the world of the spread of such use by personal contact.

It's always suggested that the man who is to blame is the pusher. We can completely absolve the person who is the user; he merely becomes the victim. But that isn't the situation, Mr. Chairman, and this is the part that needs to be recognized, because until it is recognized we aren't going to make progress in reversing this dreadful trend.

The first country I would like to cite as evidence for the Attorney General is in Britain itself. Between 1970 and 1971, the number of arrests for drug abuse — the use of illicit heroin brought in from outside the country —



doubled.

There has been one of the best epidemiological studies ever performed with drugs in the small town of Crawley in Great Britain that one time was completely drug free. Now there is one of the highest incidences of drug abuse in that particular town of any in Great Britain. The entire epidemic can be traced to two individuals who were the source of infection for the remainder of the people. There is a published report showing how the development of addiction went from individual to individual in that town in the typical tree-like fashion which is characteristic of the spread of disease.

In the country of Sweden in the late 1940's, a group of bohemian poets introduced the idea of injection of speed. From this small group, an epidemic involving 12,000 individuals grew up over a period of time. The numbers doubled every 30 months, a typical geometric progression of infectious contact.

From Stockholm were deported 11 prostitute addicts to Norway. These 11 commenced an epidemic of heroin addiction in the country of Norway.

In Japan after the Second World War, there was a similar epidemic of Methedrine abuse. Japan is the one country that has managed to eliminate this problem. It expanded very rapidly until very strict measures were introduced in that country which included three years for possession, ten years for peddling. In 1954, there were 55,000 arrests in Japan for abusing these laws. In 1955, there were 32,000. In 1958, there were 271 and the epidemic was cured.

The Stockholm board of health took a different course when the amphetamine problem was expanding in that nation. In an experiment, they made amphetamines and opiates available to addicts. Within 12 months in that country the numbers had doubled. Police surveillance was increased and the numbers immediately decreased and when they were relaxed again, the numbers increased.

Mr. Chairman, more examples could be cited, but I think these from several countries around the world are sufficient to make the fundamental point that the person who uses drugs is just as much a carrier of disease as is the person who has typhoid.

Therefore, if we are to give some protection to those who are not affected then we have to take this fact into consideration. We do know that among our secondary school population in British Columbia there is exposure. I would say that today there is virtually 100 per cent exposure of our high school students to drugs in one form or another.

Even six or seven years ago, heroin was almost completely restricted to a one square mile area in downtown Vancouver. Now it is a significant if not a major problem in every sizable community in British Columbia. It has broken out from the geographical confines that made it a tolerable problem, to the whole of British Columbia where it is now an intolerable problem.

A consequence of this is the almost universal exposure of high school students in the Province of British Columbia to drugs. Just as has been experienced everywhere else in the world, a certain number of those who are exposed will come down with this disease of addiction and become a tragic life and a treatment problem for the Minister of Rehabilitation.

While this disease has been spreading, wreaking havoc in the young people of British Columbia, we have failed to make progress against those who are the suppliers of these drugs. And part and parcel of the permissive attitude that we have freely chosen to adopt in British Columbia and in Canada has been the silent encouragement of those who have been the suppliers. We have handicapped the police in their efforts to track down those who are annually making millions and millions of dollars out of this trade.

So the second great principle, Mr. Chairman, that I think needs to be appreciated by the Attorney General is that since there are no cures, the only

prospect of rehabilitating those who are now affected, in the absence of research that will bring new techniques to such treatment to the medical profession is the elimination of the sources of supply. I'd like to make specific proposals to deal in turn with each of these principles.

The first one is in the apprehension of those who are the suppliers. I would submit that the staff of the D squad should be sharply increased, quadrupled if necessary, to provide surveillance and detection of those who are importing the drugs.

What we found, Mr. Chairman, is that to catch even one or two people who are involved in the drug trade at high levels can take the police four or five years of effort. You get those two behind bars, two or three others take their place. Unless we develop better methods, it's going to take four or five years to apprehend those because we continually fall behind. The supply of the infective agent itself continues to be easily available and even to enlarge in British Columbia.

More policemen are essential, but also are more advantages placed in the hands of those policemen. I personally think that wire-tapping should be made available to all people involved in drug detection work. If we want to withhold that police method for those engaged in other activities I don't think anybody would complain because there is an implied interference with civil liberties. But nevertheless, if any evidence is obtained that a person is involved in the drug trade then immediately it should be possible for the police to engage in wire-tapping and any other advantages that they require to get the necessary information regarding these people and to put them out of commission.

That falls entirely within your jurisdiction, Mr. Attorney General — to give the police the advantages they need. I would think that an implied point of view on the part of the general public.

I would hope the media as well is to provide moral support to the people who are undertaking this task, because they are doing an extraordinarily valuable job for society, one that is a form of protection for every parent in this province. The media in my view have made a great mistake in glamorizing drugs over the past few years. They've done a disservice to themselves and to the public generally. They have created attitudes by this glamorizing of drugs that have made it hard for common sense people to get through to the general public and advocate the measures that will really be effective in turning this dreadful situation around.

Secondly, Mr. Chairman, with regard to dealing with the addicts themselves, I want to suggest something which I would like to see debated and considered. Perhaps to do this well we should invite to this province people who have had experience with the drug addiction problem in other countries.

An outstanding Swedish psychiatrist, Dr. Nils Bejerot, has been advocating as the only measure, isolation of drug addicts in drug-free, therapeutic villages. He has suggested for his own country islands in the Swedish archipelago. This method has been employed in Hong Kong, where an opium war was once fought and where today it's said that one in eight is an addict. They have a drug-free island off the coast of Hong Kong.

Perhaps if this is a way of isolating infective people, then a drug-free island of this kind somewhere up the coast might be considered. I am not suggesting that we attempt anything as seemingly bizarre as this without first having invited people who've had direct experience with this to British Columbia as consultants.

I certainly feel that the Member for Oak Bay (Mr. Wallace) and the Minister of Rehabilitation and Social Improvement (Hon. Mr. Levi), in initiating debate about making heroin available to registered addicts, should not have offered this without at the same time having first invited to British Columbia people who have had experience with the British system and understand the dangers of that course. Certainly Dr. Bejerot of Sweden knows what the dangers are.

I have a letter from a Member of the Home Office in Britain which has to do with the drug addiction problem there. He makes it quite clear in this letter that the increase in offences involving heroin — from 281 in 1970 to 580

in 1971 — represents a difficulty of that British system, contained though it was in that country for some considerable time because of the very small numbers and the especially selected drug community that they had.

We should have these people here, because some of them have been in touch with the experienced hands in British Columbia with a view to switching over to the methadone programme, which has not been successful in British Columbia but may have staved off, for all we know, something far worse.

In connection with this method of treating the untreatable addicts, inviting some of these people...

Interjection by an Hon. Member.

**MR. McGEER:** I said methadone may well have saved us from something far worse.

Mr. Chairman, the Premier may wince at all of this about methadone. But one of the difficulties — and everybody who has been associated with the free heroin programme in Britain will tell you the same thing — is that every addict tries to dictate his own treatment programme. The nirvana for the heroin addict is free heroin. If they can persuade the doctor to prescribe eight caps for them when they need only two, that's six for them to sell. This has been one of the reasons why there was an escape from the controlled treatment programme in Britain and why

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they, like us, now have a spreading heroin population.

**AN HON. MEMBER:** You should get the facts.

**MR. McGEER:** I was disappointed, Mr. Chairman, in the conference that the Minister of Rehabilitation and Social Improvement (Hon. Mr. Levi) called in January, because there was not a single educator present, nor a single researcher.

**AN HON. MEMBER:** Were you there?

**MR. McGEER:** No, I wasn't.

**AN HON. MEMBER:** Why do you mention it?

**MR. McGEER:** Because I've had reports from a number of people who were there, Mr. Chairman. I just record that disappointment. The Attorney General will have an opportunity; he has latitude under his discretion not only to beef up the...

**HON. MR. BARRETT:** That's not even his...

Interjection by an Hon. Member.

**MR. McGEER:** I'm offering an opinion. The Attorney General may not share that opinion. His responsibility, Mr. Chairman, lies in the field of enforcement of the laws. If the laws are to be changed so that heroin is to be made legally available to registered addicts, then it would fall within his province to make those changes in the law. The Attorney General, Mr. Chairman, should be privy to all of these discussions. While in the final analysis it's his responsibility to supervise any changes in the law...certainly to enforce the law as it now exists.

**MR. CHAIRMAN:** Order, please. I would remind the Hon. Member to deal with administrative matters only and not proposed legislation, please.

**MR. McGEER:** I am, Mr. Chairman. Surely the surveillance of the crime problem in British Columbia — and drug abuse is the number one source of crime in this province — falls within the Attorney General's area of responsibility. Therefore, it isn't for him just a question of enforcing the law or participating in programmes that might involve drug-free villages. For him too the responsibility of education and research must surely be part of the

portfolio.

