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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
Her Honour the Honourable Iona V. Campagnolo, CM, OBC

SECOND SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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TUESDAY, MAY 16, 2006

The House met at 10:03 a.m.

Prayers.

Petitions

R. Lee: I have two petitions to present. The first one is 312 signatures to eliminate the TransLink parking site tax. The second one is 1,663 signatures to reopen the liquor store at Kensington Plaza in Burnaby.

Hon. I. Chong: I also would like to present a petition on behalf of 856 registered nurses from around the Greater Victoria area requesting changes to regulations to prevent injuries.

[1005]

Orders of the Day

Hon. M. de Jong: I call Committee of Supply — for the information of members, in this chamber the estimates of the Office of the Premier and in Committee A continued debate on the estimates of the Ministry of Attorney General and Minister Responsible for Multiculturalism.

Committee of Supply

ESTIMATES: OFFICE OF THE PREMIER
(continued)

The House in Committee of Supply (Section B); S. Hawkins in the chair.

The committee met at 10:07 a.m.

On Vote 9: Office of the Premier, \$12,482,000 (continued).

C. James: Continuing on with where we finished up last evening when we were talking about climate change and the B.C. government's approach to climate change. I was asking a question around global warming and the targets, which were in the government's plan they released on climate change in 2003, around reducing emissions. The Premier said there were targets, and if you take a look at the plan, it's very clear that the target for government is to actually be the best in climate change — number three across Canada.

We know the Premier has set a number of great goals for our province — to be number one, to be the best. We've seen that in a number of areas. My question to the Premier is: why number three, and does the Premier think that's a good enough goal for British Columbia?

Hon. G. Campbell: If we look at page 31 of the strategic plan, it's clear that we are using per-capita greenhouse gas emissions as a measure. The last line says

that by 2015-2016, our target is to improve B.C.'s ranking.

[1010]

We recognize that we are third in Canada. We recognize that Washington and Oregon are doing things that we are not doing. We have launched a number of initiatives to try and start to meet these challenges as we go through the next decade. My goal certainly is to move up the ladder, if you want, to number one.

I just remind the Leader of the Opposition that her own party has pointed out that our government has been a government that's put a plan in place, which we are working on and acting on. The whole purpose of setting out goals for ourselves is so that we can strive to improve, as the strategic plan says.

As the member for Maple Ridge-Pitt Meadows said: "...the record of the last NDP government, being the NDP in the late '90s, was not good on climate change...but times have changed. We as a society, hopefully, are much more acutely aware...of the necessity to act. It is paramount that the government now take some specific actions on climate change."

We have done that. Major investments in public transit. Major investments in new cycling and transportation opportunities for people within their communities. New procurement requirements with regard to alternative hybrid vehicles across the board in British Columbia, in terms of our procurement policies. The acquisition of Burns Bog. The NDP thought they might pave it. We thought we might save it. We saved it, and everyone recognizes that's a major plus in terms of climate change.

In terms of the Gateway strategy, one of the objectives is to open up a public transit corridor which has been closed for the last 20 years.

We are currently in the midst — I'm sure the Leader of the Opposition is aware of this — of a review of our energy plan. Our initial energy plan in 2002 called for 50 percent of all energy to be created with alternative, clean B.C. energy. We are going to be reviewing that.

We are looking for new opportunities. We are looking for biomass. We're looking for clean sources of energy that will benefit all of us. In doing that, step by step by step we will move our way up the ladder from number three to number one. We want to do that in a way that's constructive and positive. The measure that we will use will be per-capita greenhouse gas emissions.

As I mentioned last night, the opposition thought the measure we should use was investments in public transit. Frankly, this government has invested literally hundreds of millions — indeed billions of dollars — in public transit. We will continue to create opportunities for communities to be built that encourage the use of public transit, and the public itself will be encouraged to use public transit. So I think we're making significant steps on that, and we will continue to work on it.

C. James: Some questions around time lines on the energy plan. The Premier mentioned the strategy and

the goal of the energy plan — so time lines, and when we expect that energy plan to be out.

Hon. G. Campbell: I'm sure this was canvassed somewhat with the Minister of Energy, Mines and Petroleum Resources. Let me say that the plan will be developed over the next number of months. We expect to have a fairly good framework for a plan by the fall of this year. It's really updating the previous plan.

We've set some critical goals for ourselves. Clearly, we want to be self-sufficient in energy within the next ten years. That is a major challenge for the province. People in British Columbia think we are already self-sufficient. In fact, we've been importing energy for a number of years now. We have to look at opportunities to create additional energy for the province, for the people of British Columbia, for the industry and the communities of British Columbia. We have to do that in a way that's clean and sustainable and that does in fact maintain the competitive advantage we've had.

As I'm sure the Leader of the Opposition knows, British Columbians have over the last number of years invested substantially in their energy plan. I think it is a tribute, again, to British Columbians that they were way ahead of the curve in terms of clean energy and alternative energy, in terms of the investments. Literally hundreds of millions of dollars were invested.

One of the challenges that I think we sometimes forget as we benefit from the investments that were made earlier in our province's history is that the historic competitive advantage was actually earned by earlier generations.

[1015]

We want to make sure that our generation not just maintains that competitive advantage but also earns another competitive advantage for future generations of British Columbians by developing clean British Columbia energy that will be sustainable and self-sufficient. We believe it's a critical resource for our province, for our economy and for the people who live here.

C. James: I'm glad to hear the Premier acknowledge the work done by the past generations, including governments that actually did put some energy into climate change, did put some energy into green energy programs and assisting consumers in being able to shift. So I'm pleased to see the Premier actually acknowledge that.

My question is around the issue of a national strategy on climate change. I wonder if the Premier has had any conversations with the Prime Minister around a national strategy and what role British Columbia may play in that.

Hon. G. Campbell: Premiers at both the Western Premiers Conferences that I have attended, as well as at the Council of the Federation, have talked, with regard to the Kyoto accord, about creating a national strategy that is provincial and federal. It's not good enough, we don't believe, for the federal government to decide they're going to simply try and impose costs across the

board. For a long time, under the Kyoto plan, the federal government was telling us that they were going to take credit for the natural resource that British Columbians had invested in: our forests.

British Columbians have invested billions of dollars in our forests. We have invested, as I mentioned earlier, billions of dollars in creating clean energy for British Columbians. In fact, back in the 1980s we started to move forward to change the way our industry — not the governments.... Our industry moved to change their plants so that they were more environmentally sustainable and healthier. The federal government was not at that point willing to give British Columbia credits for that. Indeed, they were expecting British Columbia to go one, two and three quantum leaps ahead of the rest of the country, which would have caused substantial additional costs to the province and to the people of British Columbia.

One of the things that we felt was important was to sit down with the federal jurisdiction, talk about what the provinces were doing and talk about how, together, we could meet the goals and objectives that were laid out under the protocol. We never succeeded in bringing the federal government to the table. There was a lot of discussion back and forth. It remains on the Premiers' agenda in terms of what we've been trying to accomplish in terms of working in a new collaborative and constructive kind of federalism.

I don't know what this current government will do. I have not dealt specifically with the federal minister or with the federal Prime Minister around the issue of climate. I know that Minister Penner has been in touch with the federal minister. I can't say for sure whether it was with regard to climate change or not. It will be something that we will pursue as provincial Premiers coming out of the initiatives that we'll launch at the Western Premiers Conference at the end of this month.

The issue that we have tried to really push is through the Minister of State for Intergovernmental Relations. We have tried to make sure that PNWER works to try and create an environment that deals with our airsheds and air quality. The Minister of Environment for British Columbia is developing an air strategy over the next few months that will provide, I think, a road map to improve the quality of air management and air generally in British Columbia. I think all of those things will be important building blocks as we work with the federal government to try and make sure that we don't just reduce greenhouse gases but try and deal directly with the issues of climate change.

The Chair: A reminder: we don't use names of members. We use their titles or their ridings.

Hon. G. Campbell: Excuse me, Madam Chair. I said PNWER, not Penner. They're different things.

Interjections.

Hon. G. Campbell: Excuse me, hon. Chair. I did say Penner as well as PNWER.

C. James: Good hearing, Madam Chair.

To follow up on that issue around discussions with the federal government, I'm disappointed that that hasn't been on the agenda for the Premier with the new Prime Minister, particularly with specific cuts to programs that are going to impact British Columbians.

[1020]

I was pleased to hear the Premier mention individuals and the work that individuals have undertaken to take personal responsibility for dealing with climate change. In fact, one of those programs that has assisted people was the federal government program that provided support to families to be able to look at energy-saving issues in their own homes. That program has been cut by the federal government, both for low-income families as well as other families.

My question to the Premier is: how will these program cuts impact British Columbia, and has the Premier or the government actually taken a look at the impact of those program cuts on our province?

Hon. G. Campbell: I do not have before me all of the information of what was discussed during the Environment estimates or the Ministry of Energy, Mines and Petroleum Resources estimates. That would be a question which they could answer in more detail.

I could tell you that in terms of the government, we are pursuing a conservation strategy across the board in British Columbia. We think that's important. The Power Smart program is important. The PST exemption for window improvements, etc., is an important part of the energy conservation issue. Hybrid vehicles get a special tax relief. Insulation gets a tax relief. All of those are part of what the energy strategy is.

I would refer the Leader of the Opposition to the Minister of Environment to deal with the details of that and to the Minister of Energy, Mines and Petroleum Resources. I believe they've both had estimates, and that would have been a great time to canvass those things.

Let me say that in terms of dealing with the Prime Minister or the federal government, we deal with a whole range of issues across the board. I have had one meeting with the Prime Minister to date. I outlined a number of initiatives that British Columbia has been pushing for, which we believe benefit British Columbians. The Pacific gateway strategy and the mountain pine beetle strategy, particularly, were important to us. Clearly, it was important to us that the federal government understand those strategies, and the Prime Minister particularly. The energy and environment ministry has been in touch with, I'm sure, the federal Minister of the Environment.

We have a whole menu on the agenda that we have to pursue. We will continue to pursue our work in terms of our climate change plan. We are the only government in British Columbia that's ever laid one out. In laying that out, as I have said earlier, we've set some broad strategic goals with regard to greenhouse gas emissions. We will do more in government over the coming years, I am sure.

I think it's important to recognize that's another one of those cross-government initiatives which is so critical. The alternative energy task force, which reported into the Premier's office, has laid out a number of things we can consider as government, which I hope the public will consider as part of developing a new energy strategy. All of those things are important to us.

I note that the federal Minister of the Environment has called for a made-in-Canada solution. We're going to be part of that. We're going to be working with the federal government on that, and all of these issues will come before us. I do think it's important to note, though, that as we move ahead, the objectives that we've set for ourselves have got to be brought into balance.

When we deal with the pine beetle, as an example.... We sought a billion dollars over the next number of years. The current federal government committed to a billion dollars over the next ten years. We are now working with the federal government to make them understand. One of the arguments that we used in pursuing those with all parties at the federal level was that in fact, it was a direct program that could respond to the climate change challenges that we may face in British Columbia or in Canada. They have responded to that.

I would be certainly interested in hearing what the opposition feels about how that \$100 million a year should be invested. We'll be working with the federal government on that. They will then reach their conclusions and make their decisions.

I do think it's important, as we move towards a made-in-Canada climate change strategy, that we work with the federal government, that we work with other provinces, that we look at how we can maximize our benefits across the country. That's why having a constructive and collaborative federalism that's based on mutual respect is so critical as we move into the years ahead.

[1025]

C. James: Certainly, it's important to have that relationship with the federal government. Certainly, it's important for the ministers in government to be doing that work and to be able to move ahead on their portfolios, but the public also expects that the Premier, in taking forward issues, and that the leadership from our province would be leadership on a range of issues that matter to British Columbians — pine beetle, the Kelowna accord. I think it's disappointing that climate change and child care weren't on that list.

Just to follow up on the pine beetle question. The Premier mentioned that he raised the pine beetle crisis with the federal government. Did the provincial government put in a detailed plan for the use of that billion dollars?

Hon. G. Campbell: We laid out a mountain pine beetle action plan, working with local governments, with first nations, with industry and with environmental organizations. One of the key components of

the ongoing plan with the federal government was to identify areas where we thought there could be improvements, where they could make investments. We've been very clear with the federal government that we're looking to them to complement our investment.

Those areas could include transportation infrastructure, environmental restoration, streamside restoration, forestry, husbandry, research in terms of not just how we deal with the pine beetle and other potential infestations but how we can use the fibre we have left. It will include areas where we can develop new partnerships. We've done that through the Cariboo-Chilcotin as a community group, as you know, and the Omineca Beetle Action Coalition has also come together and is receiving funding from us.

We're trying to have the federal government not try to reinvent that framework but to work with the framework to try to invest where they can maximize the potential. A good example, though, of the challenge we face: the government was elected in February, and they announced that there would be \$100 million a year, effectively, over the next ten years. The new budget came out just recently. There was \$400 million allocated over the next two years not just to pine beetle but also to potential relocations for forest workers across the country.

A critical component for us was dealing with first nations. The Minister of Forests has dealt with the first nations communities twice. The most recent activity led to the agreement that we would go with first nations to the federal government and outline what first nations thought was going to be most appropriate.

In terms of the general framework of what we are suggesting, good investments we'd make and how those investments would work, we think we've made good steps with regard to that. We also believe that the commitments we've made to local communities and through the development initiatives like the northern development initiative create an opportunity for local input to start to deal with the pine beetle and to create transition over the long term. Also, it allows us to bring the federal government to the province in a constructive framework that exists locally, provincially and federally.

