

Fourth Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
AL TOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne, Hon.	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey, Hon.	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek, Hon.	Interlake-Gimli	PC
JOHNSTON, Scott, Hon.	Assiniboia	PC
KHAN, Obby	Fort Whyte	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan, Hon.	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
PEDERSEN, Blaine	Midland	PC
PIWNIUK, Doyle, Hon.	Turtle Mountain	PC
REYES, Jon, Hon.	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SMITH, Andrew, Hon.	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
<i>Vacant</i>	Thompson	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 5, 2022

The House met at 1:30 p.m.

Madam Speaker: Good afternoon, everybody. Please be seated.

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Madam Speaker: I do have a report to table.

In accordance with section 58.8(2) of The Freedom of Information and Protection of Privacy Act and section 48.14(2) of The Personal Health Information Act, I am tabling the 2021 Annual Report of the Information and Privacy Adjudicator.

MINISTERIAL STATEMENTS

Madam Speaker: The honourable Minister of Health, and I would indicate that the required 90 minutes notice prior to routine proceedings was provided in accordance with our rule 26(2).

Would the honourable minister please proceed with her statement.

World Autism Awareness Day

Hon. Audrey Gordon (Minister of Health): Madam Speaker, April 2nd was autism awareness day, an opportunity to support, listen to and learn from those with autism or autism spectrum disorders, or ASDs.

Autism is a neurodevelopmental disorder that primarily affects a person's ability to communicate and interact with others. A 2018 report of the National Autism Spectrum Disorder Surveillance System indicates that autism is the most common neurodevelopmental condition in Canada. It affects one in 50 Canadians aged one to 17.

World Autism Awareness Day is observed to spread kindness and autism awareness. The theme for 2022 is inclusive, quality education for all and this reminds all of us to ensure that everyone has equal, accessible opportunities to learn and grow and develop.

In February of 2022, the St. Amant Foundation partnered with the Manitoba Moose, Madam Speaker, and they did this to kick off the seventh annual Autism

Acceptance campaign in support of St. Amant programs.

This year's campaign featured a new change. A decision was made to change the name of the day from autism awareness to autism acceptance. This change was actually decided back in 2021 when the autism acceptance term was trending and parents noted that the term needs to change to focus on not just being aware about autism but also about accepting people living with autism.

As part of the Autism Acceptance campaign, the Manitoba Moose, I'm told, also wore their special edition jerseys designed to reflect autism acceptance to their game on March 5th. Fans were also encouraged to bid on the jerseys and the net proceeds were donated to the St. Amant Foundation.

I would like to acknowledge the parents, families and friends of people living with autism for all their dedication and commitment to recognize and raise awareness about autism.

And members in the Chamber today are wearing the blue ribbon in recognition of autism day, where many of the buildings and lights throughout the city are illuminated in blue.

On world autism day—awareness day and every day, let us commit to ensuring equity and inclusion in all aspects of society for everyone.

Thank you, Madam Speaker.

MLA Uzoma Asagwara (Union Station): Madam Speaker, World Autism Awareness Day was this past Saturday, April 2nd. This is a time when we strive to raise awareness about autism and encourage early diagnosis and early supports.

World autism day is an opportunity to celebrate the unique talents and skills that people with autism possess. By welcoming and embracing individuals with autism as important members of our communities, we all benefit and can accomplish much together.

We also know that autism can pose enormous challenges for families. Our caucus is committed to building support services that will help children and their families succeed.

Manitobans with autism don't only need awareness and acceptance, they also need very real supports, including access to psychologists and assistance in schools. Currently, Manitoba ranks last in psychological supports. And schools have been forced to reduce support services to students with autism because the government does not provide adequate funding.

At the end of the day, this government cannot pretend to be doing all it can to help Manitobans living with autism while at the same time cutting the very programs on which they rely.

The Premier (Mrs. Stefanson) and her government maintain that it's up to Manitobans to look after themselves, but we know that government's decisions matter. Proper health care and education supports matter. This government needs to do better for those living with autism.

We will continue to fight for a better world for those living with autism, both on world autism day and all days in the future.

Thank you.

Mr. Dougald Lamont (St. Boniface): Madam Speaker, I ask for leave to speak in response to the minister's statement.

Madam Speaker: Does the member have leave to respond to the ministerial statement? [*Agreed*]

Mr. Lamont: It's a pleasure to speak today on autism awareness.

It's always a challenge to talk about issues that may involve family in this Chamber, but—for reasons of privacy and not wanting to drag family members into the political spotlight—but in October 2016, my young son was diagnosed as being on the autism spectrum; high functioning, as they say, which means he would once have been diagnosed with Asperger syndrome.

I remember the meeting well, because I was immediately hit by two feelings: first, that I never, ever want anyone to perceive our boy as less than. And in that moment I also feared for my sweet son, not because of his abilities, his obsessions, his creativities or his sense of humour, but because of how he could be treated and the struggles he would face from people who don't understand.

The other feeling was that I should've realized it, but I didn't because he was just acting the way lots of

people in my family do, which also explained a lot about my family.

Not being seen as less than is so important because there are many myths about autism. Each person on the spectrum is like each of us: different in our own way. There's a saying, if you've met one person with autism, you've met one person with autism; you cannot generalize.

And there have always been people with autism, we just didn't always have a name for it. It's thought that five times as many males as females have autism, but it is underdiagnosed in females.

A clinical psychologist in the UK was diagnosed with autism, defying the mistaken stereotype that people with autism somehow lack empathy. She said, many of the autistic people that come to me have a lot of trauma from living in a neurotypical world, where they've been forced to be something they're not. I don't see it as therapy because it's not treatment. I see it as developing life skills.