I recognize, Mr. Chairman, that this problem extends over many departments in the government. The Attorney General's is just one. But in our debate of the Attorney General's estimates on Friday, we had a report tabled by the Minister of Rehabilitation and Social Improvement (Hon. Mr. Levi) — for a time I thought we were on his vote. We had extensive comments ranging far beyond law enforcement by the Member for Oak Bay (Mr. Wallace). We've been invited to initiate a debate on this question and I've certainly so far laid down some of my views.

The principal one of these, Mr. Chairman, to the Attorney General, is that I would think the most tragic error possible in judgment in British Columbia would be for us to contemplate the dispensing of heroin in any form to anybody at any time.

**MR. CHAIRMAN:** I recognize the Hon. Member for South Peace River.

**MR. D.M. PHILLIPS (South Peace River):** Does the Attorney General want to answer the Member first? He had his back turned,

**MR. CHAIRMAN:** Order.

**HON. MR. BARRETT:** Go ahead.

**MR. PHILLIPS:** Mr. Chairman, first of all I want to agree wholeheartedly with what the First Member for Vancouver-Point Grey (Mr. McGeer) has said, even though he stole all my topics. I am also pleased to hear that maybe some of the Members in this chamber are going to take a firm stand on the way that the cancer, which is the drug problem of British Columbia, should be handled.

Maybe, if some of the Members in this Legislature come out and state what they think in the way this matter should be handled, maybe we'll get some backing from the general public.

I was interested in the comments of the Member for Skeena (Mr. Dent) when he said we should get out the scalpel. He didn't say what form that scalpel should take. He said we should "cut this cancer out of our society," but he talked in generalities. I'd like the Member maybe at a future date to explain what he meant; what form this scalpel should take.

We have the Member for Oak Bay (Mr. Wallace) and the Minister of Rehabilitation and Social Improvement (Hon. Mr. Levi) agreed on how the problem should be handled but they did not offer solutions getting at the root of the problem.

I would like to start out by saying that I do not think the RCMP should be used for road patrol in British Columbia. I think this has been going on far too long. I think it degrades the RCMP. I don't think we need to use those men who are trained in Regina to catch criminals. To catch innocent drivers who just happen to go a little past the speed limit which is posted on many of our roads.

**AN HON. MEMBER:** How many points have you got?

**MR. PHILLIPS:** I'm quite able to stand in this House to say that my driver's licence is quite free of all marks and has been for some 20 odd years now.

**AN HON. MEMBER:** Touch wood.

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**MR. PHILLIPS:** I'll touch wood on that. However, my dear wife who is a very peace loving soul ...

**AN HON. MEMBER:** They attacked his wife?

**MR. PHILLIPS:** That's right — they attacked my wife. (Laughter). They hide behind hedges and they come out like she was a common criminal with sirens blazing and track her down. The use of all the modern conveniences such as radar.

**HON. MR. MACDONALD:** They always catch their woman. (Laughter).

**MR. PHILLIPS:** They always get their woman. That's right. Well, my wife doesn't very seldom get mad but, I'm telling you, she gets pretty mad about that.

Interjection by an Hon. Member.

**MR. PHILLIPS:** A couple of times. The point I am bringing up here, Mr. Chairman, is that here we have these RCMP officers who are trained and supplied with cars and pistols and radar equipment so they can even drive down the road and tell how fast you are coming. I don't know whether they have wiring tapping services to know if you are in a hurry to get to the airport to meet your plane and send a guy out to catch you. I don't know this.

I know they do catch a lot of innocent victims. A lot of people lose their respect for this great police force when they are chased down like common ordinary criminals just because their car just happened to slip past that speed limit, just a little bit sometimes — sometimes only three or four miles an hour.

I'll tell you, when you see those old red lights going in the rear view mirror and that siren on, you wonder if you have a dead deer in the trunk...(Laughter)...or what law you have broken.

**AN HON. MEMBER:** Out of season.

**MR. PHILLIPS:** Yes, out of season. That's right.

What I'm saying, Mr. Chairman, is that while this goes on — chasing down these innocent victims — heroin and other drugs pour into British Columbia like they're going out of style. I'm serious about this. It just doesn't seem to add up somehow. I don't think it takes too much intelligence to realize that it just doesn't add up.

We recently had a war in Vietnam and we had people parading and we had people having demonstrations about how the innocent people of Vietnam are being killed. We had the Greenpeace that chased and fought against the explosion of an atomic bomb while right here in our own backyard, in British Columbia, we have atrocities going on that I would say make Vietnam look like a baseball game. Right in our own backyard while we sit and do nothing.

I don't see all of these great people who were concerned about people being injured making any demonstrations against the importing or the bringing into British Columbia of heroin or the other drugs. Where are they if they are so concerned?

I'll tell you I'm concerned and I'm concerned about the youth of British Columbia. I think it is a cancer in our society and I think, as many of the other Members have said, it's time society took a firm stand.

Then we hear from a couple of the Members in this chamber that we should provide heroin for the addicts. Well, I'm not a medical doctor but I consider myself a practical man. I think if we are going to provide heroin for the addicts then we should provide free drugs for everyone who needs them in British Columbia.

Interjection by an Hon. Member.

**MR. PHILLIPS:** Socialism — I didn't recommend it. I said if we are going to do it, what of the old age pensioner who has to go down and pay for her drugs every day? What is she going to do? What is she going to think of us providing free heroin for addicts? What is the person who has sugar diabetes going to think who has been buying his drugs for years? What is he going to think when the Member for Rehabilitation and Social Improvement recommends free drugs be supplied for these dope addicts?

**HON. MR. MACDONALD:** Well, I haven't suggested this.

**MR. PHILLIPS:** I hope you certainly do something about it and I hope, Mr. Attorney General, through you, Mr. Chairman, that you don't recommend it.

**AN HON. MEMBER:** He's part of the cabinet.

**MR. PHILLIPS:** Yes, you're part of the cabinet. That's right.

**MR. CHAIRMAN:** Order, please.

**MR. PHILLIPS:** I want to say, Mr. Chairman, that I think we have a drastic situation and it may take drastic measures. I would recommend that dope pushers have the death penalty.

**MR. CHAIRMAN:** Order, please. You may not propose legislation; you may only make changes in legislation. Deal with the administrative matters.

**MR. PHILLIPS:** This is an administrative matter, Mr. Chairman, and I'm not recommending legislation; I'm proposing to the Attorney General that he get on his way to Ottawa, if this is a federal matter. I recommend the death penalty — and these are strong words — I recommend the death penalty by the firing

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squad.

Interjection by an Hon. Member.

**MR. PHILLIPS:** All right. I'm talking about the people who are at the root of this problem: the pushers. I am talking about the pushers.

Interjection by an Hon. Member.

**MR. CHAIRMAN:** Order, please. Would the Hon. Member get to the point?

**MR. PHILLIPS:** All right, we've got lots of specialists and these specialists have had their say. I happen to have the floor now and I'm telling you what I think. This is all very well and good for all the specialists down in the city ridings, where this problem is prevalent, to be cautious. I can understand this. But the ordinary man in the street takes a different view. I think you will find the ordinary man on the street will give some support to this programme.

It is not only the lives of those who are the present pushers I'm concerned about, but it is the lives of the young children who haven't yet been introduced to drugs. Many good minds and many good bodies will be ruined — many thousands of them — by the use of drugs in this province while we stand idly by with our "ho-hum, namby-pamby" attitude that we can't harm these people who are pushing this product. Right under our nose the cancer grows.

When the communists took over Singapore after the war, they cleaned up the problem in two weeks. They shot the known pushers on the spot. I don't recommend we do that; I think they should be given a fair trial. (Laughter). But when they are proved to be pushers, then they should be done away with. Maybe this will serve as a lesson to those would-be pushers that are coming along. Maybe we can get at the root of this problem.

British Columbia, Mr. Chairman, has a special problem because it is a coast province. It has a very long coastline and is accessible to the Middle East and is accessible to anyone who has a fast boat. The same at the other end of the country is true of the Port of Montreal. It is much easier for these drugs to which I am referring to come in anywhere in British Columbia through its various ports or on the coastline anywhere.

When you realize the amount of money that is being made by the people who head up this drug traffic in the world then the means that they have at their disposal far surpasses any the RCMP have to deal with them. There again, I must agree wholeheartedly with the Member for Vancouver–Point Grey (Mr. McGeer) when he says the

RCMP and a police enforcement agency should be allowed to use any means at their disposal to deal with this problem.

Everyone in this province is susceptible to being touched by the drug problem. I say get at the root of the problem; it can be done. Why isn't wire-tapping used at the present time to seek out the heads of these organizations?

Yesterday morning I listened with interest, Mr. Chairman, to a United Church minister in the City of Victoria who said that we live, basically, in a fearless society today. He was referring back in biblical times to when there was fear of starvation; there was fear of being prosecuted; there was fear of assembly; and there was direct fear of the government. He went on to say that none of these fears are prevalent today, I say, Mr. Chairman, that there is a lot of fear in British Columbia today. Every parent who has a child, some time during the course of a 12-month period, has a great fear that that child will become addicted to drugs. Parents of children who live out in the rural areas are almost afraid to send their children to lower mainland institutes of learning because they know of the prevalence of drugs in the city. They know that drugs are going to be pushed on their children, So there is fear in British Columbia today.