At this point we believe that the federal government has resources in place. We'd like to hear from them what their plan is and use that to complement the provincial plan.

C. James: Just a question on the \$400 million that was mentioned in the federal budget, in discussions: how much of that money is expected to come to British Columbia? Do we have an idea yet about the focus of the federal government — \$400 million?

Hon. G. Campbell: I can't tell the Leader of the Opposition at this point exactly how much we think will flow, but we believe there are substantial resources there that will be in place for the pine beetle action plan. We intend to go and discuss that in detail with the federal government in the coming weeks. We think it's an important framework. We want to maximize the

benefits for taxpayers and for people who are going to be directly impacted by the pine beetle infestation.

[1030]

We're not going to just say to the federal government, frankly: "Go and spend it where you want." We want it to be part of an overall plan. I can say that when I met with the federal Conservative government caucus in Ottawa a few weeks ago, they were very much interested in complementing the British Columbia plan and in working with local communities. I'm encouraged by their comments. I think the resources will certainly be available that we need. I think the important thing is that over the next two years it's not just a matter of investing the money; it's a matter of investing the money in places that will have the best long-term benefit.

That's why we'll continue working with the federal government. I would expect that sometime in June or July we will have their response complementing our response, complementing the local action committees' responses.

C. James: Continuing on with the discussion around the forest industry in British Columbia and to talk a little bit now about the softwood deal. After the softwood deal was announced, we saw the Premier make a statement that it was a good deal for British Columbia. We then heard that the Premier wrote a letter to the Prime Minister expressing concerns about the deal and reserving the right to withdraw it. My question to the Premier is: what were the exact concerns the Premier had about the proposed deal?

Hon. G. Campbell: What we had been informed of was that there would be no filing of the extraordinary challenge. When there was a filing of the extraordinary challenge, the letter I sent to the Prime Minister simply pointed out that indeed, we were going to maintain our legal options. We believe that the fact of the matter is that this is a framework that will work for British Columbia. We think it's a reasonable deal for the country. There are lots of details that have to be ironed out as we go through it, but there are a number, I think, of significant and important benefits to our industry.

First, it creates some stability over the next seven years, something we haven't had. Second, most of us, including the Leader of the Opposition, have felt that it was better to negotiate an agreement with the Americans than to constantly litigate. As is being pointed out, the litigative role, over the long term, costs substantial resources and doesn't solve the problem. One of the things we were trying to do was solve the problem for all sectors of our industry — coast as well as the interior. I believe the framework of the agreement does that.

Now we have to get on with the details of the agreement. As we get through and into the details, I can tell you that we will be ensuring that this is an agreement that works for British Columbia's industry.

C. James: Will the Premier table that letter in the Legislature?

Hon. G. Campbell: No.

C. James: Why not?

Hon. G. Campbell: Correspondence between government officials on matters of this nature are not appropriate to be put out. We are in the middle of a negotiation. We're going to carry on that negotiation, and I think it's important for us to keep our eye on the ball here.

Our particular objective, as was the Leader of the Opposition's as recently as March of this year, is to end up with an agreement that works for British Columbians, where the federal government understands what our position is clearly as they take that position to the negotiating table so that before an agreement is signed, we are confident in its future and so is the rest of the country.

It is not appropriate to put intergovernmental relations correspondence on the table, particularly when it's ongoing. We are carrying out all of our activities within the Freedom of Information and Protection of Privacy Act.

C. James: I certainly think it's important for us to negotiate an agreement. I also think it's important for British Columbians to know what's in that agreement. My understanding from the Premier and others is that we have a deal. If we have a deal, then I don't understand why you wouldn't put forward a letter around negotiations when the negotiations are complete. That's certainly what we've heard from the government.

Nevertheless, if that letter won't be tabled and the Premier won't table a letter that he says simply includes concern about the federal government and the United States going forward with their lawsuit, then I'll leave that alone for now, since the public obviously doesn't have a right, according to the Premier, to have that information.

To continue to ask a question around the issue of softwood itself and the deal: did the Premier have any discussions with the Prime Minister around concerns that any kind of forest direction and forest policy in British Columbia would be subject to United States government approval before we made decisions?

[1035]

Hon. G. Campbell: First of all, I do think it's important for the Leader of the Opposition to take the time to review the documents which are available on line in the Ministry of Forests office and on line through the federal websites as well.

Let me simply be clear. There is a framework for an agreement. There is not an agreement. So for the Leader of the Opposition to suggest there is agreement is not correct. There is a framework for an agreement.

It was clear when the framework was put out that it would take 60 to 90 days before we got to the conclusion of that and before softwood was completed. That was fully canvassed in the Forests estimates with the

Minister of Forests and the critic for the opposition. I think it is critical to note, as we have often said, that we have to pay attention as we go through that exercise. We will make sure that British Columbia is fully involved with the federal government as they're at the table. It is critical for us to do that.

The second thing I would say with regard to my conversation with the Prime Minister.... I have always been clear with the Prime Minister that this had to be a deal that worked for British Columbia. We worked very hard to find an agreement that would work for other parts of the country as well as for British Columbia and that reflects some of the issues that British Columbia faced.

We were quite concerned about our coastal industry and it being significantly different than our interior industry. That has been reflected in the agreement. We were quite concerned that we maintain the flow of goods on the basis of 2004-2005. That is reflected in the agreement. We were concerned about the return of deposits. Earlier on there was talk of the return of deposits at just over 50 percent. We're pleased that we have returns of deposits of 80 percent, with the potential for interest to be included in that.

Those are things that were important parts of the framework. Now the details of the agreement have got to be worked through. In terms of British Columbia forest products policy, British Columbia forest policy has been set. We have been clear about that. We announced market-based pricing for the interior. I think it was in February or so. We have that taking place in July of this year. That is going ahead. There will be no interference with that, and in the future — the issue that people have been discussing quite clearly — what we intend to do is live up to our agreement, and we expect the Americans to do the same thing.

C. James: To follow up on the issue of a market pricing system, we know that in April the Premier announced that his government would introduce that in September. We've now heard, yesterday in the Legislature, from the Minister of Forests that that date has been moved to July 1.

Certainly, we have heard the concerns from industry about the terms of the softwood deal and whether that would impact the direction of government to move in market pricing — whether that would, in fact, take away our ability to be able to set our own policy when it came to the forest industry here in British Columbia. So my question to the Premier is: was the date moved to July 1 because of those concerns that were raised?

Hon. G. Campbell: We moved the date to July 1 because it was the right thing to do in terms of market pricing. We thought that we could move it forward more quickly. It was a strong signal about the competitive nature of British Columbia's marketplace.

I also think it is important to note that as we dealt with market pricing, there was never any question in my mind that that was going to carry on. Under the

softwood agreement, I had full expectation, and we have full expectation, that that will carry on. It will carry on. The policies that we've set as a government are in place. They will remain in place. They will not be vetted. They will not be changed.

C. James: Another question that has been raised by the public and by some in industry is a concern about pressure from the federal government to settle this deal quickly. On behalf of those concerns, my question is: did the Premier ever have any conversations, or did the Forests Minister have any conversations, with the Prime Minister about pressure in signing this deal and whether any resources coming to British Columbia because of the forest industry — whether those resources would be pulled if this deal was not signed?

Hon. G. Campbell: Let me say that I felt the pressure from the Leader of the Opposition saying that we had to get on with signing a deal. "We've gone on long enough," she said. "Get to the table, and make sure you sign a deal."

That's what we did, March 17. "It's time we signed a deal. It's gone on long enough." I felt that pressure. I also felt the pressure from forest companies across the province who were saying that.... You know, many of them were on the verge of bankruptcy because of the deposits that had been taken illegally by the United States. We think that was an important pressure that we had. We've been working on this for some time. That created some pressure.

[1040]

I talked with the Prime Minister on a number of occasions prior to the terms of agreement being laid out, and yes, the Prime Minister was hoping to sign the agreement. So were we. The pressure that I was putting back to the Prime Minister was: this has got to be an agreement that works for British Columbia. We are willing to work to try and make sure it works for the rest of the country, but obviously, my concern was to make sure that it was an agreement that was reasonable for British Columbia.

In pursuing that agreement, there was constant contact between the Ministry of Forests and industry representatives — both large and small, interior and coastal — to try and be sure that we understood what their position was, what they thought were going to be issues that would create challenges or not, competitive challenges, productivity challenges. We did communicate with them, so we obviously canvassed those issues.

I can tell the Leader of the Opposition unequivocally, though, that there is no such thing as unanimity in the forest industry. The forest industry has a lot of players with a lot of interests and a lot of different opinions. Our job is to try and gather together those opinions and make the best decision for British Columbia.

We felt that seven years of stability.... Having access to the marketplace, effectively unfettered, at least

50 percent of the time; having the opportunity to expand the flow of fibre south of the border, which was never there before; recognizing third-nation inputs into the marketplace and how that could work against our interests in Canada and in British Columbia — all of those things were part of the terms of agreement that were laid out in consultation with our industry but also directly in terms of my conversations with the Prime Minister.

C. James: This side of the House does want a settlement on softwood. This side of the House does support the forest industry in British Columbia.

The questions we're asking are direct questions being asked by the industry and by people living in forest communities who don't feel they're getting the answers from this government. That's why the questions are being asked.

What are the time lines around finishing up the negotiations and getting that deal inked so you can actually say that we have a deal?

Hon. G. Campbell: The federal government has brought together the parties in Ottawa. I believe it was this week. Maybe it was last week that they had them together. The federal government obviously wants to keep pushing this — to push it to conclusion. I think the American government would like to do that as well.

Our position has been very clear. This is not something that you rush. We want to do it with focus. We are going to be there to keep pushing the agenda. We would like to do that as quickly as possible. I would expect we will see it over the next maybe 60 days or so. I can't say specifically what the time lines will be.

As I said, following the meeting of heads of government — the President of the United States and the Prime Minister — in Cancun, if this wasn't sort of arrived at and agreed within 90 days, then it was probably going to continue down through the litigative route.

We've got people that are working it from our government, from the federal government and I'm sure in the United States as well. There is going to be ongoing work, focused work, and we will do it as expeditiously as possible. But we're going to do it carefully, we're going to do it prudently, and we're going to do it diligently to make sure that British Columbia's interests are fully reflected in that agreement before it's finalized.

C. James: Now moving on to another critical issue in British Columbia. It's certainly the critical issue, I would say, in communities as I have travelled around the province. That's the issue of health care.

If we take a look at the direction that the Premier has taken on health care and that the government has taken on health care, we certainly see nothing but chaos in our province. Madam Chair, it's important that the Premier answers the questions. We expect that kind of leadership, at a time of chaos in our health care system, from the Premier.

I want to actually start with some very basic questions on health care and then look at some examples for us to talk about as well. As we know, right now we do see a crisis all around the province, regardless of which area of British Columbia you're talking about.

That's a direct relation to two fundamental mistakes made by this government. The first was to not build 5,000 long-term care beds, as was promised by this government back in 2001 — a commitment made not only to the seniors of British Columbia but in fact to all British Columbians.

[1045]

The second fundamental mistake was that after the government came into office, the government closed one in four acute care beds. When you take those two pieces and put them together, you see the kind of chaos that we see right now — a direct result of those two fundamental mistakes.

My question to the Premier, through you, Madam Chair: why did your government break your promise on long-term care, and why did you cut one in four acute care beds?

Hon. G. Campbell: This will be an interesting discussion, because the Leader of the Opposition has now decided that the challenges are because of something this government did or did not do.

Let's start with the 5,000 beds. The 5,000-bed issue was fully canvassed last year. I'll canvass it again this year. Currently we've added 1,489 net new beds. There'll be 2,700 net new beds by the end of December.

What was the reason for that? I know the Leader of the Opposition doesn't like to listen to this reason, but the fact is that there were no health plans in British Columbia when this government was elected in 2001. There was one person in an entire ministry with a \$9.3 billion budget that was responsible for health planning.

The first thing we did when we were elected was increase health budgets, and we said that we'd better start stabilizing the system across the board. So we did a review of those beds, and we found that many, many of those beds were not at the appropriate level of care or physical performance to be able to provide our seniors with the kind of care that they deserved or the kind of well-being that they deserved.

Unfortunately, because there had been virtually no significant investment in those kinds of facilities over the previous ten years, we had to start repairing the damage that was done. We did that. Today there are 5,900 beds, including replacements and renovations that have been put in place. On top of that, there'll be 2,700 new beds by the end of December. By 2008 there'll be 5,000 new beds. As I said to people before, it's unfortunate that's what we were faced with, but that's what we were.

Today what we're trying to do is balance the beds across the health care system, and we've identified very clearly the plan that we put in place. Because here's the challenge we face. The challenge we had was that the NDP government had cut nurse training. The NDP government had not added one physician training

space to the universities in British Columbia. The NDP government had cut positions and programs for medical technologists.

All of those people.... It's the nurses and the doctors and the medical technologists that actually provide the care for the people. As the Minister of Health said the other day, a bed is a bed. Without the people around the bed, the facilities around the bed, the equipment around the bed, it doesn't do very many people very much good.

We have tried to create that new balance, and that balance requires us to invest heavily in nurses, heavily in doctors, heavily in new capital plant. We are investing \$330 million to build a hospital. Unfortunately, we had to start it in 2003. It was promised by the NDP government in 1993 — and promised again and promised again and promised again. Now the opposition says: "Gee, we've got a problem here. We have no...." Of course we've got a problem. We've got to work through it.