I will add, right now, in Manitoba, people with autism and their families lose their supports at the age of 18 if they're deemed to have a certain IQ—over 80. This ignores that many of the barriers they face are more than just intellectual, and we hope that the government will reform and review this, and I hope that, also, Manitoba will follow the lead of other jurisdictions and move from autism awareness to autism acceptance.

Thank you, Madam Speaker.

MEMBERS' STATEMENTS

Madam Speaker: The honourable Minister of Agriculture (Mr. Johnson). [*interjection*] Oh, okay.

The honourable member for Assiniboia—or the honourable Minister of Seniors and Long-Term Care.

Harvey Warner

Hon. Scott Johnston (Minister of Seniors and Long-Term Care): I knew we'd get there, Madam Speaker. I knew we'd get there.

Today I rise to a—to the significant contributions of a well-known resident in the St. James-Assiniboia community.

Harvey Warner lived and worked in our community and raised his family in our community. In addition to owning his successful business in Assiniboia, Harvey was one of the original members of the Manitoba Jockey Club. In his role, Harvey was

instrumental in the success of Assiniboia Downs and the horse-racing industry in Manitoba.

Harvey was always horses- and people-focused. His love for horses was always apparent, and whether he was speaking to fans in the grandstand at Assiniboia Downs or to business stakeholders, Harvey was always warm and approachable.

Harvey initiated free parking, free admission and VLTs, all of which helped the business of Assiniboia Downs to prosper over some challenging times.

Harvey's nearly 30 years of dedication to the horse-racing industry in Manitoba and Canada earned him the Special Sovereign Award from the Jockey Club of Canada in 2020.

* (13:40)

Harvey Warner's untimely passing at age 74 this pathed March—past March left his wife Edie, daughters Sheri and Michelle, family members and friends and colleagues deeply saddened.

Harvey's family is heartened and proud of the legacy Harvey leaves.

Madam Speaker, please join me to acknowledge and thank Harvey Warner for achieving his dream and to see the sport of horse racing flourish in the province of Manitoba.

Thank you, Madam Speaker.

Wolseley Community Service Agencies

Ms. Lisa Naylor (Wolseley): At the start of the pandemic, we were told to shelter at home and social service agencies were asked to close their doors. Yet many community members would not have survived without their care. I would like to acknowledge the ingenuity and hard work of Wolseley community service agencies as they found new ways to care for our community.

Wolseley Family Place connected families with electronics so they could participate in online learning and family programming.

Daniel McIntyre-St. Matthews Community Association opened a service window to provide hygiene items, harm reduction supplies, water and food.

Healthy Baby offered their weekly program to new and expecting parents over Zoom.

West Broadway Community Organization continued housing support while staff worked from home,

held a virtual garden party and a physically distanced West End cleanup.

Madam Speaker, IJustCity provided sidewalk service at breakfast and bagged lunches at noon.

West Central Women's Resource Centre pivoted to mobile outreach and maintained their housing supports.

The Resource Assistance for Youth offered outdoor drop-in and meal programs, street outreach and continued mental health care by appointment.

Velma's House opened during the pandemic to provide a safe space for women, harm reduction distribution and access to an elder.

Evermore held their after-school club and homework program virtually.

Each one of these services and actions was backed by an extraordinary amount of effort. Agencies kept up to date on public health protocols and many hosted clinics for those who might not have otherwise accessed vaccines.

I'm proud of the resiliency of Wolseley community members and our social service workers. Social service agencies have been made to do more with less for too long, and while they've risen to the challenge, we must acknowledge the load they carry on behalf of our Province.

To these and all the community organizations in Wolseley, I thank you and I will continue to advocate for you.

L'Arche Tova Cafe

Mr. James Teitsma (Radisson): In my most recent private member's statement on crazy socks day, I reminded this House that our community's stronger when it welcomes and includes people with Down's syndrome in it.

One organization in Transcona that shows this is so is the L'Arche Tova Café. This past week, L'Arche Tova Café celebrated their 10th-year anniversary.

Ten years ago, a group of individuals brought a dream to fruition, a dream of opening a social enterprise café to support L'Arche Winnipeg in their mandate of assisting those with mental disabilities to live to their full potential by providing meaningful employment for them and to foster a more compassionate society.

Their commitment to inclusion 10 years ago carries on today and it enriches the lives of the café's customers, its employees and volunteers.

This past year has been an eventful one for the café with the retirement of long-time leaders Diane Truderung and Jim Lapp. I thank them both for their many years of faithful service. I'm grateful that the board has successfully managed the transition to their successors.

I'd like to give special thanks also to Larry Vickar and his wife Tova, after whom the café is named, for their commitment and their continued support. Larry Vickar is well known in Winnipeg, not just for selling great cars, but also for his lifelong commitment to philanthropy and community building. He's an inspiration to me, and I consider him a role model.

I encourage every member of this House—and, indeed, all Manitobans—to find time this coming year to visit L'Arche Tova Café for breakfast, coffee or lunch. They're located at 119 Regent Ave. West and they're open Tuesdays through Saturdays from 8 a.m. to 2 p.m. Everything on their menu is home-cooked, delicious and nutritious. If you're not sure what to get, you'll never go wrong with one of their moist, delicious and mouth-watering cinnamon buns—did I make you all a little bit, just a little bit hungry?

I also want to make you aware of the opportunity to support them directly through the 18th annual Vickar Automotive Group's Walk with L'Arche on Saturday, May the 7th, 2022. You can sponsor me or one of the other walkers or donate directly.

Let's all support L'Arche Tova Café and help make a difference in our community.