There is fear among those who are on drugs at the present time — fear of having to go out and steal or commit some other hideous crime to get sufficient money to maintain their habit. Mr. Chairman, there is fear among the pushers who can't get out from underneath the criminal element that they are involved in. Deaths, murders — you read about it in the paper. The headline usually says "drug traffic feared involved."

I say there is fear in British Columbia today, Mr. Chairman, and I say there will be a lot more fear in British Columbia unless we come to grips with this, one of the greatest problems that faces our society. Mr. Chairman, it's a drastic situation and it requires drastic action. I think we frustrate our police force by not giving them anywhere near sufficient manpower, tools or support to do the job that has to be done. It's like sending out four firemen to put out a five-acre bush fire. They get it out in one place and it springs up somewhere else.

If we, who were elected to govern this Province of British Columbia, do not do something about this problem, we will not in any way be fulfilling our obligation to the people who sent us here. Mr. Attorney General, yes, I'm going to ask you to stand in this Legislature and say that something concrete, in positive terms, is going to be done to get at the root of this cancer, of this octopus that has its tentacles out to every facet of our society.

**MR. CHAIRMAN:** I recognize the Hon. Attorney General.

**HON. MR. MACDONALD:** Mr. Chairman, briefly, my friend had a little bit of fun about the traffic situation. You've got to bear in mind that the fatalities on B.C. highways last year, 71-72, were 656 people. So the little speeding offence can become a little death. So let's not make too light about — no, I'm not suggesting you were. But it's an important

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area of law preservation. Now, if we can withdraw at the same time trained RCMP people from traffic enforcement, good. That's a good suggestion.

The other thing I can say to you is that if you look at the estimates, we're increasing the RCMP personnel in British Columbia by 58. We've met their full request because we realize the seriousness of some of the other things you've been talking about. That's in the estimates.

**MR. CHAIRMAN:** I recognize the Hon. Member for North Vancouver-Capilano.

**MR. D.M. BROUSSON (North Vancouver Capilano):** Thank you, Mr. Chairman. As I said Friday, I want to repeat that we're certainly gratified that the Attorney General indicated on Friday, and perhaps a little bit further this afternoon, some of the moves he proposes to make in the area of consumer affairs. I was a little disappointed that on Friday he indicated that he felt that I had dodged some issues as far as the mortgage brokers are concerned.

I don't really think that's true, Mr. Chairman. If anyone has dodged some issues in this area, I think perhaps the Attorney General has. I've certainly spelled out very clearly some suggestions for the amendments to the *Mortgage Brokers Act*. I've suggested the names of some people who, from the evidence I gave the House, were breaking the terms and regulations under the *Mortgage Brokers Act* because they were advertising as private citizens even though they were mortgage brokers, and a variety of things of that sort.

I indicated some people whose ethics I felt were in very serious question and who were getting renewals from the Registrar of Mortgage Brokers over the last month or two. I felt sure that if the Attorney General was receiving those as new applications, he would not care to accept them without a good deal of investigation and discussion. Yet their applications are being and have been accepted for renewals. I spelled that out very clearly in the House in the last couple of weeks, including the names of those concerned, so I don't think I've dodged any issues there at all. The Attorney General went a little further this afternoon and he talked about the storefront-type of legal aid or legal advisory service that he is considering across the province. He indicated that there would be some use of those services for consumer or, perhaps, financial advisory services. He also indicated his intention to provide financial support to the Legal Assistance Society. But he didn't mention — and I want to repeat the name and perhaps he would refer to them and indicate whether he is prepared to provide any assistance to the Consumer Action League, which I think is providing a very valuable service. I'm wondering if he would like to use their facilities and expand their facilities, much as he apparently plans to use the Legal Assistance Society.

Mr. Chairman, the Attorney General also made no comment with reference to the question I raised on Friday regarding his responsibilities under the *Fire Marshal's Act*. I explained the suggestion without going into it at great length. But I explained the suggestion I've made for several years, that the problems of propane and oil-burning appliances would be preferably operated under the administration of the safety services division of the Department of Public Works. I was hoping the Attorney General would comment on that.

Finally, Mr. Chairman, I have just received this letter in the afternoon mail today from a member of my own constituency. It's a copy of a letter which has been sent to the Attorney General. In view of the subject that is raised, I'd like to read some parts of the letter to the Legislature and perhaps ask the Attorney General for his comments on it.

It refers to a tragedy off Christie Island in Howe Sound on December 9, 1972, when a Miss Shelley Cook drowned during a scuba diving tragedy. There was an inquest in Vancouver on February 26 and 27 last, just a week or ten days ago. The lady who has written to the Attorney General — and I raise this because of her extreme interest in this particular matter — is a Mrs. Mary Hunter of North Vancouver. She is the mother of a young lady who was involved in the accident and fortunately did not herself drown. She could very well, perhaps, have drowned in that accident. Her mother writes to the Attorney General:

"Dear Sir: Re Jury recommendations as the result of the inquest held in Vancouver on February 26 and 27 last into..."

**AN HON. MEMBER:** When is the letter dated?

**MR. BROUSSON:** February 28, 1973.

"into the death of Miss Shelley Cook, who drowned off Christie Island in Howe Sound December 9, 1972.

"The jury recommends that 'legislation be sought by the province to govern rules, regulations, certifications and safety requirements for the instruction and use of scuba diving equipment.' Mr. John Quail, chairman of the scuba diving section of the B.C. Safety Council, testified he had had correspondence with you" — meaning the Attorney General — "in regard to legislation governing scuba diving.

"I urge you to get some legislation in force as quickly as possible, please. With summer approaching, more people will be diving and they must be protected from themselves and possibly negligent or incompetent instructors before more accidents occur.

"It would be to your advantage to read the statements and testimony of the instructors and students, not only of this inquest but at the first inquest of this drowning, which was held at Squamish on February 1 and 2, 1973, and which was adjourned



at your request. I believe you will find discrepancies and lack of feeling for the students.

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"Imagine an instructor saying that it is the responsibility of the student to check his own equipment and to put it on correctly. This equipment has been rented from the instructor's diving school. Imagine an instructor not knowing where half of his class is for 15 minutes. Imagine a student, surfacing, finding both instructors on the surface, leaving the novice class in 30 feet of water, unattended.

"Imagine the instructors, on the way to pick up another student, leaving that student in the water, alone and exhausted, without sending someone into the water to be with her, passing her with only the words, 'We'll be back.'

"Imagine the instructors not seeing that the exhausted student, whom they later picked up and gave artificial respiration to, was taken home by one of them instead of sending her with two students, who informed a very worried parent due to the lateness of the hour that, 'She's had a very unfortunate experience and needs rest.'

"Imagine an owner-instructor saying that the ability to swim was not necessary for scuba diving. What happens if after surfacing the student's gear failed — gear which has not been checked by an instructor as it's the student's responsibility — and that student surfaces a distance from the boat?

"My daughter, Lorraine Hunter, could also have died that day as the result of exhaustion from trying to aid Miss Cook. There could have been three deaths that day instead of one.

"Negligence? Incompetence? Lack of regulations? Having considerably released some of my feelings on this matter I again urge you to please enact some legislation concerning scuba diving now. Safety is an important matter. A copy of this letter is being sent to Mr. Brousson, a Member of the Legislature for Capilano.

"Thank you for listening to me. A very concerned parent."

As I said, that just arrived on my desk this afternoon, Mr. Chairman. I am sure the Attorney General hasn't had time to read it yet. But I think the matter has been around for quite a while, and I'd be very interested in hearing his comments on the possibilities of legislation in this field.

**MR. CHAIRMAN:** I recognize the Hon. Attorney General.

**HON. MR. MACDONALD:** Mr. Chairman, I have not had a chance to review the inquest, which should be done. I certainly will do that.

**MR. CHAIRMAN:** I recognize the Hon. Member for Langley.

**MR. McCLELLAND:** Thank you, Mr. Chairman. I wasn't going to ask any further questions of the Attorney General, but I did receive a letter this afternoon that called to mind another item that's been of concern in my area for some time. That has to do with the lack of provision for the custody of juveniles who are charged with crime, and specifically a remand home in the area.

The Langley Family and Children's Court Committee has been concerned about this for a number of years, as have the two councils in the Langley area. None of the things that we have tried to do in order to provide a remand home in that area have seemed to work. We used to have no problem at one time because private individuals came forward and offered their homes and it worked very well. Rather than either sending a child all the way in to that huge regional centre in Vancouver or perhaps even sending him to Brannen Lake in between trials, we had a place then for them to go and for them to be held in a homey atmosphere rather than an institutional atmosphere, which was of course what we wanted.