Candidly, for the Leader of the Opposition to say that our health care system is in crisis or in chaos is simply irresponsible. We deal with 900,000 procedures a year in this province. Most people that come out of the health care system that talk to me say what great care they got from our nurses and our doctors. Most of the people who work in the health care system say to us now, as the ambulance attendants do, that for the first time ever we have a plan where we can work, build our training activities and provide the care that people need.

Does that mean there are no problems? Of course there are problems. This is a big system. It was a big system that was starved for a decade. Right now we look at our situation in British Columbia, and we say that there's lots that goes right, and there are some things we can improve upon.

[1050]

It wasn't us that wrote the Conference Board report that said we had the number-one health care system in the country. It's a third party that looks at all the provinces and says: "In British Columbia you're doing a pretty darn good job." Does that mean we're perfect? No. One of the questions we've asked as a government is: how do we sustain this health care system? How do we sustain the quality of services that people have come to expect?

When I look today at what we've tried to do.... We've increased the number of palliative care beds substantially across the province. We've increased the number of assisted-living beds across the province. We annually invest \$3.5 billion more in health care than was invested in 2001. That's a significant amount of money. And \$57 billion has been invested in health care in the last five years. As we look at British Columbia and we see what the per-capita costs are for health, they've gone up substantially. Now about 43 to 44 cents out of every dollar is going to health care.

I'm glad to hear from the Leader of the Opposition on how she would expand on what we're doing, but again, we get confusion from the opposition. We've got

the critic for Health saying we don't have to spend any more. We've got the leader saying that maybe we do, or vice versa. It's hard to tell what the opposition wants to do.

This is what we want to do: add doctors, add nurses, add support staff, create new capital plant and invest hundreds of millions of dollars in new emergency facilities. Unfortunately, none of that happens overnight. Unfortunately, what we inherited was a situation that called for action. And action's what we've got — \$330 million in a new Abbotsford hospital; \$200 million in a new facility for Surrey; investments in Cranbrook, in Kamloops, in Prince George; investments in new health facilities in Nanaimo.

I can remember, when we opened in Nanaimo, people there actually being in tears, saying how long it had taken with the previous government to get anyone to pay attention and to invest in those facilities. We did that, and we're going to keep doing that.

I would invite the opposition to recognize that we're all trying to create and provide an excellent public health care system. We're building new partnerships with nurses, doctors and health authorities. We've got a chance to continue to build on our record of success. That's what we intend to do on this side of the House, and we invite them to join us on that side of the House.

C. James: It's hard to know where to start with all of that, but start I will.

If the Premier had spent some time actually building the 5,000 long-term care beds that they promised in 2001, we wouldn't see the kind of chaos that we're seeing right now. And for the Premier to say that the opposition is raising the red flag and raising concerns....

It's unbelievable to think that the Premier, after all this time, is not listening to the doctors, to the patients, to the seniors, to the communities, to the municipalities. There's a long list of people who have been raising concerns with this government — not simply in the last month, not simply in the last year, but for years, as we've discovered — and are not being listened to.

We have not seen in this province the kind of outcry that we see from physicians coming forward, raising concerns about crises in emergency rooms, raising concerns and handing letters to patients saying that they're concerned about being able to provide good-quality care to their patients. That is unprecedented in British Columbia.

The Premier likes to quote the Conference Board report about the quality of health care in British Columbia. The other piece of that study that the Premier doesn't raise, in fact, is that we have the lowest patient satisfaction rate in the country right here in British Columbia. That's a very sad statement, and it's even more disappointing to hear the kind of comments that we heard today from the Premier. When you see those kinds of results, when you see people speaking out, when you see people genuinely raising concerns to try and improve a system and be completely dismissed like that, I think it shows a remarkable lack of respect for the people of British Columbia.

My question comes back to the cuts in acute care beds. The Premier said that there were real challenges when they looked at the health care system. If the Premier knew that there were challenges there, why, then, did he make the decision to cut the number of acute care beds that he did?

[1055]

Interjections.

The Chair: I am going to remind members that if they're going to comment, they must be in their own chairs. Just a reminder from the Chair.

Hon. G. Campbell: It's interesting when I hear the Leader of the Opposition saying that we're not working with people. We are working with everyone. The only group that doesn't seem to be part of this group that's trying to put together a response that's positive, constructive and sustainable over the long term is the opposition.

Let me simply point out that in terms of balancing the beds, one of the members of the opposition yesterday raised the issue of mental health beds. We've been investing in mental health facilities across the province. We've been providing for that. One of the issues we faced when we started in government was that there was no mental health plan. Again, another one of those NDP announcements of a plan with no resources — not a cent — and no action for the people of British Columbia.

Mental illness is a significant issue, and it's one that we pursued on this side of the House. It's important to think about all of the capital improvements that have been made. We've made literally hundreds of millions of dollars of capital improvements as we've gone through this. When we look at beds, we've increased the number of palliative care beds. That was important for British Columbians. We've increased the number of long-term assisted-living beds. That was important. It was important.

The opposition can say it wasn't important to invest and to focus on trying to raise up to standards the kind of quality that we had our seniors living in. We don't agree with the opposition on that. We think we should have done it. One of the things, as you carry that program through, is to make sure it's comprehensive and meets the needs of people across the province.

The Leader of the Opposition says we haven't been listening to doctors. Well, let's just be clear about this. This is a government that has now, for the first time that I'm aware of, signed agreements with doctors, with nurses and with the health employees union for four years, as we work in partnership to improve the system. As one of the heads of one of the unions pointed out, you know what this government is doing? We're doing it step by step by step, and we're making progress.

The Leader of the Opposition says we should listen to doctors. This is what doctors told us. Under the NDP, not one new doctor was trained in British Co-

lumbia. It wasn't that they weren't asked. It's that the NDP said: "No, let's not train them." What did this government do? We've doubled the number of doctors that are being trained in the province.

The Leader of the Opposition hasn't been listening to doctors, the BCMA, leaders of universities, the dean of the school of medicine, because what they've pointed out is that it takes a little bit of time, actually, to train a doctor. Maybe the NDP didn't know that in 1990 when they didn't add any doctors. Maybe they didn't know that when there was no human resources plan for the health care system in British Columbia.

The critical component of any health care system is the human resource. We now have an unprecedented four-year period where we can work in partnership with the members of the human resource phalanx, if you want — the army of people in health care that provide care to people. They provide — let's be clear about this — excellent service to the people who are in our health care system.

We've had a 67-percent increase in palliative care beds in British Columbia. We've done that because we listened to doctors. We listened to nurses. We listened to families, who said they didn't want their people to be just institutionalized. They wanted us to be more responsive and more sensitive to their needs.

[1100]

We talked to patients about what their concerns were. Patients said to us quite clearly that they were concerned how long it was taking to have hip and knee replacements. Because of the work done in the public health care system — working with doctors, working with health authorities and creating special teams, starting in Richmond — we now have the new surgical innovation centre at UBC, a \$60 million investment in improving hip and knee replacement times and outcomes. We have a new research centre. We have a new patient registry — all of which is aimed at providing better care more quickly to people across the province. It's being recognized in what's taking place.

Residential care. It used to be that it could take you more than a year to get into residential care. We've managed, because of the investments the government has made and the work that's been done by people in the Health Ministry and the health authorities, to cut that down to 60 to 90 days. That's progress. We're not claiming we have finished the job; we're claiming we're on the job.

The Leader of the Opposition says we're not listening to seniors. We have been listening to seniors. We've been listening to seniors and providing them with top-quality accommodation. The Leader of the Opposition should talk to some of the seniors in some of the new facilities and hear how much better they like their quality of life — whether those facilities are in Cranbrook, Victoria, Kamloops or Prince George.

The Leader of the Opposition says things are way worse than they've ever been. I guess the Leader of the Opposition was asleep through the late 1990s, when we had thousands of people in Prince George saying they needed doctors and they needed health care. They

needed it for the north. This government invested in health care and doctors. For the first time ever there's a medical school in Prince George. Go and ask them at the medical school and go and ask them at Prince George whether we were listening to them.

We are going to continue to work on health care. We're going to continue to work with doctors, nurses and health workers across the province. We're going to continue to work with communities. We're going to be straightforward with them. We're going to say that these are not easy issues. That's exactly why we're going to launch the conversation on health care that we hope will be started this fall with all people in this province, because there are positive answers to the difficult challenges we face.

I understand the Leader of the Opposition will probably blame us for the fact that the population is aging as well, but let me say this. We believe that in British Columbia with creativity, with constructive work, with open dialogue and with consultation with doctors, patients, families, nurses and health workers across the province, we will continue to build on our ranking as the number-one health care system in Canada according to the Conference Board.

C. James: I didn't get any answer to my question, so I'm going to ask my question again. You blamed us for everything. It's possible that, yes, people may be aging because of New Democrats as well, according to you.

I want to ask a question about acute care beds, as I've been asking for the last three questions. Why did the government cut one in five acute care beds in this province after they were elected in 2001? The second part of my question is: what rationale was there for cutting one in five acute care beds?

Hon. G. Campbell: To deal specifically with the issue of acute care beds, we do recognize there have been some acute care beds that have been closed in this government's term. Of course, we also recognize that the NDP itself closed about 3,000 or more acute care beds.

Let's talk about how that works and why that works, because I think that's what's critical in terms of the opposition leader's question. One of the reasons it has taken place is because there is a much shorter time frame that people are using their beds in the system today.

[1105]

Another issue I think we have to recognize is that one of the greatest challenges we face is trying to provide balance across the system. There has been an increase in residential long-term care beds to help offset some of that. There has been, as I mentioned earlier, a 67-percent increase in palliative care beds to help offset some of that. There has been an increase in community mental health beds by 29 percent and in addictions treatment by 19 percent. All of those used to put pressure on the acute care beds.

One of the things we have tried to do, as we've tried to balance the system across the entire province, is recognize that as we do that, we need to see a signifi-

cant improvement in the number of physicians and nurses we have and medical technologists that are available. Without those physicians and nurses and medical technologists, we're not going to be able to provide the kind of quality care we've had.

On top of that, there has been a 62-percent increase in the funding for nursing in the province. We have 67 nurses in training at any one time now in British Columbia. We're hoping that many of those graduates will stay with us in British Columbia.

We've also, as we've gone forward, tried to create the kind of plan that moves out into the community and provides services for people in the communities where they are living. We've seen a substantial increase in the number of procedures that are done. We've seen a substantial decrease in the wait times to get out into those alternative beds and alternative facilities that are available. All of those things are part of a comprehensive strategy to move across the board.

You can't take one issue and say, "That's the answer," in health care. I think anyone who talks about health care would confirm that.

One of the issues we want to try and canvass with the opposition as well as with the people in British Columbia is: how do we create the kinds of transformations that are necessary in a way that really invigorate people to be part of the health care solution? We've done a number of things to try to do that.

First of all, we want to make sure that past commitments are followed through in a sustainable manner. We have to be sure we can afford the health care system. The new capital planning process we have in place is built around not just creating new facilities but creating the resources that are necessary to operate those facilities over the long term.

We want to learn lessons from past performance. I think that's something all of us would want to learn. That's why we have opportunities in terms of the health authorities to report back to us on what's taking place, on where their decisions are being made as they try to maximize the benefits for people across the board.

Finally, we have to try and find ways we can maintain our financial equilibrium, as we try and deal with these health issues, if we're going to create long-term and sustainable health care. The conversation on health care we would like to have, not just with the opposition but with the people of the province, is: how do we actually sustain this system over the long term?

Any change creates a challenge. We have added \$3.5 billion to health budgets across the province in the last three years. If there are places the opposition feels we should refocus those dollars — put them in another place or focus on another area — I would be glad to hear that, as long as there's an understanding that if you put into one part of the health system, you're taking from another.

I think there's an opportunity for us to do something that's pretty significant. We have a substantial \$150 million commitment from the federal government for Canada Infoway to improve electronic health.

That's going to be very important. E-health is going to be critical in connecting patients with doctors in centres that can provide for an immediate kind of response to challenges, as opposed to what used to be literally hours and sometimes days before those responses could be done.

There's a lot that is going to change in the health care system, and it's trying to deal with that change in a constructive, positive way with health professionals across the province that will allow us to create the kind of system that patients, doctors, nurses, communities and that we all want for our families.

C. James: Just so I'm clear, the rationale from this Premier for cutting one in five acute care beds is that shorter times are needed for patient stays?

[1110]

Hon. G. Campbell: First, it was the NDP, actually, that cut more than one in five beds, not this government. Second, as I've said, there has been a reduction in the number of acute care beds.

I'd like to say this again, and I'll say it slowly. First of all, there has been an increase in residential services beds by 6 percent. There has been an increase in mental health community beds by almost 30 percent. There has been an increase in addiction treatment beds by 18 percent.

One of the things, as I've said, is that we're trying to balance the system, because one of the things we've heard consistently is that there are people in acute care beds who shouldn't be there. We should be moving them out to other beds that meet their needs, as opposed to keeping them in acute care beds.

When we add 67 percent to palliative care, the opposition may think that's not an important choice. That was a choice that was made by health authorities, because they felt that was better for the people they were working on behalf of.

As the government works to improve the quality of health care in British Columbia, we will not just build new facilities, but we will invest in the people who are necessary to make sure those facilities are actually able to provide the care they should. We certainly don't want to have the kind of debacle where there was an announcement about a major hospital facility being created in Vancouver, which sat there empty for ten years — no facility, no beds, no equipment, no people, no patients, no care.

What we've been trying to do is invest in capital plant, in equipment, in facilities, in human resources, so that we do provide the people, the facilities and the care in communities all around the province.