Caregiver Recognition Day

Mr. Wab Kinew (Leader of the Official Opposition): A constituent recently shared a story with me about moving her mother into a personal-care home. She said, and I quote: I have to admit that I was struggling more than my mom with this move and the nurse recognized that I was close to tears. I didn't know if I could leave my mom in this place. The role reversal between parent and child is a hard one to adapt to. The nurse looked at me and shared: It is time for you to go back to just being a daughter—we will be your mom's caregivers. End quote.

This constituent is with us in the gallery today. Sherry Heppner is the development co-ordinator at the Convalescent Home of Winnipeg. She also cared for

her parents for 15 years. Sherry is joined today by the CEO of the Convalescent Home, Sharon Wilms.

Today I acknowledge Caregiver Recognition Day and all the work that caregivers across Manitoba carry out 24-7.

Now, Sherry has made the point that caregivers are often left uncredited for their contributions to our health-care system and to our society. She's long asked for this day and knows the importance of advocating for health-care not only data but also the powerful emotional stories about quality of life for seniors and others in our communities.

Caregiving is at the heart of what it means to be a Manitoban. Sherry notes that COVID has turned many of us into caregivers, whether in the short term or in the long term. We do so as parents, grandparents, aunts, uncles, sons, daughters, children, siblings, friends. So many of us have cared for one another these past two years.

Today, we honour those who care for others and commend all caregivers for the essential, the compassionate, the heroic and the sacred work that they do.

Miigwech.

Global Council for Political Renewal

Hon. Jon Gerrard (River Heights): Madam Speaker, March 31st was a significant day. Elected politicians representing countries around the globe signed off on a constitution and executive for a new organization: the Global Council for Political Renewal.

It is an organization which is badly needed. It will focus on promoting and improving ethics in politics; on promoting human rights and relieving human suffering through engagement; on promoting social, environmental and economic justice through policy dialogue; on promoting global peace through diplomacy; and on advancing human development through research, education and training.

The president of the organization is Bridget Masango, a South African Democratic Alliance politician with extensive international experience who served as the shadow minister of social development in South Africa since October 2015.

We're well aware, in Manitoba, that there's a need for political reform. Our Speaker, herself, wrote recently to all MLAs to say: The lack of decorum and attacks in the House have been noticed. The public deserves better.

Improvements are also needed to Manitoba's conflict of interest legislation, particularly so with allegations of problems occurring almost daily.

The situations in Afghanistan and Ukraine speak to the importance of emphasizing human rights and achieving peace. The climate crisis speaks to the need for politicians around the world to work together to achieve environmental improvements and equitable development. The emphasis on research and education is needed for progress on all fronts.

I thank Dr. Nurul Mozumder from Bristol, England, whose family background is from Bangladesh, for his work on ethics and politics and his initiative and perseverance in the establishment of the Global Council for Political Renewal.

ORAL QUESTIONS

Publication of COVID-19 Data Reduction of Public Notifications

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, it seems as though everyone in Manitoba knows somebody who's tested positive for COVID recently—with the at-home rapid test, of course—whether it's a friend, a family member, a co-worker. We know folks are getting sick.

The virus is still here in Manitoba, but unfortunately the data is not. Without warning, the Premier and her government have stopped reporting this information with that regular interval that Manitobans have come to expect.

Now, this doesn't make much sense, right? The virus is still here, why isn't the data?

Will the Premier reverse the decision to hide COVID data from Manitobans?

* (13:50)

Hon. Heather Stefanson (Premier): The opposition continues to put false information on the record with respect to this issue, Madam Speaker.

I will say that he is wrong, that that data is available for all Manitobans on our website. *[interjection]*

Madam Speaker: Order.

The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: Madam Speaker, the Premier told Manitobans this year that they're on their own, that they have to look after themselves when it comes to

COVID-19. One of the ways that Manitobans did that was by logging on daily and seeing what was happening with case counts, with hospitalizations, with other indicators, as we've all come to learn how to do these past two years.

But then, the same Premier who told Manitobans that they were on their own and had to look after themselves, took away that tool that Manitobans were using to look after themselves and each other. It doesn't make much sense, Madam Speaker, and that's why experts, that's why concerned Manitobans, that's why people from all walks of life are asking this government to reconsider.

Will the Premier do so? Will she stop concealing the COVID data?

Mrs. Stefanson: Madam Speaker, the Leader of the Opposition continues to put false information on the record. This is not—this is deplorable.

Frankly, what I've said in the past is that we need to learn to live with COVID. I am not the only person that has said that, Madam Speaker. Doctors across the country, senior health officials across the country have also said that we need to transition to learning to live with COVID.

What Manitobans want is relevant information so that they can make those decisions. That information is available to them on the website, Madam Speaker. What they want to know is what the trends are. Weekly numbers offer what those trends are and that offers the information to Manitobans so they can make the best decisions for themselves.

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: Let's review the facts, Madam Speaker.

This Premier told Manitobans that they're on their own. That is a fact.

The Premier told Manitobans that they have to learn to look after themselves. That is verbatim and that is fact.

Manitobans had come to expect to be able to access daily updates when it comes to hospitalizations and case counts and other indicators. That is a fact.

And, of course, the fourth fact that I will share with you: this government started concealing that information very recently when they ended the practice of sharing that through daily updates.

These are all facts. The government cannot refute them, and that's why they now resort to heckling. They know the truth.

Will they finally level with Manitobans and admit that they are concealing COVID data from them for political purposes?

Mrs. Stefanson: Madam Speaker, there's absolutely nothing factual about what the Leader of the Opposition just put then on the record.

Manitobans want relevant information so they can make decisions for themselves. That information is available for them on the website. We continue to update that weekly, Madam Speaker. That's where Manitobans will get a trend so they can make those decisions for themselves.

Again, the facts are that those—that that information is available for all Manitobans on a weekly basis on the website.

Madam Speaker: The honourable Leader of the Official Opposition, on a new question.