In the past two, or three years I would say the restrictions placed upon the choosing of these remand homes have been almost unbelievable. Many good offers of homes have been turned down for one reason or another. I recall, Mr. Chairman, in one instance where an RCMP officer offered his home as a remand home, primarily because of his interest in children. He didn't want to see them trucked into Vancouver overnight or for three days or for four

days. However, the probation branch felt that there was something terrible about a youngster being held in an RCMP home for that day or two or whatever it was. My own opinion, Mr. Chairman, through to the Attorney General, would be that I couldn't see any better method of a youth and a policeman having some kind of a relationship outside of a jail cell or outside of a police car. Why not give them that opportunity perhaps to get to know one another as human beings rather than as an officer and a juvenile delinquent?

This brings up perhaps a wider question with regard to society's relationship with the police. It seems to me that it's time, Mr. Chairman, to the Attorney General, that we started to get the RCMP onto the streets again and out of their cruise cars. We've got to get that personal relationship going again or we're never going to be out of the problems that we're in now.

You indicated earlier that you have approved 58 new policemen in the estimates. But the problem is that we won't get those 58 new policemen in the upcoming year for which that budget has been approved, because they don't have those policemen and they're not attracting policemen to the force. It may be, Mr. Chairman, years before that quota is filled.

We've approved policemen time after time after time in our local areas — and told that we could have them and we're prepared to pay for them — but in the long run we don't get them because they just aren't there. Well that's a fact, Mr. Chairman, through to the Attorney General.

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The policemen are not being enrolled fast enough to fill these quotas. The quotas are filled from Ottawa, not from British Columbia. Ottawa decides where the policemen will go and when they'll come. We've had instances on many occasions, Mr. Chairman, of waiting three years for those policemen that we've been perfectly willing to pay for and that we've been perfectly willing to put to work.

One other item, Mr. Chairman, has to do with traffic. I was going to hold this off, but since the Attorney General brought up some problems of traffic I would like to ask him if he would consider doing some kind of study or survey through his department with regard to motor vehicle, accidents before and after the legal drinking age in British Columbia was lowered; and whether there is any significant difference in the number of younger drivers involved in accidents which have to do with drinking.

The reason I bring this up, Mr. Chairman, is because of an article in the *Christian Science Monitor* recently whereby the Chairman of the National Safety Council in the United States, Mr. Pyle, has adamantly come out against any change in drinking age. He cites in one instance only the State of Michigan, where liquor for 18-year-olds was legalized in 1972 — last year. Since that time the number of fatal alcohol-related accidents by drivers under 21 increased by 120 per cent in the first nine months as compared with the corresponding period in 1971.

If we could have such a study, Mr. Chairman, and we find that that situation prevails in British Columbia too, perhaps it's time we changed the emphasis of our advertising programmes, for instance, to get at those young people who may not be getting into more accidents.

Vote 16 approved.

Vote 17: general administration, \$869,498 — approved.

Vote 18: incidentals and contingencies, \$6,500 — approved.

Vote 19: supreme and county courts, \$1,039,640 — approved.

Vote 20: coroners' inquests and inquiries, \$175,000 — approved.

Vote 21: administration of justice, \$3,956,000 -approved.

Vote 22: judicial conferences, \$21,000 — approved.

Vote 23: *Provincial Court Act*, \$2,078,700 — approved.

Vote 24: sheriff's office, \$1,150,080 — approved.

Vote 25: official reporters, \$789,790 — approved.

On vote 26: Land Registry Offices, \$2,185,870.

**MR. CHAIRMAN:** I recognize the Hon. Member for West Vancouver- Howe Sound.

**MR. WILLIAMS:** Mr. Chairman, I wonder if the Attorney General would indicate along the lines of the question posed by the Member for Oak Bay (Mr., Wallace) whether or not we are to have any change in land registration in districts within the province in the establishment of new land registry offices.

I have another question as well. Can the Attorney General also indicate whether the staffs in these offices are to be increased significantly? In the Vancouver office it is a matter of great concern that the number of men of senior capability is becoming very, very low. The burdens of the work there are failing rather heavily upon some of them. If we aren't to have increased staff and some sharing of the work load, I am afraid that the operation of that land registry office may fall into some difficulty, the consequences of which may not be known for some considerable time. When you consider that you're dealing with an indefeasible title system, any errors that occur in any of these offices can have very serious consequences.

**HON. MR. MACDONALD:** I would say to the Hon. Member that we don't plan new land registry offices, although of course the requests are there for places like Nanaimo and other places throughout the province. We are concentrating now on trying to rationalize and simplify and speed up the process within the existing land registry systems. The remarks about staffing that have been brought to my attention are well made and are receiving consideration.

**MR. CHAIRMAN:** Shall Vote 26 pass?

Vote 26 approved.

Vote 27: Companies Office, \$303,736 — approved.

On vote 28: Motor Vehicles Branch, \$4,331,302.

**MR. CHAIRMAN:** I recognize the Hon. Member for Cariboo.

**MR. A.V. FRASER (Cariboo):** Mr. Chairman, on vote 28 to the Attorney General: a couple of years ago, I believe it was, they changed the classifications for chauffeur's licenses and so on. I'm referring now to the requirement that a person, to get a Class II believe it is — in the case of my riding a large logging truck and trailer — they must come down and take

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the exam and bring a unit with them.

This is a problem up in my riding of Cariboo. There are a lot of jobs for logging truck drivers. The companies that own the units will not give the prospective driver a truck and trailer to take down to actually take the road test.

I was wondering if the Attorney General would consider looking into this, maybe buying trucks or something. I don't know what the answer is, but these people can't qualify. The reason the owners of the units won't let the prospective employee drive them is that it nullifies the insurance on that vehicle, because that man is not properly licensed until he's had the road test. I'd like to hear a comment from the Attorney General about it.

**HON. MR. MACDONALD:** I'd say to the Hon. Member that we plan to certify company supervisors as

qualified to award the licence, without the person having to report down to the lower mainland. So if you'd draw to my attention a company with trucks and a good person in that company to both administer that test as I say, and to be responsible for the awarding of the licence, we'll try and see that that person is certified.

**MR. FRASER:** Thank you, Mr. Chairman, to the Attorney General, but there seems some reluctance on behalf of the companies in the interior to go into this programme. I think you'll find that out from the Superintendent of Motor Vehicles.

**MR. CHAIRMAN:** I recognize the Hon. Member for Langley.

**MR. R.H. McCLELLAND (Langley):** Mr. Chairman, I thought that the Attorney General might have commented on some of the questions I raised. I wonder if I'd raise them up in the individual votes. I would like to get an answer about the problem of the drinking younger drivers, and whether we are going to do a survey — you know, what will happen there — or whether we have already.

**HON. MR. MACDONALD:** Well, we were noting your questions, Mr. Member, and if it's practical to find out that information, it will certainly be done through the Motor Vehicle Branch. I don't know whether it's practical, whether we can break down an accident in terms of those narrow ages or not, but we'll try.

**MR. CHAIRMAN:** Shall vote 28 pass?

Vote 28 approved.

Vote 29: Public Trustee's Office, \$525,316 — approved.

On vote 30: Insurance and Real Estate Office, \$207,878.

**MR. CHAIRMAN:** I recognize the Hon. Member for North Peace River.

**MR. D.E. SMITH (North Peace River):** Yes, Mr. Chairman. This vote deals with the insurance and real estate offices and the superintendent of insurance and real estate. The Hon. Attorney General has indicated to us a number of times that he has plans for certain changes with regard to the licensing of real estate agents in the Province of British Columbia, and perhaps introducing some new programme.

I wonder if the Attorney General at this time would like to enlarge upon his programme in the real estate field — what he intends there; what he intends in the way of licensing or restrictions or further regulations, and if there's anything specific that he would care to give us in the way information concerning the operation of the real estate business in the Province of British Columbia at this time.

**HON. MR. MACDONALD:** I'm sorry, Mr. Member, I don't want to comment further. I gave quite a little bit on this in the budget speech, sort of serving partly in the role of an opposition Member in this House. Now having listened to those remarks, I intend to investigate the situation during the spring, as soon as this session is over.

**MR. CHAIRMAN:** Shall vote 30 pass?

Vote 30 approved.

Vote 31: British Columbia Auto Insurance Board, \$25,460 — approved.

Vote 32: Securities Commission Office, \$368,452 — approved.

Vote 33: Credit Unions Office, \$105,380 — approved.

Vote 34: Fire Marshal's office, \$329,826 — approved.

Vote 35: Film Classification Office, \$58,246 — approved.

Vote 36: Racing Commission, \$121,713 — approved.

On vote 37: Policing by Royal Canadian Mounted Police, \$12,625,000.

**MR. CHAIRMAN:** I recognize the Hon. Member for Cariboo,

**MR. FRASER:** This is the vote, \$12,625,000, for RCMP for the province. My concern here, Mr.

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Chairman, is the cost of the RCMP to municipalities. This has escalated quite considerably in the last two or three years and I know it has to the province as well. Really my question is: are you entertaining any new formula of sharing the costs of an RCMP officer with the municipalities?