C. James: I find it incredible that the Premier of the province wouldn't know that his own government has cut one in five acute care beds in this province. I find it actually extraordinary that the Premier would be so out of touch with health care and so out of touch with something that's so critical to British Columbians that he won't even acknowledge what the facts are, which are: one in five acute care beds cut in British Columbia.

Let's try another area that in fact the Premier may answer on. Why, when the government was elected and they didn't keep their promise to build 5,000 long-term care beds, did they begin shutting other long-term care beds?

Hon. G. Campbell: I appreciate the question from the Leader of the Opposition. Why were beds closed? Well, I think we've covered this before, but I'll go through it again.

Beds were closed because they were inadequate, because they didn't meet needs of the patients, because in some cases it wasn't possible to get to their washrooms. In some cases it wasn't possible for their wheelchairs to get them to their facilities. In some cases it wasn't possible to have the equipment you required for nurses and the people who were providing support for those patients in the rooms. In some cases it wasn't possible for families to meet with patients in their rooms.

[1115]

When we did the review that took place in 2002.... Believe me, there's no one more disappointed than me that we weren't able to accomplish more. As I mentioned, there are 5,700 units that have been improved substantially. We're opening new units all over the province. In the Vancouver Coastal Health Authority there are 370 residential care beds that have been opened. There are 436 assisted-living units that have been opened. Unfortunately, we closed 546 residential care beds. The net value is, in fact, a substantial increase. By December 2006 there will be 727 new beds.

In Richmond, in the Vancouver Coastal Health Authority, we've watched as we've added new beds across that facility, whether it's for respite facilities, whether it's for residential care beds specifically, hospice beds — 20 residential care beds in Minoru, ten new hospice beds in Rotary Hospice.

We're investing a billion more dollars today in that part of our health care system than was being invested in 2001. We recognized that there was a substantial deficit in that kind of facility, and we recognized that we're going to have to continue investing in it. That's what we've committed to do. Last September in the budget was 150 million additional dollars that we put in place to make sure we could do that.

We recognize the importance of what we have to do. We recognize the challenge of maintaining quality health care. Why did we close some of those beds? Because we're working to maintain quality health care. Because at the end of the day, we want to be sure that our seniors are living in safe, secure and good accommodations in terms of what they are being provided.

The 1,500 new beds that have now been opened.... There are 4,300 renovated beds. That comes to a total of 5,900 new. Some had to be closed. I obviously wish that they hadn't had to be closed, because what that represented was ten years of neglect — ten years when our seniors were left in facilities where they shouldn't have been kept.

Unfortunately, it takes time to make up for that. We're investing in it. We're going to continue to invest in it. There will be 5,000 additional beds by 2008. That's an important initiative, but so are the other initiatives that are taking place in health care.

C. James: Where did the government think those seniors would go when they closed those facilities?

[K. Whittred in the chair.]

Hon. G. Campbell: Seniors went to other facilities.

The issue that I think is important to note is that we've gone through this transition. There's a facility here in the Leader of the Opposition's own riding, James Bay manor, where there were substantial renovations done. Those renovations went from having three- and four-bed wards to private facilities. Some of them were semi-private so we could keep husbands and wives together when they wanted to be kept together.

It is a far, far preferable circumstance than what was there when we started or when we were elected, and we're going to continue to look for those kinds of improvements. The issue for us is how you create quality care for seniors. That's why we've invested over \$1 billion in the last five years — to try and make sure we can provide that to them.

C. James: I think every hospital and every doctor knows where those seniors went. In fact, those seniors went into acute care beds in the hospital, which is exactly why we're seeing the kinds of pressures we're seeing now and the kinds of challenges we're seeing now. That's exactly what happened.

[1120]

We're now seeing some of those facilities that the Premier said were unfit and weren't proper facilities for seniors reopening in communities without, in fact, renovations. My question is: why are they fine now, when they weren't back in 2001?

J. Kwan: I seek leave to make an introduction, please.

Leave granted.

Introductions by Members

J. Kwan: I've just been informed that in the gallery are students from St. Francis School visiting the Legislature today. They are here to take a tour and to learn about what we do, how we conduct our business. Hopefully, one day perhaps one or two or three of them may end up being MLAs in the Legislature here. Who knows? Perhaps there might be a Premier in the crowd as well. Would the House please make them welcome.

Debate Continued

Hon. G. Campbell: First, every health authority has a transition plan in place. I'm sure the Leader of the

Opposition can discuss those in detail, or the critic can deal with those in estimates.

Secondly, there is a transition that's taking place. There's no question about that. Remediation takes place in some cases. Transition just carries on, as we've said. The government has said that they want that transition to take place.

You know, as you go across the health authorities, you'll find that there has been substantial investment in these facilities in authorities across the province and communities across the province. There's one just opened in Westbank, for example, to rave reviews from the residents and from the people that live in the community.

There are 1,500 new facilities open now. There will be 2,700 new facilities opened by the end of this year, and there will be 5,000 additional opened by 2008.

It is important, though, as we look at this, to recognize that there are issues we have to deal with. We have tried to deal with them. The billion-dollar investment has been significant, and it's touched communities large and small.

Whether it's the ten assisted-living units in Riverside Manor in Hope, the 12 hospice units in Mission Memorial Hospital, the assisted-living units at Dania place or Nikkei Home or Courtyard Terrace or Seton Villa in Burnaby — all of those facilities are meant to improve the quality of the facility that we provide for our seniors, so we can also improve their quality of life. Our goal has been to try and assist seniors in remaining as independent as possible for as long as possible and to provide them with the choices that they need as they go through their lives.

I think it's important to recognize that this is going to continue to be a challenge — no question about it. The transition that we put in place is aimed at trying to provide for some stability for seniors as we go through this.

I can tell the Leader of the Opposition that we are going to be relentless in our pursuit of assuring that our seniors have top-quality facilities and top-quality care and top-quality support as we go through the years ahead.

C. James: My question is very direct. It's important for governments to take a look at the impact of their decisions, if they're going to learn from the decisions they made. My question to the Premier is: what has he learned from the cuts they made in acute care beds?

[1125]

Hon. G. Campbell: I think there are some very important lessons to be learned from what's taken place. The first one is the importance of planning. Planning and execution are two of the critical components of creating a health care system that people can rely on. It takes a long time to make up for a decade of, frankly, neglect. It takes a long time to try and put together a program.

I would love for the doctors that we're training now to graduate in two years. They just can't; it takes ten years. When a decision is made to cut the number of

nursing positions in British Columbia.... It takes five or six years to train a nurse.

While we talk about the human resource investments we've made, clearly.... I'm not being critical about this. Whatever decisions were made, I'm sure they were made with the best of intent in the 1990s, but the fact of the matter is that they didn't work, and those decisions are being visited on British Columbians today.

I can go to the Fraser Valley, which was the fastest-growing region of the province for a long time.... It was constantly committed that they were going to have a new facility, and it never came. As a result, when we were elected, we had an obligation to try and create that facility. We tried to do it in a way that was cost-effective and sensible for taxpayers, and I can tell you that that facility is going to open. You know, from the time that we started, we were looking at how we could do that, and it's not going to open until 2008. That's a long time.

When you don't put the dollars in the front, you don't have the opportunities to deal with the challenges to be faced. That's why I spend a lot of time talking about aging — not facetiously. We are an aging society. The fact that we're aging is going to require a significantly changed kind of investment in health facilities. So what do we want to do?

This government is investing, for example, in ActNow. We're investing in trying to encourage people to be physically active, to eat properly. We're looking for ways we can do that. We have a legislative committee that's looking right now at issue of childhood obesity and how we deal with that.

It's not a secret today that if we don't deal with that issue, if we don't try and find new ways of sustaining our health care system, it's not going to be there for people the way we're used to it. Our generation has been very fortunate. If I said to people today, "I have a pill I can give you which will reduce the incidence of type 2 diabetes — it will virtually eliminate it — by 90 percent. It will cut the incidence of cancer in half," would people buy that? Yes, they would.

Well, we have that pill today. It's called physical activity. It's called 30 minutes a day of physical activity. We know that'll have a huge impact and a huge benefit for the health care system in the long term, so we have to plan for that now.

What can we do? Lay out a plan that tries to encourage more physical activity. See if we can capture the spirit, for example, of the Olympic Games, to say that maybe everyone can get active around that. Maybe it's a just a hike; maybe it's a walk in the park. It doesn't matter what the physical activity is. Maybe we can get them to do that. Maybe by laying out a plan and saying, "How can we measure whether people are more physically active or not?" we'll be able to respond to that plan before there's a challenge that confronts us.

Now, we weren't government in the 1990s. The challenge confronted us, and we had choices to make. We chose to renovate and improve facilities. We chose to invest in human resources, recognizing that it would

take years for those investments to pay off for British Columbians.

We chose to recruit additional nurses. We've got hundreds more nurses at work today than when we were elected. We chose to invest in equipment. We chose to invest in new technologies to provide more access to services. We chose to invest in additional procedures.

[1130]

All of those choices were made to try and lift the health care system up. You can only do that if you have a plan. I believe that the biggest lesson for us to learn is that you have to plan, you have to invest, and you have to focus your resources on getting the opportunities there that are necessary. There are a number of things that we have to do, as well, as we look ahead, and this is another big lesson.

There's got to be far more public discussion about what takes place in the health care system. There have got to be far greater opportunities created for the public to understand what the health care system presents to them. That's what the conversation on health care is going to be about.

I talked at the beginning of our estimates here with regard to fiscal imbalance. One of the great things that pushes fiscal imbalance is the need for health care investments, health care plans, as well as the need for educational and training plans. We have to look at the world. We have to open our eyes to what's taking place in other jurisdictions and say: "How can we improve? What do they have that might be applicable in Canada under the auspices of the Canada Health Act?"

The fact is that at the end of the day, without a plan that you work to execute, that you check against, we're not going to be successful and provide the kind of care that people deserve. We've made a choice. We chose to increase health spending in the province by about 38 percent in the last five or six years; \$3.5 billion more is going into the health care budget today.

We've tried to allocate that \$3.5 billion, yes, to seniors facilities — an extra billion dollars comes out of that — and yes, to mental health and mental illness services that we believe are critical and are also one of the great "bed-blockers" that we have in acute care facilities. Yes, we've decided to invest in palliative care. We've decided to invest in addiction services.

All of those things were things that we chose. I'd be interested in where the opposition leader would choose to invest. We're investing substantial resources in training nurses. An additional \$26 million was announced just last week to increase the number of nurse training positions.

We chose to invest in new medical schools at the University of Victoria and the University of Northern British Columbia, and there'll be a third new medical school that will open at the University of British Columbia, Okanagan, in Kelowna. We've chosen to train and to teach nurse practitioners for the first time ever in the history of the province, because we know how

important nurse practitioners are, not just in the emergency rooms of the province but in some of the more remote locations in British Columbia. We chose to invest in the Ambulance Service, because we recognize it as the front line of health care for so many people in so many parts of province.

All of those were choices we made, which led to a budget with a \$3.5 billion increase. The lesson that I learned is: you have to have a plan. You have to work on the plan. You have to work to execute the plan. You have to look at the plan and see whether it's working or not in terms of delivering the results. If it's not, then you have to figure out what you can do better, and you have to constantly look for improvements.

That's what this government's going to do. We welcome the opposition to help us in doing that, and I'd be interested to know how the opposition would allocate that \$3.5 billion increase. What would they have done differently? Where would they have gone instead? What would they have left out? What are the programs that we've put in place that they don't believe we do need in the health system?

I believe that all of those programs are critical to creating the kind of health care system that's important for the long-term sense of confidence that British Columbians have. As I've said, as much as the opposition doesn't like to hear it, when the Conference Board goes across the country and looks at our health system and says we're the best health system in Canada, I believe that's something we should all be proud of in British Columbia.

C. James: The Premier talks about planning for health care. The government has now had five years to plan and execute, as the Premier describes, the health care plan. Part of that plan, since the Premier says he likes to talk about the specifics and about planning, were cuts to home care, cutting one in five acute care beds — the Premier talked about those cuts in beds — and not keeping the promise to build the 5,000 long-term care beds.

My question to the Premier is very simple. How's the plan working?

[1135]

Hon. G. Campbell: Well, let me start by saying that certainly no one on this side of the House would claim that we don't have challenges in health care. We do. I do think it's important, though, as we have these debates, that we are fully aware of what's taking place.

Again, this is maybe something that could have been covered more completely in the Health estimates, but there has been no cut to home care. In fact, there are more hours today than there were in 2001, and home care has expanded. There is a challenge in home care of finding the human resource to meet the needs of people in home care. We're hopeful that the new agreements that have been signed will help us to build back on that resource.

Having said that, I do think it's kind of important that we recognize what's worked in British Columbia

in the last number of years. We have invested substantial additional dollars, as I pointed out. But let's look at some of the specifics.

The B.C. cancer care system has been characterized as the model for all other provinces to follow by the Cancer Advocacy Coalition. We've watched as we've substantially increased the number of nurses and doctors that we're training. We've reduced or eliminated Medical Services Plan premiums for 290,000 lower-income British Columbians. We've reduced prescription costs for 280,000 lower-income British Columbians, including families, for the first time. We have the lowest median wait times in Canada for access to diagnostic tests, specialists and cancer care; a 65-percent increase in knee replacements; a 35-percent increase in hip replacements; a 20-percent increase in cataract removal; a 40-percent increase in angioplasties.