Surgical and Diagnostic Backlog Funding for Concordia Hospital

Mr. Wab Kinew (Leader of the Official Opposition): Here's another fact, Madam Speaker: there are nearly 170,000 Manitobans waiting for a surgery or a diagnostic test right now. Here's another fact: that number is growing even as we speak.

Now, what solution has the Premier and this PC Cabinet put forward? Well, after cutting health services for their entire time in office, they now come and tell Manitobans if you want the surgical backlog to be cleared, you're going to have to go and fundraise money yourselves. Madam Speaker, \$350,000 is the ask for Manitobans to get the Concordia another operating room. Why?

Will the Premier simply fully fund surgeries at Concordia Hospital instead?

Hon. Heather Stefanson (Premier): Well, the Leader of the Opposition is consistent with one thing, and that is putting false information on the record within this Chamber, and he continues to do so.

The fact of the matter is we are spending almost \$1 billion more in health care than the NDP ever did when they were in power, Madam Speaker.

I know that the facts are tough for the members opposite, that's why they continue to heckle it, Madam Speaker, but the facts speak—are very clear. And the

facts speak louder than the words of the Leader of the Opposition.

Madam Speaker: The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: Well, let's review another fact, Madam Speaker. This PC government had \$500,000 for GoodLocal and for the member for Fort Whyte (Mr. Khan), and yet they don't have \$350,000 for the Concordia Hospital.

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Mr. Kinew: How does the average Manitoban square that circle? *[interjection]*

Madam Speaker: Order.

Mr. Kinew: How is it that you have \$500,000 for your prospective political friends, but you don't have \$350,000 for an urgently needed operating room that nearly 170,000 Manitobans are waiting to be able to access?

Mrs. Stefanson: Well, the Leader of the Opposition continues with his litany of false accusations, Madam Speaker, and he doesn't have his facts right. In fact, they are not facts. They're just wrong.

We have invested more than \$650 million in businesses in Manitoba to help them bridge through the pandemic. Those are the facts. What the Leader of the Opposition is putting on the record continues to be false information.

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: Madam Speaker, it's a fact that this government gave half a million dollars to GoodLocal. I know it's a fact because as I was saying it, the member for Fort Whyte was eagerly nodding his head with a smile. And I contrast that with the fact that this government doesn't have \$350,000 for the Concordia operating room. *[interjection]*

Madam Speaker: Order.

Mr. Kinew: We're talking about an essential public service. We're talking about health care. One of the most fundamental Canadian values—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —is that we should have universally accessible health care in Canada. Yet, in Manitoba, this PC government is forcing Manitobans to raise private funds—to deliver a public service.

Why won't this Premier simply fund the operating room at Concordia publicly?

Mrs. Stefanson: Madam Speaker, the Leader of the Opposition never ceases to amaze me with his continuation of gutter politics in this Chamber. He continues to put false information on the record within this Chamber, and I would suggest that whoever—*[interjection]*

Madam Speaker: Order.

Mrs. Stefanson: —does his research needs to get—you know, maybe he should find someone else to do his research because his information is simply wrong.

We have invested more than \$650 million to help those small- and medium-sized businesses in Manitoba through the COVID pandemic. We will continue to invest in those businesses so we can help grow our economy right here in Manitoba.

Health-Care in Northeast Winnipeg Funding for Concordia Hospital

Mr. Matt Wiebe (Concordia): The people of northeast Winnipeg have borne the brunt of this government's cuts to health care. Their ER was closed. The ICU beds were cut. They lost their CancerCare clinic. Nurses have been fired. Labs have been closed, and the IV clinic was shuttered.

Now, instead of rolling back those cuts, the Premier (Mrs. Stefanson) is telling the people of northeast Winnipeg they have to come up with the money themselves, just to backfill this government's cuts.

That's wrong, and will the minister stand up today and reverse this decision?

Hon. Audrey Gordon (Minister of Health): In keeping with their leader's tone in this Chamber, the member who has posed the question continues to put incorrect information on the record, Madam Speaker.

We are so pleased that the Concordia Foundation has contacted the WRHA, as well as our task force, for this new partnership that will lead to 1,000 new hip and knee surgeries occurring at the Concordia Hip and Knee Institute.

* (14:00)

And I'm also pleased to say that our government is investing over \$4 million into that project, Madam Speaker. That is the fact.

Madam Speaker: The honourable member for Concordia, on a supplementary question.

Mr. Wiebe: With over 170,000 Manitobans waiting for surgery right now, the Premier still hasn't offered a real plan. Instead, she told the residents of Concordia—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —of Radisson, Transcona to start fundraising to make up for this government's cuts.

That's not a plan. Manitobans deserve a health-care system in their home community and they shouldn't have to open up—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —their wallets just to get it.

Will the minister stop her plan—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —and fully fund Concordia today?

Ms. Gordon: Madam Speaker, we are funding the Concordia fifth OR to the tune of \$4.9 million. And it appears that members opposite missed the task force's update: \$400,000 to increase the number of assessments completed by the spine assessment clinic; Sanford hospital in North Dakota sending more patients for spine surgery; implementing the FIT testing for screening for colon cancer.

Our government is responding to the needs of Manitobans, not just in northeast Manitoba where this member is the MLA, but all across the province, Madam Speaker.

Madam Speaker: The honourable member for Concordia, on a final supplementary.

Mr. Wiebe: Madam Speaker, the minister is right. There have been cuts across the province.

But in northeast Winnipeg, we have borne the brunt of these cuts more so than any other place, and yet front-line workers—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —at Concordia have continued to work through all of it with passion and care. *[interjection]*

But now the Premier won't even come up with the full amount to backfill their own cuts at the Concordia Hip and Knee Institute—*[interjection]*—and 170,000 Manitobans are on a waiting list, waiting for this government to act. That's the wrong approach. *[interjection]*

Will the government fully fund the surgeries at Concordia Hospital and stop cutting health care in northeast Winnipeg and across this province?