At the present time I think the cost has got to about \$16,000 a man a year. We have a lot of municipalities in this province at the moment just moving into city status, and they have to assume the obligation of justice. This is the main thing that's holding them back, the cost of policing. They haven't got an alternate source of revenue to offset this high cost and I think it's out of control, actually. I don't know whether you, Mr. Attorney General, through you, Mr. Chairman, have had time to look at this, but maybe we should even be looking at a new B.C. police force that would be more efficient and more economic than the contract with the federal government RCMP. I'd like to hear your views on this.

**HON. MR. MACDONALD:** I'd say to the Hon. Member for Cariboo that the cost per man has risen, including his equipment today, in modern policing. It's around \$21,000 per man. We're paying in British Columbia for RCMP-policed areas 48 per cent of it now, and I think that climbs one percentage point per year — up to 50 per cent.

The question of the municipalities that have their own police not sharing in the federal contribution to policing costs is one really, I suppose, that should be addressed to the Minister of Municipal Affairs (Hon. Mr. Lorimer).

I realize there's an anomaly there, in the City of Vancouver, with its own police force. Of course they pay the full per-man cost. In Burnaby they don't. The federal are paying...we're paying 48 per cent of it. That's partly a matter for the Minister of Finance and for the Minister of Municipal Affairs as to whether or not that anomaly can be corrected.

**MR. FRASER:** Mr. Chairman, if you can get on speaking terms with those two Ministers, maybe you could inquire for me and advise me.

**MR. CHAIRMAN:** I recognize the Hon. Member for Saanich and the Islands.

**MR. H.A. CURTIS (Saanich and the Islands):** Mr. Chairman, I really feel that I have to pursue this just slightly. I spoke about this on Friday, and I wonder if the Attorney General could not reconsider and just give us a few comments because there's a very real anomaly here. With respect, I feel that it's not just within the jurisdiction of the Minister of Municipal Affairs and the Minister of Finance.

**HON. MR. MACDONALD:** Well I guess my difficulty is that I have in my jurisdiction the RCMP policing contract with Ottawa. That's all I negotiate.

The question whether or not the province should step into the municipal field and subsidize the municipal police force, I suppose, would be a question for consideration by the Minister of Finance. However, I remember what the Hon. Member said, and there is an anomaly there.

**MR. CHAIRMAN:** I recognize the Hon. Member for Langley.

**MR. McCLELLAND:** I'd just like to ask, Mr. Chairman, if the Attorney General could comment on the

problem of filling quotas, and if there's any hope in the future of that problem not existing any longer. Because we do have in the municipalities, a serious problem of getting the policemen.

**HON. MR. MACDONALD:** You're talking about RCMP?

**MR. McCLELLAND:** RCMP, yes.

**HON. MR. MACDONALD:** The request for the 58 new officers which we have agreed to in the estimates already has been before the RCMP for some time. They've promoted it and I really don't believe that we will have trouble finding those qualified bodies in the course of this fiscal year. If you have a case that you can bring to my attention...

**MR. CHAIRMAN:** I recognize the Hon. Member for South Peace River.

**AN HON. MEMBER:** Maybe we should take them off traffic, is that what you were going to say?

**MR. PHILLIPS:** Well I was just going to suggest that. As a matter of fact, Mr. Chairman, I'd like to ask the Attorney General, of these 58 new officers in the RCMP, how many are going into the drug squad and how many are going into traffic patrol?

Is the Attorney General in favour of a different means of controlling traffic. I realize there were a lot of deaths on the highway last year, but I don't think we have to have these men who are trained in chasing down criminals, as I said before...

**HON. MR. MACDONALD:** Yes, I didn't give the Hon. Member a proper answer last time, or a full answer on that. I quite agree that a less trained person should be available in the RCMP for their traffic patrol duties. I would like to see, for example, trained women officers in the RCMP, particularly in the realm of traffic control.

I hope that that's something that I can discuss with Ottawa because I do think that — we've had into the RCMP recently quite a few Indian trained officers. That's a good thing. But the force is predominantly male, and I think there's room for women to have both job opportunities and a satisfactory life of service to the community through

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enrolment in the RCMP and many of their activities.

**MR. CHAIRMAN:** Shall vote 37 pass?

Vote 37 approved.

On vote 38: police services, sundry and incidental police expenses, \$300,000.

**MR. CHAIRMAN:** I recognize the Hon. Member for Oak Bay.

**MR. WALLACE:** Mr. Chairman, I'm just rather interested to see such a large sum of money under the heading of "sundry." Can you give us a little detail on what the sundry expenses are that amount to \$300,000?

**HON. MR. MACDONALD:** The "sundry" covers the costs of persons in police custody...

**MR. SMITH:** Everything else that was spent during the week. (Laughter).

**HON. MR. MACDONALD:** ...other than in provincial jails, for example: medical examinations for somebody who is in custody; meals; detention in municipal lockups; guards; and unforeseen contingency sundries. (Laughter).

**MR. CHAIRMAN:** I recognize the Hon. Member for Saanich and the Islands.

**MR. H.A. CURTIS (Saanich and the Islands):** Mr. Chairman, again I wonder if the Attorney General could consider commenting on assistance to municipal police forces with respect to training. This could be a sundry item, with \$300,000 available.

**HON. MR. MACDONALD:** Yes, we've had a group looking at the whole question of the non-RCMP policed areas in terms of whether or not changes should take place, both in the composition and the duties and the hours of work of police commissions, and their financial ability to train the officers under their jurisdiction.

Speaking for myself, but I'm not the Minister of Finance, I think it's a very important way in which we can improve law protection. As has been pointed out, the RCMP have got a good training programme and a place to send people back for retraining. We just have in the Province of B.C. the Vancouver Police Academy. It's very expensive for small municipalities or their local forces to send their officers there. It's being done on a very limited scale. We'd like to see that improved.

**MR. CHAIRMAN:** I recognize the Hon. Member for North Peace River.

**MR. SMITH:** Thank you, Mr. Chairman. I know that in some municipalities in the province, the RCMP have set up what they call an auxiliary police force, which works in cooperation with and under the direction of the RCMP. These are people who may have specific skills or training. They may have had some law enforcement training at one time or another or they may be people trained in first aid and so on. But they do work under the direction of the RCMP in certain municipal areas.

Are they paid personnel or voluntary personnel and, if so, are they covered under this incidental police expense vote? Just what is the position with regard to the auxiliary policemen within the province? Are they covered by any of the fringe benefits that an ordinary RCMP officer would be covered by while performing his duties within the province?

**HON. MR. MACDONALD:** They're not paid in this budget. Now, I can't tell you whether the RCMP make some allowance to those people or not. They're not in these estimates.

**MR. SMITH:** I wonder if the Attorney General then would be prepared to get me some information on that, particularly if they're not paid...

**MR. CHAIRMAN:** Order, please. If you seek information...

**HON. MR. MACDONALD:** Either write me or put it on the order paper and you'll have an answer.

**MR. CHAIRMAN:** Shall vote 38 pass?

Vote 38 approved.

Vote 39: correction services, \$16,776,426 — approved.

On vote 40: British Columbia Parole Board, \$32,152.

**MR. CHAIRMAN:** I recognize the Hon. Member for Oak Bay.

**MR. WALLACE:** Mr. Chairman, it's been said that parole and rehabilitation and so on is to be the emphasis of a forward direction. This seems a very small increase in the amount of money required. Is this purely administrative in terms of providing the machinery for the parole board to work or is there any scope for expansion of services in the direction of parole for more prisoners?

**HON. MR. MACDONALD:** Mr. Chairman, this is the parole board only, consisting of three people. They're paid a very modest amount for the service they render the province. They deal with the question of provincial

sentences, and particularly definite-indefinite terms. It has nothing to do with the

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probation staff, as such. It's the three people who do this parole service. I'm sorry, it's five, including Mrs. T.G. Norris.

**MR-CHAIRMAN:** I recognize the Hon. Premier.

**HON. MR. BARRETT:** Mr. Chairman, I'd just like to express a public word of appreciation to those parole board people, who serve with a minimum of expenses being paid. They have done a terrific job on behalf of all of us in this province. The names are, I think, Mr. Watts is one, Mrs. T.G. Norris — I'm sorry, I don't recall the names of the other three but I've worked with some of them over the years. Dr. Kirkpatrick is still on, and who else is on now?

In any event, I want to publicly express on behalf of, I assume, all of us our appreciation for the very great work that that parole board has done in this province — without the kind of static that the federal parole board has caused. It's a reflection on their wise decisions and the manner in which they've conducted themselves that there has been no negative criticism. In the corrections field, the tendency is that all the bad news is given the attention. Our parole board has done such a good job that they're almost an anonymous body. I just want to take the opportunity of expressing our appreciation to them.

**MR. CHAIRMAN:** Shall vote 40 pass?

Vote 40 approved.