We've invested substantially in new emergency facilities across the province. We've invested in kidney dialysis centres, eight new CT scanners, eight new MRIs, telehealth in 66 communities — \$150 million of funding there. It's important to note, as I mentioned earlier, that when we train physicians and nurses in communities around the province, what tends to happen is those physicians and nurses stay in those communities around the province.

We've seen that the number of specialists in communities has increased. Health Match B.C. has placed 155 physicians and 162 nurses since 2004. There's \$58.5 million that has been invested in rural recruitment. There are seven specialists and five new GPs in Cranbrook, two specialists and one new GP in Trail, four specialists and one GP in Prince George, two GPs in Port Hardy, one GP in Vanderhoof. There are 36 fewer patient transfers out of the province to other regions in 2003-2004 than there were in 2001-2002.

We have made progress, and I think it's important to note that as we make that progress, we're making that progress by working with people. We made that progress in looking at the needs of people, of trying to plan out over the five-year term where we could go and what we could do and what we could accomplish. We're continuing to do that. There's a three-year health services plan that was before the Health Ministry during their estimates that they could look at.

I can tell you one of the things that I think is most important. British Columbia is recognized for its leadership in health research. The initiatives we've taken with regard to Alzheimer's have been lauded across the country. We have been a leader in terms of mental illness and addiction services in this province. We have taken it and put it front and centre and said that mental illnesses should be treated like physical illnesses.

[1140]

We have worked with communities. We've worked with non-profit groups. We've invested \$30 million in the British Columbia Healthy Living Alliance. That's a group that touches out through all kinds of communities across the province. The Diabetes Association, the Cancer Foundation — all of those groups are working

to try and make sure that we create a healthier province, a more informed electorate, a more informed citizenry, a citizenry that take responsibility for their health and that also know they can rely on the health care system when they need it.

I can say that in British Columbia citizens should know that in spite of the words of the Leader of the Opposition earlier, we have an excellent health care system. We have excellent doctors. We have excellent nurses. We provide excellent care, and British Columbians should be proud of the health care....

[Applause.]

C. James: Once again we hear the Premier ignoring the reality that's out there in hospitals and communities around British Columbia. There is a direct impact to the cut of acute care beds and to not keeping the promise around long-term care beds. When you make a decision like that in a health care system, you're going to have a reaction. The reaction is being seen in every single hospital and every community around this province.

Perhaps the Premier would like to talk about specific examples. Perhaps that's a way to actually acknowledge the challenge that's there. One of the specific areas that doctors have warned government about was the consequence of closing St. Mary's Hospital in New Westminster. That concern came to government in 2003, so this isn't a past decision, as the Premier likes to point back to. This was a warning, almost three years ago now, to this government. The government then went ahead and closed St. Mary's Hospital.

My question to the Premier is: why did the government close St. Mary's Hospital after doctors gave a very clear warning to the government about the concerns that were going to be created in emergency rooms?

Hon. G. Campbell: First, let me reiterate that one in five acute care beds have not been cut. The Minister of Health was clear about that during his estimates. The Leader of the Opposition can say it as often as she wants. There's only one government in British Columbia in the last 20 years that cut 20 percent of the acute care beds, and that was the NDP. They, in fact, cut in excess of one in five beds.

In terms of what's happening in the northeast sector, we've invested literally millions of dollars in Eagle Ridge Hospital, which is a major health care facility, a major upgrade, and millions of dollars in the Royal Columbian Hospital. That was part of the Fraser Health Authority's plan to make sure they maximized benefits for patients in that part of the province. It was the right decision to make, and it was a decision that we did make clearly, openly and very publicly.

C. James: I'll come back to specifics in a moment, but just a different framing of the question, then, to the Premier, since they won't acknowledge that the cuts in

acute care beds are one in five. To the Premier: did the province cut 1,300 acute care beds?

[1145]

Hon. G. Campbell: It's not a question of acknowledging or not acknowledging; it's simply factually incorrect. There was one government in the history of the province that actually closed — at least in the last 15 years — more than 20 percent of the beds, more than one in five. That was the NDP government. The Leader of the Opposition should understand that and embrace it. That's what they decided. It's fine; they decided it.

This government has not closed 1,300 acute care beds in British Columbia. There have been acute care beds that have been closed. There's no question about that. The issue, as I mentioned, was.... We did that because we thought we should be investing in mental health beds, palliative care beds, addiction services and assisted-living beds. All of those investments have been made. I think they're important investments. In fact, when you look at all of the categories, there are more beds today available in the health care system than were there in 2001.

The complexity of the health care system, I think, would recommend itself to anyone who was paying attention to it, in that the health care system is not just a bed. It is a bed with a nurse, with a technologist, with a doctor and with maintenance people. The beds that we have in British Columbia are only good health care beds if they're supported by people.

Unfortunately, it was also the NDP that decided not just to cut more than one in five acute care beds in British Columbia, but they also decided to cut nurse training positions in British Columbia. They also decided not to improve on doctor training, when we knew very well that there was a demographic challenge to us in terms of providing the doctors we needed for people in the health care system.

I don't shy away from the fact that acute care beds have been reduced in B.C. They have been. We have also invested in some pretty exciting, new innovations to provide better care, more care to people across the province, better quality care across the province, and we'll continue to do that in the years ahead.

C. James: How many acute care beds did the government cut? What specific communities did they cut the beds in?

Hon. G. Campbell: I can't tell the Leader of the Opposition precisely the number. I should note that there were about 15 hours of Health Ministry estimates, and that would have been the time both to phrase the question and to get the answer to that question. Your ministry critics can decide however they're going to use that time.

Let me say that it is less than a thousand. I can't say where those beds are located. I can't say what the transition period was. I think if the Leader of the Opposition would like to get specific information, she should

feel comfortable writing to the Minister of Health or the ministry, and they will provide her with it.

C. James: In fact, the numbers around the cuts to acute care beds come from the Ministry of Health and from the direct information from the government. So again, to the Premier: will he commit to getting those numbers for us and to getting specific regions to us?

Hon. G. Campbell: I just said to the Leader of the Opposition: she can be in touch with the Ministry of Health, and they will give her that information. I can tell you, hon. Chair, I don't know who told her the numbers that she's been using, but they're dead wrong. It may have been the Ministry of Health in the 1990s who told her that they cut more than one in five beds. That was the NDP; that's not this government.

[1150]

It's not the information that I'm aware of. If she'd like to provide that information, I'm glad to tell her where it's wrong. If she'd provide it to the ministry, they're glad to tell her where it's wrong. If she'd like to get additional information from the ministry, she can communicate directly with the ministry, and they'll send it.

C. James: It's hard for the Premier to know where the numbers are wrong if he doesn't know if the numbers are right because he doesn't have the information.

Once again, it's simply extraordinary to me that with an issue that has been of such concern to British Columbians over the last number of years — such concern, in particular, over the last year by emergency doctors, patients and families, who have raised concerns about this government's direction, the cuts to acute care beds and the not keeping of its promise around long-term care beds — the Premier of this province would not know the number of acute care beds cut and would not know the impact of acute care beds cut. I find that simply extraordinary. So perhaps the Premier will spend more time listening to doctors.

In Kelowna we've heard doctors speak out about this crisis. They've been very clear that overcrowding in ERs is compromising their ability to provide safe patient care. The doctors point very clearly — no question — that bed cuts are the primary reason for this crisis. If the Premier won't acknowledge to this House, through his estimates, that there actually was an impact to the bed cuts, then how does the Premier explain to the doctors the challenge that they're seeing in Kelowna General?

Hon. G. Campbell: We, in fact, have said that there has been a substantial increase in pressures on the ERs across the province. There's a \$7 million ER action plan that's been announced. It has been created with the Ministry of Health working with doctors and jurisdictions across British Columbia.

We've watched as the number of visits to ERs has increased by 6 percent. We have invested over \$100 million in renovating and upgrading ERs across the province. We've put aside \$1.8 billion over the next three years to meet these capital needs: \$355 million — sorry, I said \$330 million earlier — for the new Abbotsford hospital and cancer centre; \$200 million more for the Surrey Memorial centre. We're training additional doctors. The fact of the matter is: we know the number of beds in the system is up by 5 percent over 2001.

Now, I understand that there are pressures. There's no question that there are pressures. But I think the critical thing that we have to confront is.... The opposition may still be in their state of denial, but the fact is that a lot of those pressures were created because of the neglect that took place in the 1990s. You know, we inherited a budget that was about \$9.3 billion for health. It is today \$12.7 billion.

Importantly, those investments have been guided by health professionals. When we've talked to nurses and they told us they needed additional lifting equipment so they could do their job more appropriately, we've invested. When we've talked to doctors and they said we needed to invest in human resources, we've invested. When we talked to doctors and patients in the Fraser Valley and they said, "We need a new hospital," we invested. When we talked with the people of Prince George and of the north when they were talking about their health care challenges, we invested in new doctors, specialists, emergency facilities and a new medical school. We invested.

As we go forward, just so the Leader of the Opposition understands this, there has been a total increase in the number of beds by 5 percent since 2001. The number of beds in British Columbia's health care system has gone up. There has been a shifting in where those beds are — to palliative care, to mental illness.

Would the Leader of the Opposition suggest that we don't have those investments in palliative care and mental illness, in addiction services? All of those things are part of creating a health care system that people can rely on, and they can rely on it in British Columbia.

Noting the hour, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 11:55 a.m.

The House resumed; Mr. Speaker in the chair.

Committee of Supply (Section B), having reported progress, was granted leave to sit again.

Committee of Supply (Section A), having reported progress, was granted leave to sit again.

Hon. G. Abbott moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until two o'clock this afternoon.

The House adjourned at 11:56 a.m.

PROCEEDINGS IN THE DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF ATTORNEY GENERAL AND MINISTER RESPONSIBLE FOR MULTICULTURALISM (continued)

The House in Committee of Supply (Section A); S. Hammell in the chair.

The committee met at 10:12 a.m.

On Vote 15: ministry operations, \$377,024,000 (continued).

L. Krog: Thank you to the Attorney General and his staff for appearing here once again.

Law Line, LawLINK and legal information outreach worker initiatives are run through the Legal Services Society. They do not receive core funding from the government. They're obviously an integral part of legal aid, an innovative approach to providing justice services. The Attorney General has spoken about them on many occasions previously in estimates. These programs will continue to March 31, 2007, with funding from the society's accumulated surplus.

LSS requested core funding from the Attorney General's ministry for these services, about \$1.5 million, but that request was denied. That's my understanding, and I'm sure the Attorney General will illuminate me further if that is not in fact correct. That means they have to use reserve funds, which leaves less money for piloting new and other innovative projects.

I understand that the Attorney General's response has been to suggest that the services provided by LSS are the province's strategy for legal aid, stating: "Impetus remains to make it easier for citizens to access information services." My question to the Attorney General is: are services provided by the LSS — such as Law Line, LawLINK and legal information outreach worker initiatives — part of the Attorney General's strategy for legal aid?

Hon. W. Oppal: The simple answer is yes, and we are considering favourably the possibility of renewing the obligations we have to them.

L. Krog: As much as I appreciate their being considered favourably, the question remains: why don't they receive core funding now? The requests have been

out there for some period of time. We know that these programs are successful inasmuch as they provide the service that they do. Why don't they receive core funding now?

[1015]

Hon. W. Oppal: We assess all the programs on an ongoing, regular basis, and there are other programs out there that are competitive. The circumstances are that we consider each one of them. It may well be that sometime in the future some other program may have more merit, but it's desirable to be more flexible on these matters. Thus far, we're more than satisfied with the work being done by these particular groups.

L. Krog: As much as I appreciate that the Attorney General says he's satisfied with these programs, again, that begs the question: if the Attorney General is satisfied with the programs and wishes to encourage further innovation, how is further innovation going to be encouraged when the LSS has to use its reserve funding for these projects instead of getting some core funding and piloting new projects?

Hon. W. Oppal: The Legal Services Society is paying for the programs out of their surplus, so there really isn't any concern at this stage for requiring any further funding to derive from core funding or anything of that sort.

L. Krog: I think it's pretty obvious that the cuts in 2002 have caused service gaps in family law. Legal representation is restricted to situations involving violence and child protection. There's no legal representation for people with serious family law problems that hinder their ability to stabilize the family, to feed, clothe and shelter themselves and their children. We know that legal aid referrals don't extend to issues of property division in divorce, which may be matters of some importance and at a level where you simply are not in a position to hire private counsel to deal with them because of the value of those assets.

Last year the ministry, as I understand it, spent something just under \$14 million on family law. The Attorney General has stated that \$25 million was being spent on family justice services outside the LSS, on services designed to resolve conflicts before they go to court, which is a worthy objective. However, my question to the Attorney General is: when will legal aid referrals extend to issues of property division in divorce as well?

Hon. W. Oppal: There are no plans in the immediate future to fund lawsuits involving property, and the reasons for that are obvious — that is, if there are parties who have property, then I'm not so sure it's the function or the duty of government to fund them in their disputes while they have assets of their own.

L. Krog: As the Attorney General is well aware, under the previous provisions for legal services, if there was property of any substance involved in family

law disputes, the Legal Services Society, as part of its provision of providing funding to counsel, would in fact get an assignment back. Legal Services would have the money returned to them if in fact there was recovery of a level of property or cash or whatever when it came to division of family and other assets.

In a sense, the province would simply act as a short-term loan for Legal Services in those situations where there was property involved. Justice would be done for the parties, and it is most often women who are on the short end of the stick when it comes to paying for legal counsel. That was the previous program.

LSS would get its money back. Justice would be done in the courts. It usually involved situations where — and again, I emphasize — often women did not have access to counsel because of limited incomes. Therefore, it gave them a leg up in a justice system which many women feel is weighted against them.