Madam Speaker: I'm going to have to call the member for Radisson (Mr. Teitsma) to order, please. That's making it very difficult for members to hear the questions that are being posed.

And I would also urge members that it's probably not a good idea to heckle their own members when they're standing, either. So, cautions to everybody.

Ms. Gordon: I think the member owes the Concordia Foundation an apology. I do recall them purchasing a ticket to one of their fundraising dinners and now they're saying—he's saying they shouldn't be fundraising.

Madam Speaker, \$4.9 million to run the fifth operating room that will be constructed at Concordia. And I know the member opposite is only concerned with northeast Winnipeg, but we're concerned with providing services to all Manitobans and we will continue to work towards that goal.

Surgical and Diagnostic Backlog Funding for Concordia Hospital

Mr. Jamie Moses (St. Vital): Madam Speaker, the backlog of surgeries and procedures keeps going up and up. Now it's almost at 170,000 people waiting. That's a complete failure. But this government proposes an operating room that's paid by fundraising to the tune of \$350,000.

Madam Speaker, this government gave \$500,000 to the member for Fort Whyte (Mr. Khan), but they're relying on donations to pay for a surgical backlog. That's just not right.

Will this government fully fund more surgeries, and will they do so today?

Hon. Audrey Gordon (Minister of Health): I encourage the member for St. Vital, Madam Speaker, to speak with the member for Concordia (Mr. Wiebe) and ask the member why they purchased tickets to the Concordia Foundation's fundraising dinner. What did they want them to use the funds to do?

They came forward to the WRHA, the task force to say we want to partner, collaboratively, to open a fifth OR—*[interjection]*

Madam Speaker: Order.

Ms. Gordon: —an OR which will lead to 1,000 more joint surgeries per year, Madam Speaker.

Why doesn't the member for St. Vital want to support the efforts of their own member for Concordia in ensuring that their—the Concordia Foundation can support this project, Madam Speaker?

Madam Speaker: The honourable member for St. Vital, on a supplementary question.

Mr. Moses: Madam Speaker, what I'd like to ask the minister is when she's going to announce a date to reduce the surgical backlog, because these surgical wait times and lists are getting longer and longer. They're at an unprecedented level right now and continue to grow.

This government has given \$500,000 to their friends, like the member for Fort Whyte, but they're relying on charity and donations to help our critical health-care services? This is simply unacceptable. Manitobans shouldn't have to wait for this government to get its act together.

Will the minister actually help Manitobans and fund extra surgeries at Concordia in full, today?

Ms. Gordon: I'm pleased to put more information on the record about more partnerships that have come forward as a result of the work of the Diagnostic and Surgical Recovery Task Force.

We're partnering with Maples Surgical Centre to provide women with hundreds of gynecology surgeries. Again, Sanford Health in North Dakota. And we're doubling the number of anesthesia clinical assistants in the province.

Individuals are receiving their surgeries, their diagnostics tests, and we will continue to do what's in the best interest of Manitobans, not the member for St. Vital.

Madam Speaker: The honourable member for St. Vital, on a final supplementary.

Mr. Moses: Madam Speaker, let's get this straight: the member for Fort Whyte gets \$500,000 even, on short notice; meanwhile, patients have been waiting four years for the surgeries that they need. Now the minister says wait even longer, as they pass the hat for \$350,000 for an operating room. That's just not right.

Will the minister do what's right and what's needed for Manitobans, and fully fund an operating room? And will they do so today?

Ms. Gordon: I have to wonder if the member for St. Vital is asking for foundations—not just Concordia, Victoria hospital has a foundation, Health Sciences Centre has a foundation—is the member asking for

those foundations to close their doors, stop fundraising? What will the member for Concordia do? He'll have nowhere to go, no tickets to purchase.

Madam Speaker, since December 2,430 CT scans have been performed; 3,766—[*interjection*]

Madam Speaker: Order.

Ms. Gordon: —ultrasounds; 1,712 MRIs; a total of 7,908 diagnostic tests. Manitobans are receiving the care they need, and we'll continue to provide for Manitobans in the weeks, days, months to come.

Surgical and Diagnostic Backlog Mandated Shifts for Nurses

MLA Uzoma Asagwara (Union Station): Madam Speaker, Manitoba nurses have stepped up, day after day, throughout this pandemic to care for our loved ones, while the PCs refused to give them a fair contract. For years they worked back-to-back shifts and mandated overtime to cover the cuts made by the PCs.

And now, because of this government's cuts, the PCs are going to take away nurses' time with their families this summer. That's totally unacceptable.

Why is this government cancelling nurses' summer plans with their families?

* (14:10)

Hon. Audrey Gordon (Minister of Health): I encourage the member for Union Station to engage in gimmicks in her constituency rather than bringing false information to the Chair of this Chamber. Gimmicks like the one I performed in 2020 to collect turkeys on behalf of Agape Table, which is in her—in the member's riding. Those are the gimmicks that the member should be focused on.

We have no plans, Madam Speaker, to cancel nursing vacations this summer so more surgical slates can be scheduled. That is a fact.

Madam Speaker: The honourable member for Union Station, on a supplementary question.

MLA Asagwara: Madam Speaker, I'd remind the Minister of Health I do use neutral pronouns, not sure why she seemed to forget it in that particular moment.

But hopefully she understands that what I'm asking about is nurses being able to take a break, allied health-care professionals being able to take a break. She needs to make sure that happens. She needs to restore the 124 hospital beds that were cut in Winnipeg and she needs to staff up the 2,300 vacant nursing positions in Winnipeg.

