

FOURTH SESSION - TWENTY-SEVENTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

DEBATES and PROCEEDINGS

(HANSARD) Published under the authority of The Honourable Dan D'Autremont Speaker

N.S. VOL. 57 NO. 13B MONDAY, NOVEMBER 17, 2014, 19:00

Bill No. 141 – *The Archives and Public Records Management Act, 2014*

Mr. Forbes: Thank you, Mr. Speaker. It's a pleasure to rise and continue my discussion on Bill No. 141, *An Act respecting the Provincial Archives of Saskatchewan, Public Records Management and making consequential amendment to other Acts and Regulations*. And this is an important piece of legislation, and I am glad to rise again.

Last week I started to speak on this just briefly. It was Wednesday, just the day after Remembrance Day, and I had alluded to some of the important roles that archives play in our world and particularly when we were thinking about November 11th and how archives can help us understand the past, in ways that for people today would have difficulty, because they're the keepers of the facts, the artifacts, the things of the past that help us make sense of that time and whatever time that may be. And I will take a moment to allude again to that.

But I do want to say for those who are tuning in tonight that this Bill No. 141 I think is a critical piece of legislation. And I would urge people to watch the progress of this bill, and if they have any questions or comments, be sure to let us know.

You know, Saskatchewan has a proud record of its past, and really it's an important one. And you know, we talk about the museums and that type of thing. And how do we, how do we have as good a record as we can have? And it is our responsibility to make that happen as this legislature. And so we're glad to see this come forward. We have a lot of questions about this, and I will talk more about some of the concerns I have. But I just want to say that this is an important issue.

And I want to set the stage, you know, and I want to...I did talk last week about the impact of Remembrance Day and the fact that, when we are in Remembrance Day ceremonies and people are listing or reading the names of those who fought for us in the different areas or formats or, you know, whether they be in the military or other protective services, it's really important to have that record.

But I think about the archives, the provincial archives, and how I certainly appreciate receiving their — I think it's every other month — their little magazine called Saskatchewan History. And I'm just looking at one that we got this summer and the struggle of Chinese settlers and about exploring the North and meeting a pioneer DJ [disk jockey]. And I just think these are interesting, and it brings the past to life. And it's an amazing thing when I think about the kind of things that, whether it be pictures, original documents, or whether they be cultural or factual, it's an important thing that we have this.

And I think that I just want to congratulate and recognize the archives staff for the good, the very outstanding work they do in keeping us informed but also keeping us passionate about our province and because of understanding our past. And I think this is hugely, hugely important. And as the member talked about the special celebration, the anniversary for the Multicultural Council of Saskatchewan, how we recognize that “from many peoples, strength,” and that's key for us. That's key for us. And how we will understand that more fully, if we can understand our past, and the archives play a significant, significant role.

I want to just highlight one article, and it's an interesting one, Mr. Speaker. I don't know if you saw Saturday's paper. It was both in *The StarPhoenix* and *Leader-Post*, but I'm going to quote from *The StarPhoenix*. And it's about this document that was found and is now at the U of S archives. And I'll talk about the U of S and the U of R, the University of Saskatchewan and the University of Regina archives and how they relate to the provincial archives. But this is on page A9 and the 15th of November 2014. The headline is “Rare document solidifies treaty partnership.”

And how we find documents and how they can go astray, and then many years later we can find them and they have huge, huge impact. So I'll quote from this extensively. It's a beautiful story, and it's one of a success story in terms of how archives can play a huge, huge role in understanding the past. Because as I said last week, and I believe this to be true, that we are all children of the treaties. And this is important. So this find is something that we can all celebrate. But what happened was, and I'll quote:

A delicate, creased and slightly worn three-page document has been returned home to the area where it originated 105 years ago: Treaty 6 territory.

The document is an original, three-page adhesion to Treaty 6, signed in 1889 by leaders of the Montreal Lake Cree Nation and the Lac La Ronge Indian Band, once collectively known as the Green Lake Indians.

Signed in 1876, Treaty 6 covers a large, east-west swath of central Saskatchewan, extending as far south as Kindersley and as far north as La Ronge. The area also extends west into Alberta.

The agreement with the Crown resulted in the creation of the two Montreal Lake Indian Reserves and the Little Red River Reserve.

[And now] the Montreal Lake Cree Nation now owns the historical document, [and they are] loaning it permanently to the University of Saskatchewan, where it's held at the Archives and Special Collections unit.

And they had a fellow, the band manager from Montreal Lake Cree Nation, Mark D'Amato, and he is quoted extensively. This is what he had to say: "It was shocking for all of us, when we first heard about it."

In some ways, the significance is the fact that we were able to obtain it all, since it was signed in 1889 and transferred to Edmund Morris in 1909 and not really heard . . . [about it since then].

Now you may, Mr. Speaker, recognize the name Edmund Morris. Edmund Morris was the son of Alexander Morris, the fellow who negotiated many of the treaties. But what happened was that the person who had given the adhesion to Edmund Morris was A.G. Irvine, the Montreal Lake copy. One went to Ottawa. There were two copies made. Didn't have photocopiers or whatever in those times, so the two copies were made. One went to Ottawa. But you would have thought the other one would have gone to the First Nations, so for their records. But it didn't. It was kept by the person who negotiated the treaty adhesion on behalf of the Crown, and that would have been Commissioner A.G. Irvine. But "In 1909, he presented the document to Edmund Morris, a painter best known for his pastel portraits of Aboriginal leaders, especially those who signed major treaties."