My question to the Attorney General is: given the past experience in which LSS was able to recover its funding for legal services — the lawyer got paid; LSS got its money back; justice was done in the courts — why not return to that system as opposed to the present system, which leaves people without income or access to assets in a marriage breakdown? It leaves them without the ability to hire counsel, which would absolutely be necessary in order for them to pursue their claims.

[1020]

Hon. W. Oppal: As I stated yesterday, we are moving away from the traditional, conventional system, wherein the process becomes adversarial. We are attempting to resolve the issues between the parties in a non-contentious way, and I'm not so sure it's productive for anyone or to anyone to keep funding lawyers to get involved in property disputes.

Let's keep in mind that it's approximately 3 percent of all cases that ever go to court. It is with that figure in mind that the Legal Services Society has focused on a process wherein we've established a self-help centre. We're providing assistance for people to gain access. We're providing ways that people can go to alternative means in order to resolve their disputes.

In my view, the continued funding of lawyers who get involved in contentious, acrimonious cases — and as the member well knows, there's been a volume of those cases in the past in the courts — is really a non-productive way of resolving disputes between parties who are separating.

L. Krog: As much as I appreciate the Attorney General's comments, it seems to me that we are neither fish nor fowl in this. We had a system previously that funded, if you will, a more adversarial approach, but we have not yet moved to a system.... I'm talking particularly about people who, by and large, would not be seen as having the income available to hire counsel. There is no really effective process for them to get justice.

Again, I come back, particularly, to the point around women. We still have a society where women

generally make less than men, and even if you have both parties working outside the home, it is more likely that a husband in a family breakdown situation is going to have the ability to hire counsel than is his female partner. In those circumstances, we have a situation that develops where, if you've got the ability to pay for those initial applications to court and you've got a female on the other side who's not in a position to hire counsel, she will find herself at a distinct disadvantage.

The Attorney General says only 3 percent of cases end up in court — well, end up in a trial. The reality is that in family law the vast majority of cases get settled, just like most civil cases. But it is the victories along the way on interim applications that often determine the outcome, and if you do not have access to a lawyer for those interim applications, you are at a distinct disadvantage.

My question is: if the Attorney General is saying that we want to move to a less adversarial system, then what programs are going to be in place to assist that? I don't want to hear the answer back from the Attorney General that it is simply the provision of duty counsel in the Supreme Court, because that's not going to answer the question.

If we're talking about a completely alternate dispute resolution process, are we talking about a specific family court? Are we talking about throwing parties in front of a judge without benefit of counsel? What is it that we're going to do to help those people, particularly women, who can't afford lawyers and who find themselves at a disadvantage in a situation, particularly around property disputes? This may not involve much property, but if you've only got three eggs, three eggs seems like a lot of property.

Hon. W. Oppal: The services that are now provided in the Supreme Court include the providing of counsel for the preparation of documents for trial records and for the drafting of proper documentation for chambers and, as well, for discovery process. This isn't a case where poor women are left in a disadvantageous position. Judicial case management processes that now compel people to appear before a judge are such that they assist people in settling their differences before they go into court. In fact, these services are available up to trial, and they've assisted countless numbers of people.

[1025]

Having been in the court system, I can tell you that there are litigants who don't have lawyers. It is those litigants who we're trying to reach, because most lawsuits are beyond the financial capability of the average person. What we're doing here is trying to achieve access to justice through alternative means. The working committee that filed this report in May of last year recommended a more consultative approach — more mediation, less acrimony, a less adversarial process. It is that particular road, that particular policy that we're now trying to achieve.

L. Krog: The Attorney General will recall that earlier in estimates I referred to a piece of correspondence

from the Nanaimo Citizen Advocacy Association written as a result of the Attorney General's responses to questions in estimates last fall. Their statistics show a dramatic increase in the amount of services provided to marginalized individuals in the Nanaimo area. In fiscal year 2000-2001 there were 4,984 intervention services. By 2004-2005, after the cuts to Legal Services that resulted in the elimination of the community law office which dealt with a lot of poverty law cases, those intervention services had increased to some 14,827 — a tripling of the interventions that that one single service provider had to deliver in Nanaimo.

The amount of casework has increased significantly. Legal aid responsibilities were devolved, as a result of those cuts to Legal Services, to advocacy societies that cannot provide all of the services requested of them by citizens in the community. My question to the Attorney General is: does he believe that this is how legal aid should be provided to those people in those circumstances?

Hon. W. Oppal: The import of what I've been saying is that we want to move away from the traditional acrimonious system, the adversarial system that pits parties against parties. What we're doing is providing a system that has in it more mediation services, more settlement opportunities — such programs as parenting after separation, child protection mediation, family justice dispute resolution, maintenance enforcement and location services.

Those are all programs that are being funded by Legal Services, and those programs assist people in resolving their disputes in a less acrimonious and more beneficial way, and in a way that will meet the public interest and, obviously, the interests of the parties concerned. The member is more concerned with the funding — the historical and the traditional way of funding lawyers to go in and fight cases in the Supreme Court. I think that may be necessary from time to time. We know that, but the vast majority of cases, as I stated earlier, aren't settled in that particular way, aren't resolved in that particular way, and the focus in the family law now has to be towards a more consultative approach that doesn't require lawyers.

L. Krog: Perhaps I've not made myself clear. The subject of the Nanaimo Citizen Advocacy Association letter dealt really with poverty law issues. I'm not talking about the average civil litigant whose marriage has broken down. I'm talking about the situation where you have people who formerly would have had access to deal with social assistance appeals, EI appeals — people who are already on the bottom rung. We're not talking about a situation involving two personal litigants; we're talking about situations involving people who have problems with bureaucracies, with funding agencies, etc.

The poverty law subsection of the Canadian Bar Association expressed concern about accessibility for people living in poverty, and they have done it to the Attorney General many times, from what I can gather. Prior to 2002 there were 45 legal aid offices province-wide. There are only seven now, and a call centre.

[1030]

I appreciate the Attorney General saying that services are being delivered in a more efficient way and that we have new, innovative programs, but quite frankly, seven legal aid offices and a call centre cannot be called real accessibility. I have to ask the Attorney General: how does the ministry...? Or through LSS, how do we determine where these legal aid offices are needed? In big centres it may be fine and dandy, but if you live in rural British Columbia and there's access to only seven offices, it's not terribly meaningful if you're in Puntzi Lake or Pouce Coupe to talk about a legal aid office. So I want to know: how does the Attorney General determine where legal aid offices are located or needed?

Hon. W. Oppal: Well, at present what we're doing is the Law Line, which is established and which provided summary legal advice to over 10,000 people last year, 2005-2006, and legal information to 6,400 people. As well, we have legal information outreach workers who reached over 5,000 people. People all over the province have access to those services, and it is not feasible to have a legal aid office in every community in the province.

What we're really talking about here is access. We're talking about advice, and the creative and innovative programs that I've already referred to achieved that goal. In March of this year the ministry issued a grant in the amount of \$50,000 to assist Legal Services Society with the implementation of a pilot project that establishes a dedicated telephone line separate from the Law Line for exclusive use by community advocates.

These programs are now coming into place, and we're moving towards an alternative way of resolving these disputes. I understand the concern, I understand the question, but there's no reason why anybody in this province cannot achieve access to information by the various avenues that are now available to the public of this province.

L. Krog: The Legal Services Society has stated on various occasions that some of these problems are obviously too complex for people to solve on their own. Those who can't or who aren't eligible for legal aid or don't have access to one of the seven legal aid offices across the province have to turn to community groups like the Nanaimo Citizen Advocacy Association.

If we are moving towards and have indeed arrived at this situation where we're discouraging counsel from acting for people, the obvious question is: is the Attorney General's ministry, then, prepared to provide funding to advocacy groups like the Nanaimo Citizen Advocacy Association to attempt to help people? I'm talking, in particular, about those people who can't handle a social assistance appeal on their own, people with an EI problem or people with all sorts of poverty law issues. Is the Attorney General willing to help fund advocacy groups to assist those people if they're not prepared to fund legal aid to provide those services?

Hon. W. Oppal: Poverty law disputes are dealt with primarily through administrative tribunals, and

we have streamlined many of the provincial tribunal processes so that people can approach and access information such as some of the issues and matters that the member has made reference to.

For example, the new employment and assistance appeal tribunal has a new administrative appeal process which recognizes that questions of livelihood and a benefit, entitlement, must be resolved as quickly as possible. Those are things we have worked on. Appeals are heard by panels of community members trained to conduct such appeals where a person has been rejected for particular benefits. Those programs are in place to assist poor people in achieving access to justice.

[1035]

L. Krog: With respect to funding for legal services, the Attorney General has stated that he's committed to streamlining, modernizing court processes. The AG's information resource management plan lists integrated, electronic court documents as a major project. However, LSS believes that implementing electronic disclosure will result in additional costs to lawyers. LSS cannot reimburse lawyers for those expenses without additional funding. That request for \$800,000 was turned down by the Attorney General.

LSS has proposed several new tariff renewal measures. These include establishing tiered tariff rates that link compensation to a lawyer's experience, eliminating tariff holdbacks, improving the tariffs by compensating lawyers for various services they are currently not compensated for. LSS has allocated existing funds to implement tiered tariffs and will draw on reserves to proceed with additional measures. A funding request for that was likewise refused by the Attorney General.

A report by the Family Justice Reform Working Group entitled *A New Justice System for Families and Children* recommends "that the Legal Services Society continue its innovative work in the family law area and that its family law policy and family programs respond to the recommendations set out in this report." To do this, LSS will again require sufficient and reliable funding.

My question to the Attorney General is: why were funding requests denied for these initiatives, as they related to electronic disclosure and tariff renewal measures?

Hon. W. Oppal: The two programs or initiatives referred to by the member, the electronic service and the tariff renewal, are able to be funded by the surplus that the LSS has for this year, so there's no danger of those programs being cut.

L. Krog: I take it from the Attorney General's response that he obviously agrees that these programs are appropriate and necessary. Is he, then, suggesting that he is in fact prepared to recommend funding once the surplus is used up to actually fund these programs?

Hon. W. Oppal: Obviously, that's something for future estimates. As I stated, the programs the member has referred to are programs that have benefited peo-

ple, and there's no reason why we would not reconsider funding requests.

On the other hand, each case must be decided separately, and each application must be considered separately. There is no difficulty as far as the continued maintenance of those programs is concerned. There's a surplus, so the programs are being funded. There's surplus there, so I don't see any issue as far as this fiscal year is concerned.

L. Krog: The Attorney General heard in my opening part of this series of questions remarks about the Family Justice Reform Working Group, the document *A New Justice System for Families and Children*. I'm wondering: does the Attorney General agree with its findings, and if so, what is he going to do to help implement those findings?

Hon. W. Oppal: We agree with the general philosophical approach. We agree with the import of the working group's report and recommendations that we must find a new way of assisting people who have family law problems. We have not worked through all of the recommendations to see whether or not they're feasible, practical, reasonable or necessary.

[1040]

For instance, the group has recommended a unified family court. The general consensus appears to be that that court may not be feasible. While there is such a court established in other provinces, it has really been confined in other provinces to particular geographical areas, and it hasn't really worked out the way it was intended to work out.

That is an example of a recommendation that was made by the working group which may have its limitations and may not be implemented. But there are others that are clearly on the drawing board, and we're encouraging the lawyers and all our partners to work with us so as to go towards that approach, as I stated earlier.

L. Krog: Last year the Attorney General commented to the effect that the ministry "paid an excessive, quite large amount of money" in legal fees for defendants under Rowbotham applications. The Attorney General has also said that public funding for criminal law creates specific budgeting concerns, especially around such large cases as the Air India trial and the upcoming Pickton trial.

My understanding is that the Attorney General was budgeting approximately \$10 million for that. Can the Attorney General advise: how much is spent on Rowbotham applications each year, and under which line item does it fall?

Hon. W. Oppal: The figure I have for 2004-2005 is \$32,668,386. That has been broken down as follows: criminal legal aid expenditures at over \$27 million; Rowbotham for other than megatrials, \$58,000; and the Rowbotham megatrials of Pickton, Air India and Eron make up the balance, which is around \$5.445 million.

L. Krog: How much money has been budgeted for the upcoming Pickton trial?

Hon. W. Oppal: I can tell you that the figures are significant, but we're not in a position to disclose those for reasons that are apparent. That is, they might well impact on the accused's right to achieve a fair trial. If the figure is released to the public, the public may look at that figure and draw adverse conclusions.

It's for those reasons — in the interest of the presumption of innocence and a fair trial — that the monies that are being set aside for Pickton cannot be released at this time. They will, of course, be released in due course.

[1045]

L. Krog: I appreciate that that's a perfectly legitimate answer on the part of the Attorney General in these circumstances. But I wonder if the Attorney General can put himself on the streets of British Columbia and say to some person who can't get assistance to do a welfare appeal and is living on the lowest rung of our society that somehow the government, in its wisdom and in the pursuit of justice and in pursuit of a democratic society and all those great and glorious principles we're supposed to live by, that we can afford to manage significant criminal cases that cost millions, but we can't kick up a few million dollars to help people make an appeal to see if they can draw \$515 a month to survive on.