Nurses need to be able to take a break with their families. They're depending on that.

When will the minister restore the positions that she cut and let our nurses have a much-deserved break and take their vacations?

Ms. Gordon: Again, I will put accurate information on the record. There are no plans to cancel nursing vacations this summer. We appreciate and value the good work of all our health-care workers.

And in terms of taking a break, I want to remind the member for Union Station that the volunteers and leadership at Agape Table at 364 Furby St., in the member's constituency, never get to take a break. They are an independent, charitable, non-profit organization established and maintained to help feed our city's most vulnerable people.

Where was the member when they needed turkeys for their turkey dinner for the homeless? They were busy working on gimmicks that they could bring to the Chair—to the floor.

Madam Speaker: The honourable member for Union Station, on a final supplementary.

MLA Asagwara: Madam Speaker, the Premier (Mrs. Stefanson) gets weekends off, but that's not the case for so many nurses and front-line health professionals. In fact, they get mandated to work back-to-back-to-back shifts and mandated to work overtime.

And now, because of this government's cuts, the PCs are going to take away nurses' time with their families this summer. Enough is enough, Madam Speaker.

When will the minister restore the positions she cut and let our nurses have a much-deserved break this summer?

Ms. Gordon: In the weeks and months in 2020, and again in 2021, that the Southdale constituency team and individuals with kind hearts from around Manitoba delivered turkeys to Agape Table to ensure individuals—[*interjection*]

Madam Speaker: Order.

Ms. Gordon: —could have a Christmas and a Thanksgiving dinner, I never saw the member for Union Station—[*interjection*]

Madam Speaker: Order.

Ms. Gordon: —because every day was a day off, Madam Speaker.

Shared Health—

Some Honourable Members: Oh, oh.

Madam Speaker: Order.

Ms. Gordon: —has worked with each individual site to increase their—

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order.

I'm going to ask the table to stop the clock.

People may not like the answers, but that gives nobody the right to yell. That's not even heckling, that is very, very disrespectful behaviour.

And I am going to reference a letter that I did send to all of you. It was a letter that was sent from the University Women's Club, and I shared it with all of you. And they have been watching what has been going on in this House, and they are indicating that this lack of decorum has been insulting, degrading and inappropriate for legislators who represent Manitoba citizens. That was just a display of it.

People may not like the answers and they may not like the questions, but you all have a responsibility to listen carefully to what is being said.

The honourable Minister of Health, to conclude her comment.

Ms. Gordon: Madam Speaker, Shared Health has worked with each individual health-care site to increase their surgical slates to help Manitobans suffering in pain based on what they could do with their projected staffing. There are no plans to cancel nursing vacations this summer.

Northern Health Care Staffing Level Concerns

Ms. Amanda Lathlin (The Pas-Kameesak): Nurses need a break, but they aren't getting this with this PC government. In the Thompson emergency room, nearly half of the positions are empty. This is the North, Madam Speaker. There are—there's not another hospital that we could just go down to down the road. The minister needs to fix this immediately.

Will the minister give the North health care it needs and deserves?

Ekosi.

Hon. Audrey Gordon (Minister of Health): Our government recognizes the needs of the northern or remote communities. That's why we invested

\$812 million, Madam Speaker, into the clinical preventative services plan.

We're rolling out projects all across the North and remote communities, \$4.3 million for 37 additional nurse-training seats at the University College of the North.

We recognize there is more work to be done and we are committed as a team to getting the job done.

Madam Speaker: The honourable member for The Pas-Kameesak, on a supplementary question.

Ms. Lathlin: Gillam, Leaf Rapids, Lynn Lake and Snow Lake, all of them have struggled to stay open.

The health-care region describes the situation as, quote, very fragile from a staffing perspective, end quote, and that gaps in services plague the site. Nearly half the positions aren't there. The situation needs to be addressed, not at some date in the future.

When will the minister address the cuts her government has made?

Ms. Gordon: What our government will do is continue to work with First Nations, Inuit, Métis, all the stakeholders in the North to identify solutions—sustainable solutions, Madam Speaker. And we plan to come around a table of individuals who are solution-focused in May to discuss what needs to be done to ensure that sustainable health care is provided in the North.

We are committed. We will get the job done.

Madam Speaker: The honourable member for The Pas-Kameesak, on a final supplementary.

Ms. Lathlin: In The Pas, obstetric services aren't—are described by the region as being in a very fragile state. The same is true in Thompson. Now that Flin Flon 'obstetric' services closed, we are very close to a situation where no baby can be delivered in northern Manitoba. This is a crisis that needs urgent attention.

Will the minister take action today?

Ekosi.

Ms. Gordon: I thank the member for putting that information on the record. It is information that has been shared with my department, Madam Speaker.

We take the situation in the North very seriously. That is why our government committed \$812 million in Budget 2021, which was the largest single health-care commitment in Manitoba's history. *[interjection]*

And that historic investment is leading to 38 health-care-facility projects across the rural communities and the North. *[interjection]*

We want to reduce the need for Manitobans to travel long distances for care and to receive care close to home in the North.

Madam Speaker: I'm going to have to caution the member for Flin Flon (MLA Lindsey) again, as I have cautioned other members in the House. I would just like to call the member to order.

There is heckling going on that I'm asking members to think twice about, please. That is certainly not a demonstration of what the public wants to see. The public is tuned in to what is going on here, and they're not liking to hear the tone and the language that is being used in the House and the heckling that is going on. They find that quite disrespectful.

* (14:20)

Emergency Room Services Wait Time Reduction Plan

Mr. Dougald Lamont (St. Boniface): I table an email I received yesterday, carbon copied to the Premier (Mrs. Stefanson) and Health Minister, from a worker at the Health Sciences Centre who was told by a nurse that the emergency room wait time yesterday hit 15 hours.