On vote 119: Minister's office, Department of Industrial Development, Trade and Commerce, \$19,406.

**MR. CHAIRMAN:** I recognize the Hon. Member for North Peace River.

**MR. SMITH:** Mr. Chairman, on a point of order.

**MR. CHAIRMAN:** Would you state your point of order?

**MR. SMITH:** I was under the impression that we were going to go from the Attorney General's estimates into education and follow alphabetically. Is it your intention to take industrial development following the completion of the Attorney General's estimate?

**HON. MR. BARRETT:** I meant to follow with the Attorney General and clean up the rest, if that meets with the approval of the House.

**MR. SMITH:** Mr. Chairman, to the Premier, our critic for this particular department is absent from the House today. Would you withdraw the vote?

Fine, thank you.

**HON. MR. BARRETT:** Mr. Chairman, I move the committee rise, report progress and ask leave to sit again.

Motion approved.

The House resumed; Mr. Speaker in the chair.

**MR. CHAIRMAN:** Mr. Speaker, the committee reports progress and asks leave to sit again.

Leave granted.

**HON. MR. BARRETT:** Mr. Speaker, I move we now proceed to public bills and orders. Second reading of



## AUTOMOBILE INSURANCE ACT

**MR. SPEAKER:** The Hon. Minister of Highways.

**HON. R.M. STRACHAN (Minister of Highways):** Thank you, Mr. Speaker. In moving second reading of this bill, Bill No. 35, the *Automobile Insurance Act*, I do so with some feeling and some understanding of the psychological, social and economic impact the passage of this bill will have in British Columbia.

This is not the first bill on automobile insurance that has been introduced into this House by the New Democratic Party. Last year I recollect, when we were sitting on the other side of the House, we did introduce a bill on automobile insurance. I think it had about three sections to it. But it stated a very clear principle: that we as a party were in favour of a government-operated automobile insurance scheme. That particular bill had pretty short shrift last year, but I'm optimistic that this bill will get a little better reception from the House than the one that we introduced last year. I'm optimistic about it, Mr. Speaker.

**MR. J.R. CHABOT (Columbia River):** Blank cheque legislation.

**HON. MR. STRACHAN:** "Blank-cheque legislation," the man says. It's obvious that the Member who made the comment hasn't read the book of explanatory notes which I made available to every Member of the House, the afternoon on which I introduced this bill to this Legislative Assembly.

We have been advocating legislation like this for many years. When I was given the task of preparing the draft of this legislation for presentation to the House, I looked at the insurance legislation in this jurisdiction and elsewhere. I then met with representatives of every concerned group. I assessed and

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weighed the information that I accumulated. I decided what system would be the most efficient and would provide the best service. Then we transferred those decisions into the legislation that we're now discussing.

This Bill 35 is the outcome of a major political debate among the voters and the parties of this province for some years. On August 30 last, the voters said "yes" to a government automobile insurance plan.

You know, Mr. Speaker, we're not the only party and not the only politicians who were anxious to see a government-operated automobile insurance scheme in the Province of British Columbia over the years. In 1963, the Social Credit organization in the South Okanagan constituency sent a resolution to their annual convention asking for a government-operated automobile insurance scheme.

In 1965, the Chilliwack Social Credit constituency association sent a resolution asking the provincial government to get into the automobile insurance business. Incidentally, Mr. Premier, in that same Social Credit convention, the Shawnigan Lake Social Credit group sent a resolution to the convention asking for the B.C. Telephone to be taken over.

**SOME HON. MEMBERS:** Oh, oh!

**HON. MR. STRACHAN:** In 1970, according to the *Victoria Colonist* of November 15, the report from that Social Credit convention says:

"Almost as an afterthought the B.C. Socred convention Saturday approved a resolution urging establishment of a Crown corporation to provide life insurance."

In a news report of April 13, 1970, the Member for Cariboo (Mr. Fraser) made a speech. As reported in the *Victoria Colonist* of April 13, 1970 — I wish the Member were in his seat — this is what he said:

"The Government of British Columbia will take over the provincial automobile insurance industry by 1971, Alex Fraser, MLA for Cariboo, predicted Thursday night. The Social Credit Member told a Chamber of Commerce meeting the Government was 'on the verge of doing so at the last, recently completed legislative session.' "

Interjections by some Hon. Members.

**HON. MR. STRACHAN:** "On the verge."

Interjections by some Hon. Members.

**HON. MR. STRACHAN:** Oh, I'll read that into the record again, Mr. Member for Cariboo:

According to the news report of April 13, 1970, you, the Member for Cariboo said:

'The Government of British Columbia will take over the provincial automobile insurance industry by 1971,' The Social Credit Member told a Chamber of Commerce meeting the Government was 'on the verge of doing so at the last, recently completed legislative session.'"

Then we come to 1971. Again the Social Credit convention.

"Rank and file B.C. Social Crediters came close Friday to demanding a government-run car insurance scheme but backed off after Attorney General Les Peterson appealed to them for more time to study the issue.

"Several resolutions presented to the annual convention of the B.C. Social Credit League provided evidence of grass roots disenchantment with the two year old, no-fault car insurance scheme in effect through insurance firms."

Now remember, this is your own convention from your own delegates.

"The resolution complained of injustices and especially of high rates under the existing compulsory car insurance plan."

"Injustice and high rates," from your own delegates.

Interjections by some Hon. Members.

**HON. MR. STRACHAN:** Well, maybe so. But, Mr. Speaker, when adopted, this legislation will establish a universal compulsory plan providing basic automobile insurance under which every person must obtain a driver's certificate of insurance or an owner's certificate of insurance, or both, before that person can obtain a driver's licence or a vehicle licence from the Motor Vehicle Branch.

The certificate of insurance will be available only from the Insurance Corporation of British Columbia as the sole administrator of the plan. Any resident who has obtained the mandatory basic insurance certificate and wants more coverage, whether higher benefit limits or lower deductibles, voluntarily may obtain extension insurance from the ICBC and no other company as an addition to the basic certificate.

The frustrations of the British Columbia motorist have been long and severe, so much so that in 1967 the then provincial government established a royal commission which led to the most lengthy and exhaustive study of automobile insurance and related questions that has ever been undertaken in this country.

Although the commissioners recommended revolutionary changes in the method of compensating victims of automobile accidents and in premium writing, its most significant recommendations were not enacted into law. Instead, motor vehicle liability insurance was made compulsory.

This meant that the motorists were compelled to obtain insurance from institutions that were entirely

out of the control of the public aside from the regulatory commission.

It is the philosophy of this Government that when the province creates a compulsory market, it must itself be prepared to supply that market. The bill now before the House proposes to do that.

I question the ethics of a procedure that in the past has made automobile insurance compulsory but leaves the buyer at the mercy of a profit-oriented market.

To understand the concept of a government automobile insurance plan, one must appreciate that such a plan is in fact a social instrument and not simply the transfer of ownership of an existing system. A social instrument.

New concepts respecting rating, the nature of the insurer's obligation, settlement of losses and service to the public, will appear. They must appear.

One can be trapped into erroneous conclusions by assuming the validity of pre-existing concepts and pre-existing procedures for the servicing of automobile insurance in the Province of British Columbia. To maximize the effectiveness of the system, insurance certificates and licences will be interdependent. **No insurance, no licence.** No licence, no insurance.

That was supposed to be the method under the law that now is on the statute books, but because it was so sloppily drawn, so inadequate, that has not been the case. The result is that **far too many people are driving around this province without insurance, but with valid licensing.**

**MR. A.V. FRASER (Cariboo):** They're breaking the law.

**HON. MR. STRACHAN:** That's right. They have been for years.

Interjection by an Hon. Member.

**HON. MR. STRACHAN:** Do you want us to have a police state to track them all down? That's what you want all those extra constables for.

Both the drivers and owners of vehicles will be required to contribute to the cost of the programme. The owner will pay a basic premium, having regard to broad risk considerations related to the risk of a particular class of vehicle. Each driver will pay a base premium for the class to which he belongs and the penalty points on his record is material in establishing the class.

While it is anticipated the usual form of motor vehicle liability insurance will be one aspect of the coverage contained in the plan, accident benefits to be paid to all persons covering bodily injury or death, irrespective of fault, is an integral part of the programme. The Act forecasts a more efficient means of settlement of property damage losses than those currently practised by the insurance industry. Those coverages will be included in the compulsory universal automobile insurance extension insurance providing limits in excess of the compulsory limits, optional deductibles, and otherwise supplement the compulsory coverage.

It is presently mandatory for any policy of motor vehicle liability insurance to include accident benefits payable on a no-fault basis as provided in the second schedule of the present Insurance Act.