Hon. W. Oppal: The answer, I suppose, is that without the benefit of unlimited budgets, we have to assess and set some priorities. As the member well knows, the general philosophy or thrust is to look at the downside or the exposure of any particular person. For instance, where there is a possibility that someone may be incarcerated, that person receives legal aid and a lawyer of his or her choice, within reason. So all those things are being done, but it's impossible, having regard to financial considerations, to fund every cause and every person's lawsuit or every person's appeal. This is exactly what I said at the outset. We have to, in many cases, look for alternative ways of achieving access, short of assigning lawyers for every prospective litigant.

L. Krog: Last year I canvassed with the Attorney General the issue of how women are disproportionately affected by cuts made by this government generally. Cuts to legal aid and the Attorney General's decision to end the zero-tolerance policy, combined with cuts to women's centres, have obviously reduced the support system available to women. Also, last year the Minister of Community Services insisted that her ministry and the Attorney General's ministry worked in a cross-government capacity to ensure that legal services didn't negatively affect women. Can the Attorney General tell me how many women accessed legal aid last year and how many men?

Hon. W. Oppal: We do not have the figures. The figures are not broken down by gender.

L. Krog: When devising this policy, does the Attorney General work in a cross-government capacity? In

other words, can he confirm what the Minister of Community Services said, and can he provide the names of other ministries that he consults with, with respect to this whole issue of whether or not these cuts have negatively affected women?

[1050]

Hon. W. Oppal: There are initiatives, and there is consultation between Community Services, MCFD and the Ministry of Employment and Income Assistance where the issues overlap. I would also point out that in cases of child protection mediation for single mothers, those single mothers are assisted as well.

L. Krog: The statistics for the Nanaimo Citizen Advocacy Association show an increase in the number of employment and assistance appeal tribunal cases. They've gone from 178 in 2000-2001 to 564 in 2004-2005.

The administrative justice project reviewed the province's tribunal processes in an effort to make them more efficient and accessible. Changes have hopefully reduced the need for lawyers and paralegals. Public funding for poverty law matters now has the stated goal of "providing people with information and advice services to help them solve their own problems" — all very admirable.

However, the significant increase in the appeals, for instance, around employment and assistance in the last five years indicates there is a fairly dramatic problem. The question is: was the funding for poverty law matters cut in order to pay for the administrative justice project?

Hon. W. Oppal: The short answer is no.

L. Krog: My question to the Attorney General is: have the restructured tribunals saved the province any money?

Hon. W. Oppal: It's a question that's difficult to answer because the tribunals are in various ministries and that information, of necessity, has to be accessed through other ministries. It can be said that administrative tribunals have been of great benefit and assistance to people in need of those services.

L. Krog: The poverty law subsection of CBA highlights that the employment and assistance appeals tribunal doesn't meet the requirements of procedural fairness. They are obviously concerned that people have to represent themselves against ministry staff who have extensive knowledge of the acts and regulations. I'm just wondering: does the Attorney General, in those circumstances, think the process is a fair process?

Hon. W. Oppal: I have some difficulty in responding to that question, in that this issue really lies.... The jurisdiction is in another ministry. Having said that, we know there are an increasing number of appeals. I would think that since there are an increasing number of appeals, people are aware of their right to appeal. I

am not aware of any institutional bias or institutional.... I don't think that word was used by the member, but he says that the rules are unfair or words to that effect, and I'm simply not aware of any unfairness in the rules, in the procedures or in the legislation.

L. Krog: My friend from Burnaby-Edmonds is anxious to get on with his section of questions, so I'm going to have to very much limit mine. My final question relates to this issue, which has been raised by the Attorney General in his response. The Attorney General has to be responsible for, and care about, the justice system in this province generally. My suggestion is that what we understand about the poorest in our province is that they are not getting access to justice or advice through advocacy groups, from legal services or from former sources of assistance to help them deal with what most people would see as legal issues.

[1055]

In the circumstances, I'm asking the Attorney General: is he prepared to engage in a cross-ministry study of administrative tribunals with a view to determining whether or not they're fair, whether or not people are getting genuine access to justice.

If the results of that show, as I think a study would, that in fact people need assistance to appear before these tribunals, will he consider funding paralegals or others or citizens advocacy associations in order to help the poorest in this province to get some kind of fairness out of these administrative tribunals?

Hon. W. Oppal: We are in continuous dialogue with the various administrative tribunals. We have the administrative justice office that sets certain standards — standards regarding fairness. I have in the past year spoken to the administrative justice tribunal — the subsection, the association — and we are always looking for ways in which we can achieve fairness for those people who must of necessity access the various tribunals in order to achieve the results and the remedies that they seek.

We don't directly fund advocacy groups. We don't directly fund paralegals. But we are constantly looking for ways, on an ongoing basis, to see how the various tribunals can achieve the rules of natural justice and fairness, and that's something I'm most concerned with.

R. Chouhan: Given that we don't have much time — only two hours for my section of estimate debates — I'll get right into the questions. To the minister: what is this year's budget for all human rights services?

Hon. W. Oppal: The total budget is \$5.1 million, and that is made up as follows: \$3.1 million goes to the funding of the Human Rights Tribunal, and approximately \$2 million goes to the Human Rights Clinic.

R. Chouhan: So there's no increase in the budget from last year. Last year it was exactly the same budget.

Hon. W. Oppal: The answer is no. I should add that there hasn't been any request for additional funding at this stage. We work with the Human Rights Tribunal on an ongoing basis, and from time to time we're asked to provide more personnel, but to my knowledge, in the past six months there hasn't been any similar request.

I should correct that slightly. There are some personnel issues now that may require further funding because of illnesses in the system. Personnel who work in the system are ill. As a matter of fact, I spoke with Heather MacNaughton this morning about these various issues. We have an ongoing dialogue on this, as to what their needs are.

[1100]

R. Chouhan: Any idea about how much that increase may be necessary to provide to the Human Rights Tribunal in the budget?

Hon. W. Oppal: Between \$60,000 and \$100,000 is required on a temporary basis in order to deal with the issues regarding illness and absences.

R. Chouhan: What is the current grant to the B.C. Human Rights Coalition?

Hon. W. Oppal: It is not a grant; it's a contract. It's \$892,000. The Community Legal Assistance Society gets \$907,000.

R. Chouhan: Last year the grant, or contract, if you want to call it, was \$970,000. So it has decreased this year. What's the reason for that?

Hon. W. Oppal: The numbers haven't changed, in fact. Under the agreement, the coalition received \$892,458.

I apologize. The budget has remained the same, but what happens from time to time is that if there's year-end money left over and they need extra money that money is then conveyed to them. That's what's happened. There hasn't been any decrease, as such, at all.

R. Chouhan: Okay. What is the Human Rights Coalition's current caseload?

Hon. W. Oppal: At any given time their ongoing files will total approximately 200, and they take in 40 percent of the cases that go to the Human Rights Tribunal.

R. Chouhan: Last year the caseload was 402 cases that they handled. Is there a trend that they are handling fewer cases this year, or is it the same?

[1105]

Hon. W. Oppal: In any given year there may be 400 to 440 or 450 files that are opened. But as the member can appreciate, they get settled. So at any given time the inventory, so to speak, will be around 200 to 220 and thereabouts, because they're turning the cases

over. They may open 440 a year, but then they're settling them as they're going along. The present caseload is 202 as of December.

R. Chouhan: The Attorney General is familiar with the report released this March by the B.C. Human Rights Defenders and UVic International and Human Rights Law Association. This report examines the direct access model of the Human Rights Tribunal and human rights protection this government brought in to replace the former commission system.

This report finds the new system is failing in several ways, including undermining the public purpose of human rights legislation, elimination of early intervention in human rights matters, no independent investigation of human rights violations, no effective human rights monitoring, no reporting from the AG on the state of human rights in B.C. and no proactive measures to educate the public about human rights.

The Attorney General called this report partisan in the media and said that B.C. has the best human rights system in Canada. That was reported in the *Times Colonist* right after that report. My question to the Attorney General is this: was there any criticism in this report that the Attorney General found constructive or upon which he might consider acting?

Hon. W. Oppal: The member's assessment is quite correct. When you look at the authors of that report — Mary-Woo Sims, a former human rights commissioner who was displaced when the Human Rights Commission was eliminated, and Harinder Mahil, who worked there as well — they are members who are associated with the NDP. That in and of itself doesn't render the report biased, but it is biased for a number of reasons.

You look at it and.... I've read the report and examined it, and I don't know if there's anybody objective who was on the editorial board or who was a writer or a resource person that wrote that report. There is one issue they've raised that I think is a valid issue and a valid matter of concern, and that is the area of education.

Under the direct access model, we have assigned the task, through agreement, of education to the clinic. If there is one area where I think that the system could do a better job, it's in the area of education. The Human Rights Tribunal is a direct access model. The Human Rights Tribunal is similar to a court. It hears cases far more effectively than the Human Rights Commission ever did.

[1110]

The Human Rights Commission was seen by many to be cumbersome, repetitive, overlapping and expensive. It often took two and a half years to resolve cases. It was at most a gatekeeper. I'll quote you what one member of the tribunal told me. She said that the Human Rights Commission was dysfunctional. It concerned itself with cases that may not have enhanced its credibility. Should pregnant women be allowed to play in the Gibsons slo-pitch softball league? Issues of that sort were the focal point of much of what the Human Rights Commission did. The result was that after an

independent review, it was decided that a direct access model ought to be established.

I should say that the province of Ontario is now considering a direct access model as well. While they have retained what they call a Human Rights Commission, if this legislation goes through, it will be retained in a very limited fashion in an educational way only. It will not have the same kind of status as it previously did have.

The present Human Rights Tribunal resolves 70 percent of its cases through mediation and settlement. It is able to give hearing dates within eight months. It gives decisions within 12 months. Its time line, its guideline for rendering decisions after a hearing, is 90 days, and it generally meets those targets.

We're very satisfied with the workings of the Human Rights Tribunal. I think the province has assumed a leadership role in human rights by adopting this direct access model. But most of all, in the less than a year that I've been here we've received no complaints at all about the workings of the Human Rights Tribunal — except for the member.

I hold the member in the utmost respect because I know of his record on human rights. I don't discount what the member has said. But having said that, you know, the members of the public have not complained to us about bringing back the Human Rights Commission, save and except for groups such as those that are the authors of the report.

R. Chouhan: Several comments on this. First of all, that report was not authored by the B.C. Human Rights Defenders. They released it. It was authored by the UVic International Human Rights Law Association. These are the people who are experts in their field.

The Attorney General has talked about the issue of gatekeeper, of the difference between the Human Rights Commission and Human Rights Tribunal. He has also referred to the Ontario model that they are reviewing now. The government of Ontario has now not only improved the human rights commission model they have, they have also now established the anti-racism secretariat, which we don't have here.

If the Attorney General is concerned about the gatekeeper issues that the Human Rights Commission had before and is concerned about the benefits of the direct access program that we have under the Human Rights Tribunal, would the Attorney General then support my private member's bill that I introduced last week, which takes away the gatekeeper role of the Human Rights Commission and also strengthens the direct access tribunal system we have now?

Hon. W. Oppal: I don't want to keep beating this, but since the member referred to it, about that report, I will make reference to it again. You know, three of the people who were instrumental in writing that report.... The acknowledgments of that report: Harinder Mahil was appointed as a deputy chief commissioner of the Human Rights Commission in the 1990s by the former government; Mary-Woo Sims, federal NDP candidate

in the last election; Jonathan Chapnik, executive member of the B.C. NDP. The general tenor of the report leaves something to be desired on an academic level. You know, that's somewhat sensational — "characteristics," "wrong way of...."

[1115]

The Chair: Minister, there are no props.

Hon. W. Oppal: I apologize.

I would have been more impressed with the report had it had more of an academic and an objective tone to it. But unfortunately, in my view, it was a political document.

Getting back to what the member said about racism, we spend approximately \$500,000 a year on programs to combat racism. We are involved with the police. We have one and a half Crown counsel working on a regular basis to document incidents of racism.

This past week, last Friday, I met with the Canadian Jewish Congress on the issue of racism and their concern about incidents of racism. I can assure you that we are working with the police, with the Justice Institute in enhancing programs regarding education and racism and, particularly, in monitoring incidents of racism.

R. Chouhan: Other than painting that report politically, does the Attorney General have any evidence to back up your assertion that the report does not provide any meaningful direction in order to improve the human rights system in British Columbia?

Hon. W. Oppal: Well, it runs counter to exactly what we are trying to do in this province — that is, to achieve fairness in human rights issues by a direct access model where persons who are aggrieved, persons who are suffering human rights abuses, persons who have complaints under the Human Rights Code can achieve justice and fairness in an expeditious manner.

The Human Rights Commission sat on cases for two and a half years at the most — sometimes three years. While it did have an educational component to it, it did not meet its targets. It was not a success in achieving just results. So when that report calls for a re-establishment or reinstatement of a commission that was, in the eyes of many people and the eyes of the authors of the independent review, ineffective in dealing with crucial matters such as racism and human rights complaints, then I have no qualms at all about rejecting what that report calls for.

As I said a moment ago, some of their recommendations regarding educational endeavours are issues that are well worth considering. But the answer is no. We're not going to bring back the Human Rights Commission for reasons that were well established in 2001 when the independent review was conducted.

R. Chouhan: I didn't have any plans to ask any questions on the 2001 independent review, but let me ask, now that the Attorney General has raised it. What

independent review is the Attorney General referring to?

Hon. W. Oppal: In 2001 the Administrative Justice Project released a background paper on human rights. The authors were the researchers. The authors were Deborah Lovett, QC, and Angela Westmacott. These were people outside of government. They were independent people who had an expertise in human rights. They found that the human rights system at that time, the commission model, was inefficient, as it experienced delays in intake and investigation. The study also found inconsistency between staff decisions, and that the commission's system was costly, rigid and inflexible, and the staff were seen to lack objectivity.