I also table this morning's WRHA stats from 11 a.m.: the Grace had a wait time of five hours; HSC, seven hours; HSC Children's, five and a half; St. Boniface, five and three quarters.

I see in the Free Press that the Minister of Health is going on a couch sitting tour. Surely, the patients, nurses and doctors at our emergency rooms would give her an earful—and they might actually have a comfortable place to rest.

What excuse is the Premier offering for this latest health-care failure, and what are they going to do to address it before the next wave hits?

Hon. Audrey Gordon (Minister of Health): I thank the member for St. Boniface for the question.

I do want to remind everyone in this Chamber that when the NDP government ran the health-care system in Manitoba, we had the worst emergency department wait times in Canada for years, and that was without the added pressures that we have been under over the past two years of a global pandemic.

I'd like to table today, Madam Speaker, two articles that will show that each—for the last two years in power of the NDP we had the longest, highest wait times in the country. That is their record.

Manitobans elected our PC government to clean up the mess and that is—

Madam Speaker: The member's time has expired.

The honourable member for St. Boniface, on a supplementary question.

Mr. Lamont: Madam Speaker, two wrongs don't make a right, and I know what it's like to be stuck in an ER.

Last June, I suffered a back injury. I had a debilitating injury, a severe bulging disc that left me unable to walk for five days. I spent 25 hours in the St. Boniface ER, the first six of them in a gurney in a hallway where I had to shout to get help for seniors in wheelchairs because there are no call bells in corridors.

And I'm one of the lucky ones. I could be left in an understaffed ER for 25 hours because I wasn't going to die for lack of treatment, and others aren't so lucky.

I table an article from five years ago this week that warned this government that closing ERs was an idea that was doomed to fail. It has.

What is this government going to do to reverse its mistakes and reduce ER wait times now?

Ms. Gordon: Madam Speaker, I want to remind the member for St. Boniface that NDP staffing shortages and the highest wait times in the country is the reason why our government undertook system-wide health transformation, and we're moving forward with that transformation that will see significant change in the health system and in wait times.

And I want to remind the member for St. Boniface that, with no pandemic, the NDP in 2015 had emergency room wait times over 9 hours and had the longest wait times in all of Canada.

Madam Speaker, we were elected to clean up their mess, and we're getting the job done.

Madam Speaker: The honourable member for River Heights, on a final supplementary.

Personal-Care-Home Placement Constituent Case Concern

Hon. Jon Gerrard (River Heights): Madam Speaker, as I wrote the minister, Edith Berlin, a 96-year-old woman, survived a three-day horrific experience at the Grace emergency room.

After treatment for a urinary tract infection and shortness of breath, she's been medically stable, now, for five days. For five days, she's been ready to go to a personal-care home, the only place she can get the 24-hour care she needs.

Why, I ask, has the personal-care home of her choice, the Simkin Centre, not yet even received her application, nor, in five days, has the application even been completed by the hospital team.

Is this because discharge planning has been slow and fragmented since the minister's government got rid of the discharge nurses?

Hon. Scott Johnston (Minister of Seniors and Long-Term Care): I would appreciate the member's question.

We do understand that, certainly, there have been challenges, through COVID, in our personal-care homes, and our government is doing everything that we possibly can to ensure that those problems are eliminated into the future.

I can tell you that the Stevenson report will be coming up very shortly with recommendations—all 17 recommendations this government will be adopting and also, too, as well, looking at longer term solutions also.

So, I do appreciate the member's question and I can assure him that we—

Madam Speaker: The member's time has expired.

Royal Winnipeg Ballet Funding Announcement

Ms. Janice Morley-Lecomte (Seine River): Our government recognizes that the arts and culture sector is integral to our province.

Can the Minister of Sport, Culture and Heritage share with the House the recent support announced for the Royal Winnipeg Ballet?

Hon. Andrew Smith (Minister of Sport, Culture and Heritage): I'd like to thank the member for Seine River for that very good question because I want to reiterate how important the arts and culture sector is to this government.

And that's why I was so pleased to join the Premier (Mrs. Stefanson) when she announced \$7.5 million for the RWB campus 'revitalation' project—*[interjection]*

Madam Speaker: Order.

Mr. Smith:—downtown campus, Madam Speaker. It's very important for this government and it's very important for the arts and culture sector.

I'd just like to highlight the fact that our government, since forming government in 2016, has given four times more dollars than the NDP ever did in their 17 years of disastrous government, Madam Speaker. They left tens of millions of dollars of deferred maintenance costs on the table.

Where they failed, we got it right. *[interjection]*

Madam Speaker: Order. Order.

I don't think it's helpful to be throwing name-calling around in this House. Very, very inappropriate. I am very disappointed to hear comments like that coming, and I'm really going to ask for people—you really need to rein this in. This is not an acceptable thing to the public, and I'm going to ask for everybody's co-operation.

The honourable member for St. Vital (Mr. Moses).

Some Honourable Members: St. James.

Madam Speaker: Oh, sorry, St. James.

Manitoba Hydro Surge Pricing Government Intention

Mr. Adrien Sala (St. James): Madam Speaker, this government wants all of us to pay more. The cost of living is going up month after month. Gas is way more expensive, milk is more expensive and food is more expensive, but this government is out of touch.

Instead of taking action to reduce costs for Manitobans, they've put forward legislation that will result in hydro rate hikes of 5 per cent every year into the future.

We've also seen a recently completed Manitoba Hydro survey which strongly suggests this government is going to pursue the use of surge pricing.

Does the minister and Manitoba Hydro have a plan to introduce surge pricing to Manitoba?