And many of us will know that downstairs are many of his paintings, Edmund Morris. Now it wasn't like they were tucked in behind the paintings but part of his papers. But those papers should have gone to the First Nations. But 100 years later, in 2014, they have come home to the First Nations and that is good, good news. And as D'Amato said, that they "are excited, glad to have it home. And we want to make sure our young people have a good understanding of the value of the document." And he says, "This is a learning tool for everyone, First Nations people and non-First Nations people."

And of course it's at the University of Saskatchewan, their special collections archives unit, so it can be in safekeeping. And it's on permanent loan. The ownership is clear: it's with the Montreal Lake Band and it's their document. But it's easily accessible and it's safe and that's hugely important. The university, I know, and the archivist, the U of S archivist, Tim Hutchison — and he's pictured with the original Treaty 6 documents — is just delighted to play a role as an archivist to make sure that it's safe and that there's access, particularly to young people, because it's a huge thing.

Now I talked about last week about the whole discussion about public records because this is the addition. This may be more the theme. And it will be interesting to have the discussion in committee about this because before it was just, the Act was called the public archives Act, plain and simple and straightforward. Now we're talking about public records as if they're something more beyond than archives, so we're not sure what the significance of public archives.

But as I said at that time last week that we did have a list of people who were designated

to be on that board but are interestingly . . . The representative, there was not a representative from Culture on that board. And I wondered about that because it seems to me, particularly since the Minister of Culture is the person responsible for the public archives and public records, that he would have or she would have somebody on that board. But that is not the case and I wondered why, because public records are much more than just a justice issue or much more than a financial record, I would think. They're really a cultural record too and I have a lot of questions about that.

So, Mr. Speaker, I have questions too . . . You know, when we've been talking to people, the question arises, how does this change what is now and what will be? And we'll be looking forward to consulting with folks. We notice that there's a change in terms of the relationship with the University of Saskatchewan and University of Regina. We know that a lot of early records were actually kept by the University of Saskatchewan. They were the first archivists in the province. And so what is the role particularly of the University of Saskatchewan in this? And what does that mean? What does that entail? And so it'll be interesting to hear more about that. What are the costs here? This is a hugely important issue in terms of . . . We know the public archives has chronically been underfunded and needs to have more funding. And whether this is a signal that, of course, we'll see appropriate funding in the budget, I think this is an important, important one.

And as well, Mr. Speaker, I just want to take, while I have certain ministers in the audience, I want to talk about some of the things that are recorded. And I don't know if the Minister of Culture . . . [inaudible interjection] . . . Well all ministers are in the audience. Certain ministers are in the audience. You know, I had to look at this. And I was wondering whether the Minister of Culture is getting to know his colleagues very well, very well because some of the things he's had in here brings to mind certain ministers, brings to mind certain ministers.

And of course it talks about the public record that the Legislative Assembly, the Legislative Assembly Service, every officer of the Legislative Assembly, every government institution, every court, talks about the things that will happen. This is 24(5)(b):

create and implement a records policy, management policy, and procedure to protect and maintain all public records that are in the custody . . . control of the Legislative Assembly [on and on] for which they are being maintained.

And it talks about certain records. So I know that the ministers will have to follow these instructions. They're usable and accessible, transferable. And here's the kicker, Mr. Speaker: they have to be legible. The records have to be legible. So I'm looking at certain ministers and I'm wondering whether the Minister of Culture is going to have these ministers take some handwriting course. Now I don't know about the Minister of Education, whether he's going to put back into school cursive handwriting, but I think . . .

An Hon. Member: Standardized cursiveness.

Mr. Forbes: Standardized cursive handwriting. Because I've got to say, sometimes we

have issues about legibility here, Mr. Speaker.

When we're talking about archives, it's important that the archives are legible and understandable. And I appreciate the Minister of Culture stepping up to the plate and saying that from now on the records of the ministers are going to be understandable and legible. So I think this is . . .

An Hon. Member: Only if Archives gets them back from former ministers.

Mr. Forbes: I think they're all in order, Mr. Speaker. They are all in order. They are all in order, Mr. Speaker . . .

[Interjections]

Mr. Forbes: Mr. Speaker, we can debate that. I don't know if they're going to create another bill, but whether that one is in the bill, but they are all legible. I've got to tell you, Mr. Speaker, they are all legible, Mr. Speaker.

So anyways but I think this has got a lot of budget implications, and we'll be looking forward to hearing about this. But we'll be looking forward to hearing more about this in committee.

As I said earlier last week, that the consultation piece is one that we'll be really interested in hearing from the different folks who have a real stake in this, have a real stake in this. And as we clearly see, whether it's the University of Saskatchewan, whether it's the University of Regina, the First Nations, the Métis folks, those organizations clearly want to make sure their records are protected and if there's a role for the Provincial Archives, it's got to be protected.

And of course as we're talking today, the multicultural organizations really want to make sure their records are protected too and whether the Provincial Archives are considering that. What that means in this piece of legislation is huge.

So with that, Mr. Speaker, I know this will be an important piece of legislation, and we think it's an important one both to have the conversation. I think it's critical that we review this every once in a while. But clearly it's a priority for us, and I think it's a priority for this House that we do it right: there's no unintended consequences; nothing is lost. For the Archives, that's not a joke when something gets lost. They really want to make sure everything is in its right place.

So with that, Mr. Speaker, I would move now that we adjourn debate on Bill 141, *An Act respecting the Provincial Archives of Saskatchewan, Public Records Management and making consequential amendment to other Acts and Regulations*. I do so move. Thank you.