[1120]

The court decision based on judicial review determined that the previous Human Rights Commission failed to send valid complaints to a hearing. That was a major concern. When I looked at some of the findings, a person would go before the commission and had what many people thought and the tribunal thought was a valid complaint, but it never got any further.

Clearly, at that time it was incumbent upon the province and was the obligation on the part of the province — a province that's multicultural and that deals with human rights issues on an ongoing basis — to address these very serious issues by the establishment of a direct access Human Rights Tribunal.

R. Chouhan: If I remember correctly, prior to the 2001 election the Leader of the Opposition, the current Premier, made a very political decision and a public announcement that, upon getting elected in 2001, the Human Rights Commission would be dismantled. I also remember during that period of time there was a public meeting somewhere — I've forgotten exactly the date — and the current Attorney General was equally disturbed when the Human Rights Commission was dismantled. He was the hon. judge and a defender of the human rights commissioner at that time.

Moving beyond that, my question now is: what's the tribunal's current caseload?

Hon. W. Oppal: In 2004-2005 they opened 822 files.

R. Chouhan: What's the current average wait time for HR complaints to be heard?

Hon. W. Oppal: I spoke to a chair this morning, and she advised me that they could get hearing dates within eight months or even quicker, depending upon the availability of counsel, of witnesses and of complainants. The average length of time for a hearing is eight months.

I said a moment ago that they have a 90-day time line as a guide to when they get their reserve decisions out. In most cases those are met. If one were to put it on sort of a global basis or make a general statement, you could say that you could get a hearing date within eight months and have a decision within a year.

R. Chouhan: Last year during the budget estimate debates I gave an example of Jeffrey Moore of the Vancouver school district, and that decision was rendered shortly after that, but it took the tribunal more than three years on that case.

I have another example. The British Columbia Veterinary Medical Association filed their complaint in August 2004, and the hearing date they have received is December 2007.

Would that also fit in that average seven-month, eight-month time line?

[1125]

Hon. W. Oppal: Well, I'll make a brief reference to Moore. Moore was a case that was unusual. It was started under the Human Rights Commission in 1994. There were unusual reasons as to why it took so long. One of the reasons was that the Auton case was before the courts at that time, and I think they had to wait for a decision. In fairness, that's one of the reasons why it took a long time.

As far as the veterinarians are concerned, I can't give an answer to that as to why the hearing date is set for 2007. It might well be the availability of counsel. I do know that there's a parallel lawsuit going on. The most that I can say is that the chair of the tribunal has told me that they can give hearing dates within eight months quite easily, depending upon the availability of lawyers. Without knowing more about the case involving the veterinarians, I can't really say why the case is going on in 2007.

I share the member's concerns that 2007 is an extraordinarily lengthy period of time to wait for a hearing date and a decision — and justice, at the end of the day. I share the concern.

R. Chouhan: I'm glad the Attorney General has clarified Jeffrey Moore's situation. It was filed in 1994 but, because of the court's involvement, it could not be heard until 2001. When it was heard in 2001 — sorry; later on — it then took three years to render that decision. That's behind us now.

Let's move on to human rights education. Last year when we discussed human rights education, the Attorney General said that he believed Canadians are pretty well informed as to what their rights are. That was the statement made by the Attorney General on November 2, 2005. I respectfully submit that that is not the issue.

Instead, the problem seems to be that too many Canadians are underinformed as to what the human rights of others are, as evidenced by recent incidents of sexual harassment of female firefighters in Richmond. As well, due to our high levels of immigration, we need to be proactive about informing newcomers of the rights they are entitled to in Canada. This requires a more systemic approach to human rights education than this government is currently providing. Will the Attorney General take any steps to rectify the shortcomings of the current system?

Hon. W. Oppal: When I said that Canadians are aware of their rights, I meant exactly what I said. Peo-

ple are aware of their rights. Where we need to educate the public is in the area of human rights, particularly in light of our changing demographic picture.

[H. Bloy in the chair.]

Our increasing immigration levels have led to an increase in racism, so we need to educate the public more about the customs of other people. We have to educate newcomers who come here. We have work to do in that area, and it's work that has to continue on an ongoing basis. I share the member's concern about that. As our so-called visible minority population increases, so, too, does our obligation increase — our need and our duty to inform the public of rights.

[1130]

As far as the Richmond firefighters' case is concerned, I'm not so sure that any type of education was needed in that particular case. I'm not so sure that the existence of a commission or anything of that sort would have assisted people in rules regarding decency. I would have thought it was fairly common ground and common knowledge that if those things took place as alleged — and they are, at this stage, allegations.... Clearly, I don't know if those people who are said to have done those things would have benefited from any type of education. Obviously, it is horrendous and it is wrong to engage in aggressive acts of gender discrimination that are said to have existed in the Richmond fire department.

I think when we're examining human rights issues and the effectiveness of Human Rights Tribunals, we have to be a little bit careful in judging the case of the Richmond firefighters, because I would suggest with respect that some of the circumstances and the incidents that have been outlined and alleged to have taken place are aberrant behaviour, and I think we can all recognize that.

R. Chouhan: Now, the Attorney General is responsible for education on human rights and anti-racism programs. Has the ministry organized any public forums to educate people about human rights and anti-racism issues?

Hon. W. Oppal: The coalition conducts workshops and forums. They attend workshops and training sessions to employers, employee groups, service providers, labour councils and unions, community groups and various other organizations.

There are public legal education organizations that do the same. The Law Courts Education Society, a group that has been recognized internationally, goes into the schools and speaks to visible minorities. They teach courses, and they advise people on questions of racism and tolerance. I don't like using that word "tolerance," but it's used often.

There are a number of NGOs that receive financial assistance from the government — the Law Courts Education Society.... If I'm not mistaken, I think the People's Law School has human rights cases as well. I

should say that the Kamloops Cariboo Regional Immigrant Society will host a series of dialogues on multiculturalism which are designed to bring the local community together with local businesses to discuss diversity.

A Voice: It's a pilot.

Hon. W. Oppal: It's a pilot project.

These programs are taking place on an ongoing basis. Now I'm sure the member and I would like to see a lot more of these taking place. I can tell you that it's something that we're very much concerned with and dedicated to.

R. Chouhan: Just one more question before we move to immigration settlement services issues. My friend from Nelson has a couple of questions as well.

This subject is very near to my heart, as the Attorney General will recognize. It's about migrant farmworkers. This spring the problems of a group of Mexican migrant farmworkers attracted attention in the lower mainland. These workers were denied access to drinking water and bathroom facilities on a Maple Ridge farm. Their human rights were grossly violated. Did anyone in the Attorney General's ministry take any action regarding this case or make any effort to educate these workers about their rights?

[1135]

Hon. W. Oppal: I share the concerns of the member. I'm well aware of the work that he's done with the farmworkers, particularly in the '70s and '80s, when it was a difficult task for him, and I congratulate him. Having said that, I'm also concerned with some of the abuses that are said to have taken place with the Mexican farmworkers who are now being employed in the Fraser Valley, but that's an issue that I'm informed is now being addressed by the employment standards branch.

It is something that I agree has to be addressed. It requires ongoing vigilance. I'm told there were some isolated examples of abuses that were taking place, but I'm also advised that they are being addressed. It is something that, obviously, is going to require ongoing monitoring, particularly in light of the fact that we in this province need more workers. In particular, we need seasonal workers, and they may at times be subject to abuses.

C. Evans: I guess my first question for the Attorney General would be: can you guess what my questions are about?

The Chair: That's speculative.

Hon. W. Oppal: Bountiful.

C. Evans: It was speculative, but I wanted to get it on the record, because we're going to keep on doing this until the issues in Creston are resolved in some satisfactory way. I think that will be true, certainly as

long as I work here, and I would guess it has been true for previous Attorneys General and will continue to be true. I think it's appropriate, and I think it needs to be done in public.

My first question. I was pleased that the Attorney General met with his counterparts from the United States, and I myself had a quite long and educational conversation with the Attorney General in Utah. He advised me that he and the Attorney General in Arizona would be getting together this summer for a tour of some communities in the United States, continuing to try to bring the light of day and governance to the polygamy issue, where it exists. We had discussions, as I think the Attorney General did, about the similarities between their situation and ours.

My question, twofold, to the Attorney General is: one, has he been invited to further discussions with his counterparts in the United States? And two, if those discussions involve physical visits, either of the Attorneys General from the United States to British Columbia or vice versa, can I be invited to participate?

Hon. W. Oppal: No, there have not been any further discussions with either the Attorney General of Utah or the Attorney General of Arizona. We had agreed during the meeting we had in December to maintain an ongoing dialogue. If I was invited and if I felt it was necessary in the circumstances, in that it would further our investigations, I would clearly get involved, and I would have no objection at all. In fact, I'd invite the hon. member to take part, if the hon. member so wished.

There is a delicate area here, of course, and that involves whether or not criminal charges would be laid. That's something that is a little bit different. That's a question I get asked a lot: "Are you going to lay charges?" Well, the most I can say is that it's an ongoing police investigation, and under normal circumstances I wouldn't even say that. But in this case, the case is sort of out of the ordinary.

[1140]

When the police have told the public that there's an ongoing investigation, they haven't specifically named any names. I take some comfort in that, but as the member knows, under normal and ordinary circumstances we don't apprise the public as to whether or not there is an ongoing criminal investigation.

C. Evans: I appreciate half of the question that the Attorney General answered about business to the United States, and I appreciate the offer to come if invited. Now, the possibility is that there might be some benefit to Canada or British Columbia of inviting those folks here.

The last time that we canvassed these matters, the Attorney General put on the record, and I've heard him and his predecessors say in the past, that the most difficult problem of polygamy on both sides of the border is the difficulty in finding a victim willing to press charges. Of course, without belabouring the point, this has to do with the possibility that such a person might

go to hell and with the indoctrination of children that speaking outside the polygamous community is an offence against God.

I think there are various tactics being taken in the United States that we might try, to encourage citizens to come forward and press charges when there are offences that have been committed. I think there are ways that we might convince people that our society is willing to care in a respectful fashion for their beliefs while going through a criminal investigation and court-of-law process.

Will the Attorney General consider reversing the process and inviting the American Attorneys General here to British Columbia to have a discussion about what works and what does not work in the encouragement of citizens who have been victimized to press charges?

Hon. W. Oppal: The issues raised by the member are valid and may be helpful. I can say that the Ministry of Community Services has assigned a social worker in order to determine from another perspective whether or not there are persons we may characterize as victims who are prepared to come forward to seek assistance.

To address the other issue, this really is a policing issue as well. As I said, the police are involved, and I, of course, am not privy to exactly where they are in their investigative process. I would invite the Attorneys General of Utah and Arizona to come here if I were of the view that that somehow would assist us.

I want the member to know that this issue has been around for ten years, and I do want to resolve it. I've gone on record as saying that this is something we need to resolve for reasons that are obvious. The sexual abuse and exploitation that is said to have been going on is something that no decent society should tolerate and condone. I have serious concerns about what's going on, and I'll do anything and everything in my efforts to see that we can address this issue and eventually bring it to a close.

[1145]

C. Evans: I'll try to be brief, because I note that it's getting close to lunch hour. The Attorney General says that he will think about inviting his counterparts from the United States to British Columbia if it's useful. I would encourage the Attorney General, if he decides that it might be useful, to invite also the MP who represents the Creston Valley and perhaps the federal government Immigration officials or minister, because we have issues with the United States as people move back and forth across the border related to the community of Bountiful.

I think one of the reasons that we have, for decades, been unable to resolve this is that we have, for decades, been unable to get ministries and levels of government to work together, which brings me to my last question. There is the possibility.... There is a press conference in Creston today. I imagine it will follow other things that Mr. Blackmore has said in the past in which he, in the

last few weeks, has suggested that he expects to be arrested.

I have no opinion on whether or not that's true. I'm not going to ask about it, and I don't have any opinion about whether or not he's guilty or has done anything.

My concern is that if that were to happen, or if Mr. Jeffs, the other leader of the sect at Bountiful, was to be arrested, it would have a destabilizing effect on the community, and we don't know, here in this room, what will happen. The last time that there were criminal charges in Creston was just before I was MLA in the '90s. This would be in the late 1980s, and there was a circle-the-wagons kind of effect where the community stopped interacting with the larger Creston community. Kids didn't go to Girl Guides. People didn't get help from Mental Health. The whole social services and community network ceased to function while there were criminal charges.

I am concerned. I have no opinion on what the police do or the Attorney General does or what they do in the United States. However, I am concerned that if there is another major event, there needs to be a ministry in charge and a minister in charge. Someone has to hold the file for Children and Families, for Social Services, for Mental Health, for Immigration so that there is a unified governmental response and we do not turn the legal process into some major, destabilizing social

event for people in and out of Bountiful in the Creston Valley.

My question is: should there be major events in the coming months, who is the minister in government who will hold this file for all of government and make sure that the ministries are going in the same direction? And I want to say that in the last year I think we've done well with, say, the Ministry of Education; it has begun to make changes, similar to the Attorney General. I just want to know who's going to be in charge so we don't have 19 different responses or, worse, a big vacuum where all government backs off and says: "Oh no. It's in court, ergo we have no responsibility."

Hon. W. Oppal: I'm grateful for the advice and the suggestions that the member has raised. Unfortunately, I can't answer the question as to what minister would be in charge. It's something that I would have to take back to cabinet and seek instructions on.

R. Chouhan: I move that we rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 11:49 a.m.

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