The Motor Vehicle Act in effect requires that a policy of motor vehicle liability insurance will insure to at least the limits of \$50,000. While the particulars of the compulsory features of the plan to be established under this Act have yet to be developed and approved by regulations, **I can promise that the compulsory plan will include limits and coverages at least matching those presently required and probably much more. Particular attention will be given to accident benefits and the quick and efficient payment of these benefits.**

**All of the coverages will of course be subject to terms and conditions. The innocent victim will be protected if the insured motorist violates some condition of coverage. A third party injured by negligence will have a right to recover his damages from the insurance corporation and the Act contains provisions permitting the corporate to settle as well as to honour judgments on such third party claims.**

The innocent victim of the uninsured motorist, of the hit and run motorist, or the unknown driver of a stolen car will be protected under the plan. I realize in a long term process, very often, my friend, in all these cases the corporation will seek to recover from the offending motorist, for the benefit of the plan, the moneys paid out by it.

The public may well be anxious at this time to have details of specific rates. To do so at this time would be pure speculation for a number of reasons. The rating structure presently followed by the insurance industry in British Columbia is undergoing thorough review by my staff to ascertain the areas in which the structure has been maintained only as a competitive and profit making technique. This review is being accompanied by the study of more equitable techniques for the distribution of the cost of insurance to both drivers and owners.

The study is being conducted to improve coverages in those areas where it is deemed coverage is insufficient and the cost of such coverage out of reach. All pertinent statistics relating to the 1972 automobile accidents and losses in British Columbia will not be available for another three or four weeks. These statistics are necessary to establish actuarially acceptable projects into 1974 and 1975.

There is not an insurance company in British Columbia that has ever told you one year ahead of their coverage year what your rates were going to be.

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Not a single insurance company in the whole history of this province has ever told you one year ahead of time what your rates were going to be. They are all based on the latest possible actuarial experience. If you don't know that, my friend, then you don't know what you are talking about.

Interjections by some Hon. Members.

**MR. CHABOT:** Go on and tell the people.

**HON. MR. STRACHAN:** Even under the best of conditions, the determination of automobile insurance rates a year before they become effective is a very risky undertaking. To do so in the light of the above mentioned facts would not do justice to the public in striking the best possible rates. I can give assurance that there is inherent in a government automobile plan economies which reduce markedly the overall insurance costs.

Whatever the British Columbia motorist may pay for his automobile insurance in 1974, the portion of the premium dollar returned to him in claims will be far greater than if the present system were to continue. Subject to that, the non-profit features of the plan means that from year to year insurance costs and rates will be determined by the motorists themselves and only insurance costs and experience will be charged against the plan. Every single penny that comes in to the plan, investment income, recovery from salvage, will all be kept for the benefit of the motorist in British Columbia for the first time in history.

The plan will be self-sustaining. All services rendered by any department of government or otherwise will be paid for from moneys belonging to the plan. Payment of all losses and expense of administration will be made from plan funds. In administering any plan under the Act, the corporation will assume responsibilities relating to reduction and the frequency of accidents as well as to the cost. It will be concerned with highway safety and with a joint carrying out of safety programmes and education with the Motor Vehicle Branch and others.

There will be a continuing programme of research into more effective ways of distributing the economic loss consequent upon traffic accidents. The corporation will be authorized to construct and maintain one or more repair shops to study repair techniques, their improvement and the cost of repairs. The corporation will also be authorized to negotiate with repair shops for the purpose of arriving at fair and reasonable rates.

It is anticipated that licensing transactions and automobile insurance transactions will to all intents and purposes take place at the same time. For the purpose of providing service to the public, both the licence issuing facilities of the Motor Vehicle Branch and an agency force will be utilized. Any company or licensed agent who was doing business in the province on February 1, 1973, and who applies to the corporation to become an agency for the

purpose of the Act, may make application to the corporation before October 1, 1973.

While compliance with a compulsory universal insurance programme will be a condition precedent to the obtaining of a licence by the driver or owner of any motor vehicle, the Government believes the advantages of the non-profit characteristics of the plan and the availability of insurance must be extended to all motorists who desire more complete coverage.

Accordingly, no automobile insurance will be sold in B.C. except under the *Automobile Insurance Act*. The bill contains amendments to the *Motor Vehicle Act*, the *Motor Carrier Act*, the *Department of Commercial Transport Act* and the *Insurance Act* all designed to complement and make more effective the amendment set out in this particular piece of legislation.

Mr. Speaker, this Government is not introducing compulsory automobile insurance. That was done by the previous administration as it has been done by other provinces also. What this administration is doing is to ensure that this virtual tax is not exploited for private profit or squandered in wasteful administrative costs.

The Wooton Royal Commission on automobile insurance found the Saskatchewan plan of basic auto coverage returned 85 cents of the premium dollar in claims benefit to the province's motorists. The corresponding figure for private insurance was 63 cents out of the dollar. The other 37 cents on the dollar went to profits and administration costs that included wasteful duplication, advertising, legal fees and generous agent commissions.

**MR. PHILLIPS:** How much went to the legal profession?

**HON. MR. STRACHAN:** At the same time private industry found itself unable to deliver a good and rapid claims service which was the product they were supposed to be selling. A good, efficient, rapid claims service and that was what they were supposed to be selling and they were unable to do so. Nor were they able to make any effective impact on the rising cost of repairing automobiles or persuading manufacturers to build better cars. Only Government has the clout and is willing to undertake the burden of overcoming these difficulties.

For example, the highly successful safe-driving advertising campaigns of the Motor Vehicle Branch has demonstrably reduced the number of accidents and fatalities in this province in the last year or so. Private insurance, however, spent its advertising dollar

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promoting a false image of concern and competition for the benefit of consumers.

Someone mentioned Saskatchewan where government automobile insurance began in this country under a CCF government in 1946.

Interjections by some Hon. Members.

**HON. MR. STRACHAN:** The Liberals came to power in Saskatchewan in 1964 and they were determined to wipe out that programme because they were committed to private ownership. That's what Ross Thatcher said. The *Wall Street Journal* carried a page one story on the public automobile insurance plan, Saskatchewan, in November 7, 1967. Three years after Thatcher came into power in Saskatchewan. Here is part of what that story said in the *Wall Street Journal*: "Government auto insurance has given us a lot of headaches" says Saskatchewan's Liberal Party Premier, Ross Thatcher. "There have been plenty of times when I wanted to throw the plan in the Pacific Ocean. But," he adds, "I would have to admit the plan is working."

The same article quotes a Liberal Party campaign worker in Regina as saying: "The politicians, whether they are Liberal, Socialist or Conservative, will never change the auto insurance plan because it has such firm support among the people."

On March 7, 1970, the same year that a hard pressed NDP government in Manitoba boldly introduced its

automobile insurance programme, the Liberal Minister in charge of the Saskatchewan government automobile insurance was asked for comment about automobile insurance and this is what he said.

"It is obvious that motorists in this province would have had to pay an additional \$5 million for the same coverage had we used the system in effect in other provinces. Ladies and gentlemen, I am an advocate of private enterprise but I can't ignore this fact. I would suggest to the auto insurance industry that in their continued attack on the Saskatchewan plan they are taking the wrong approach. They are simply not on valid ground in their criticism of the Act and its administration."

So now we have the Sacred rank and file demanding of their convention that a government automobile insurance plan be adopted. Now we have the Liberal government, in the only province they have had to handle in which there was a government operated insurance plan, making it very clear that the people of Saskatchewan, had it not been there, would have paid \$5 million more for their coverage had they the same kind of scheme as we are proposing for the province of British Columbia.

Interjections by some Hon. Members.

**HON. MR. STRACHAN:** Somebody over there said Saskatchewan had increased their rates. All right, let's examine the experience of Saskatchewan.

**MR. D.M. PHILLIPS (South Peace River):** All the young people left.

**HON. MR. STRACHAN:** What they should remember is that Saskatchewan has not seen a general rate increase on automobile insurance since the 1966-67 licence year. While the new SGIO rates in Saskatchewan involve a rate increase for many, a substantial number of cars in Saskatchewan will see no rate change or will have their rates actually reduced.

When spread over all the private passenger cars in Saskatchewan, the rate changes will mean an average rate increase of slightly more than 6 per cent. That's 6 per cent increase, not in one year, but in seven years of government operated automobile insurance.

In that same period in British Columbia, the rates charged the drivers in this province have gone up not 6 per cent but 27 per cent. There's the difference. Under a government-operated plan in six years they've gone up 6 per cent; under the private enterprise of this province they've gone up 27 per cent.

Mr. Speaker, questions have been asked about the agents and the companies — what's going to happen to them? Well first of all, here's an ad that appeared in the *Vancouver Province* — a British Columbia general insurance agent's survival plan, in which an insurance company is guaranteeing to provide a continued market for those now engaged in the automobile insurance field. That was September 11, 1972, a paid ad in the *Province*, where some insurance company is hoping to guarantee...

**MR. G.B. GARDOM (Vancouver-Point Grey):** What's the name of the company?

**HON. MR. STRACHAN:** It doesn't say. Box...(Laughter). No, it doesn't. Look. Box 1629, *Vancouver Province*.

**MR. PHILLIPS:** "Bob Strachan Insurance Co." (Laughter),

**HON. MR. STRACHAN:** Do you want me to read this? All right. It is by a man by the name of Liepzig. He was an insurance agent in Manitoba and he bitterly opposed the Manitoba scheme. But by May of last year he admits quite candidly that through the long and loud dispute with the Manitoba government the industry promoted one absolute fallacy. Through the whole thing the industry kept hollering that the government plan could not save money. He said that this is the biggest fallacy that he could imagine.

He then ticks off immediate savings that come to his mind:

"3 per cent underwriting costs; another 3 per cent on adjusters' expenses; 6 per cent on agents' commissions. Any child can work out that this is a saving of around 12 to 15 per cent and the industry failed to acknowledge it."

He adds:

"The industry has not been making an exorbitant amount of money. It hasn't got rich on automobile insurance.

" 'What you are saying,' he is asked by this reporter, 'is that industry is inefficient'

" 'Completely,' he replies, without hesitation."

Now on September 9 a story, a news report:

" 'The insurance industry will be able to adjust to the takeover of automobile insurance by the provincial New Democratic Party Government,' an insurance executive said Thursday. 'While we do not view the prospect of losing a substantial amount of business with equanimity, we will adjust to the situation,' William Hamilton, chairman of the board of the Century Insurance Company of Canada told the Vancouver Junior Chamber of Commerce."

Here is a letter from the **Fruitgrowers' Mutual**, to all their agents and staff:

"Even if the government takes over the automobile insurance completely, leaving nothing for the companies, it is my opinion, and this view is shared by our board of directors, **that Fruitgrowers' Mutual will have a completely viable operation in the property insurance business and with the other activities in which the company is engaged. Any change in the operation of the company will come with plenty of notice and careful plans are being made to preserve and protect the company, whatever eventuality may arise.**"

Interjection by an Hon. Member.

**HON. MR. STRACHAN:** No, it said even if we take it over completely.

**MR. PHILLIPS:** Did Mika write all those letters for you?

**HON. MR. STRACHAN:** In another newspaper story:

"With only a few exceptions, leading insurance men insist that their companies will continue to operate very much as usual with a minimum of staff dislocation. Although they are very much in the dark about the government's detailed plans, they are making provisions to meet the worst situation that could arise: total loss of insurance sales.

"In most cases they believe that present staff jobs can be preserved, subject only to some attrition by non-replacement of those retiring or leaving in some departments."

So there it is. Now there are lots of other stories.

**AN HON. MEMBER:** What was the date?

**HON. MR. STRACHAN:** Oh, that was in September. But every one of them said even if they lost the complete total automobile insurance business...

Mr. Speaker, it's been suggested that leaving things as they are will provide competition. It was also suggested that this bill should go to a committee. This whole concept, the whole matter of automobile insurance, was referred to a royal commission by the previous administration. That royal commission cost the taxpayers of this province \$344,237 to make a complete examination of the automobile insurance field in the Province of British Columbia.

What did that royal commission say about private insurance operations in the Province of British Columbia? I quote p.381 for the record — and I want the Members to consider this when they vote on this bill. This is the royal commission speaking; "Uniformity in price appeared very much more pronounced than was the case prior to the formation of the Insurance Bureau of Canada." Competition? They say:

"Uniformity in price appeared very much more pronounced than was the case prior to the formation of the Insurance Bureau of Canada, as many companies which formerly appeared to exercise some independent judgment on rates ceased to do so. This is not to say but that nominal deviation in rates between the IIC and the CUA, for example, or of larger independents, is to be taken as a desirable level of competition."

In other words, they were saying that the so-called competition that existed before the formation of the Insurance Bureau of Canada wasn't satisfactory competition and after the Insurance Bureau of Canada came on the scene the competition was reduced to near zero level.

"In the opinion of the commissioners, through creation of the Insurance Bureau of Canada, there is, in British Columbia at least, a significant concentration of groups acting in concert."

Now what does "acting in concert" mean? Does that mean competition? It meant that they were at rates that were so similar that any difference was infinitesimal.

Interjection by an Hon. Member.

**HON. MR. STRACHAN:** "Any difference was planned," somebody said.

"Further, the Insurance Bureau of Canada has,

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in the short run at least, effectively eliminated price competition over a larger segment of the industry than was the case with any other price fixing arrangement of the past decade."

And you talk to me about competition? After we spent \$344,000 examining in detail the operation of the private insurance industry in British Columbia, this is what they tell us. Their royal commission, not our royal commission — "...effectively eliminated price competition over a larger segment of the industry than was the case with any other price-fixing arrangement of the past decade."

**HON. MR. BARRETT:** The fix was on.

**HON. MR. STRACHAN:** Then, on [page 382](#), they're talking about deviations in rates and rate cuts. They say:

"To do so would of course pass more of the economies inherent in their operation on to their customers. That is the case at present. There is no particular reason, however, why they should do so, except in response to competitive pressures."

Ah, we're back on competition again. But then they say:

"With such competitive pressures absent these insurers continue to operate under the price umbrella furnished by the CUA, the IIC and the IBC Company."

**AN HON. MEMBER:** And the SC.

**HON. MR. STRACHAN:** And the SC. Yes. Well, they're no longer in business.

"Thus many companies which are at present not deviating, possess the potential to do so. As expenses are a fundamental basis of competition, it follows directly that the present failure of most companies to allocate their expenses by line of insurance, is an indication of ineffective competition."

In other words, they weren't doing what we're going to do. They were not separating their automobile insurance sales from their other insurance business, with the result that this was a part of the ineffective competition.

We're keeping it separate. We're going to do a much better job than was ever done by the private insurance companies of this province, that's for sure. There'll be no hiding the cost of the automobile insurance. I think it's



proper for the automobile insurance to shove it into the other insurance.

The commission goes on...listen to this now.

You talk about competition.

"It is clear that to avoid retaliation by the traditional elements in the industry, care is taken not to drop prices drastically while pushing for larger market shares. The existence of the price umbrella was conceded by the All Canada Insurance Federation panel, when examined by the commission council. They admitted to the fact that there was a price umbrella under which they were operating."

Finally, on page 279 of the commission report, they made certain recommendations. The commission says:

"The commission recommends that initially the opportunity be given to the private insurers solely to market in British Columbia the basic policy, the supplementary insurance and the, collision coverage."

That's what the commission recommended, that private insurance get the whole field to themselves in British Columbia. But then the commission said,

"However, if the industry shows a disinclination to participate in the offering to the public of the new types of contracts recommended by the commission, and under the conditions which it has proposed, or other conditions satisfactory to the government, or a later date shows a disinclination to compete, then the Government of British Columbia should take over the sole selling in British Columbia of all automobile insurance."

Right in the Royal Commission. They said that if the insurance companies, the private companies, after having allowed the sole field to themselves, failed to develop competition adequately — and I can show you letters I've been getting from people who have shopped around looking for different rates — if they fail to develop the new procedures, then the Government of British Columbia should take over the sole selling in British Columbia of all automobile insurance.

What this bill is doing, Mr. Speaker, is implementing the recommendation of a royal commission, appointed by the previous administration to make recommendations with regard to automobile insurance.

Mr. Speaker, we are voting on the principle of this bill. It's yes or no. Do you endorse a government operated automobile insurance plan? Mr. Speaker, I'm optimistic that this House will give this bill a resounding yes. I now move second reading of Bill 35.

**MR. D.M. PHILLIPS (South Peace River):** Baaa.

**MR. SPEAKER:** The Hon. Member for North Peace River.

**Mr. D.E. SMITH (North Peace River):** Mr. Speaker, I'm sure that all of us would like to have the benefit of reading in *Hansard* all these words of wisdom that we heard from the Hon. Minister before we proceed with debate on second reading and I would ask the Premier if he would withdraw the

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second reading, or accept an adjournment of it. In that case, Mr. Speaker, I move adjournment of the debate on second reading to the next sitting of the House.

Motion approved.

Filing Reports:

Hon. Mr. Macdonald files the following report: 50th Annual Report of the Fire Marshal for the year ending December 31, 1971.

Hon. Mr. Macdonald files answers to questions.

Hon. Mr. Stupich files answers to questions.

**MR. SPEAKER:** The Hon. Member for Boundary Similkameen.

**MR. FX RICHTER (Boundary-Similkameen):** Mr. Speaker, I wonder if we could inquire from the House Leader what the order of business will be tomorrow.

**HON. D. BARRETT (Premier):** Mr. Speaker, we hope to continue with the debate of the second reading of Bill 35, and after we complete that we'll go on to the Minister of Education's estimates.

Interjection by an Hon. Member.

**HON. MR. BARRETT:** If you're ready. Will your Member be ready? I adjourn on the basis of whether or not your Member will be ready, that's the request. If your Member's ready tomorrow, yes, we'll go ahead with it tomorrow. Do you wish that? Fine. Industrial Development and then education.

Hon. Mr. Barrett moves adjournment of the House.

Motion approved.

The House adjourned at 5:43 p.m.

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