Hon. Cameron Friesen (Minister responsible for Manitoba Hydro): Madam Speaker, I was pleased to

organize a bill briefing for members of the opposition. It looks like it's time for a second bill briefing.

Let's go over this again. This bill does three very important things: it protects taxpayers by making sure that annual hydro rates cannot go up more than the cost of living or 5 per cent, whichever is less; it sets out an expanded role for the PUB; and it stabilizes Hydro where the NDP threatened it.

Madam Speaker: The honourable member for St. James, on a supplementary question.

Mr. Sala: This PC government is raising hydro rates. They even passed a law to raise hydro rates, which was the first time that's ever happened in the history of this province.

Going forward, they've proposed rate hikes of 5 per cent every year into the future, and a Hydro survey from last year that focused on surge pricing has now concluded.

The implementation of surge pricing in Manitoba would have a real impact on Manitobans.

Does the minister intend on bringing surge pricing to Manitoba? Yes or no? *[interjection]*

Madam Speaker: Order.

Mr. Friesen: Madam Speaker, we all know what is happening here: the NDP are trying desperately to distance some—themselves from their terrible record of mismanagement of Manitoba Hydro, which is the economic scandal of a century.

Madam Speaker, \$4 billion over—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —budget—\$4 billion over—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —budget.

Now, the member for St. Johns (Ms. Fontaine) can try to yell me down, but what she cannot do is yell down the Manitobans who understand that, where they threatened Hydro, we are stabilizing Hydro. We are protecting taxpayers and we are giving a better role for the PUB.

They can shout all they want, but Manitobans know the truth when it comes to the NDP and Hydro.

* (14:30)

Madam Speaker: I will recognize the honourable member for St. James, but I am going to have to call the minister—or, the member for St. Johns to order.

The amount of heckling that is going on today is just totally unacceptable, and I'm having difficulty hearing. But I find that this behaviour here—and I am still hearing it, as I'm trying to stand, by the same people I'm trying to say need to rein it in.

I'm asking for everybody's co-operation, please.

Mr. Sala: Madam Speaker, the people of Manitoba built up Hydro over the past decade so we could have affordable utility bills, but this government is attempting to steal it away with legislation that will see rate hikes every single year.

A survey by Manitoba Hydro last year has concluded and it focused on use of surge pricing. The minister should be straight with Manitobans who have real questions about this.

I'll ask him for a third time: Do the minister and Manitoba Hydro intend to introduce surge pricing in Manitoba? Yes or no?

Mr. Friesen: Madam Speaker, the member keeps going on about rate hikes every single year, so I took a little time to look up the NDP record on rate hikes. And what I found out is that the NDP raised—*[interjection]*

Madam Speaker: Order.

Mr. Friesen: —rates on Manitoba Hydro every single year. As a matter of fact, in 2005 they raised it by 5 per cent. In 2009, they raised them by 5 per cent. In the time in office, they raised rates by 35 per cent.

Manitoba—Madam Speaker, we will continue to have the best interests of Manitobans at heart as we stabilize Hydro and protect consumers.

Madam Speaker: The time for oral questions has expired.

PETITIONS

Health-Care Coverage

Ms. Cindy Lamoureux (Tyndall Park): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) Health care is a basic human right and a fundamental part of responsible public health. Many people in Manitoba are not covered by provincial health care: migrant workers with work permits of less than one year, international students and those undocumented residents who have lost their status for a variety of reasons.

(2) Racialized people and communities are disproportionately affected by the pandemic, mainly due to the social and economic conditions which leave them vulnerable while performing essential work in a variety of industries—[*interjection*]

Madam Speaker: Order.

Ms. Lamoureux: —in Manitoba.

(3) Without adequate health-care coverage, if they are ill, many of the uninsured—[*interjection*]

Madam Speaker: Order.

Ms. Lamoureux: —will avoid seeking health care due to fear of being charged for the care, and some will fear possible detention and deportation if their immigration status is reported to the authorities.

(4) According to the United Nations Human Rights Committee, denying essential health care to undocumented, irregular migrants is a violation of their rights.

(5) Jurisdictions across Canada and the world have adopted access-without-fear policies to prevent sharing personal health information or immigration status with immigration authorities and to give uninsured residents the confidence to access health care.

(6) The pandemic has clearly identified the need for everyone in Manitoba to have access to health care to protect the health and safety of all who live in the province.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to immediately provide comprehensive and free health-care coverage to all residents of Manitoba, regardless of immigration status, including refugee claimants, migrant workers, international students, dependent children of temporary residents and undocumented residents.

(2) To urge the minister of Health and seniors care to undertake a multilingual communication campaign to provide information on expanded coverage to all affected residents.

(3) To urge the minister of Health and seniors care to inform all health-care institutions and providers of expanded coverage for those without health insurance and the details on how to necessary—on how necessary policy and protocol changes will be implemented.

(4) To urge the minister of Health and seniors care to create and enforce strict confidentiality policies and provide staff with training to protect the safety of residents with precarious immigration status and ensure they can access health care without jeopardizing their ability to remain in Canada.

This petition has been signed by many Manitobans.

Thank you.

Madam Speaker: In accordance with our rule 132(6), when petitions are read they are deemed to be received by the House.

Foot-Care Services

MLA Tom Lindsey (Flin Flon): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The population of those aged 55-plus has grown to approximately 2,500 in the city of Thompson.

(2) A large percentage of people in this age group require necessary medical foot care and treatment.

(3) A large percentage of those who are elderly and/or diabetic are also living on low incomes.

(4) The northern regional health authority, N-R-H-A, previously provided essential medical foot-care services to seniors and those living with diabetes until 2019, then subsequently cut the program after the last two nurses filling those positions retired.

(5) The number of seniors and those with diabetes continues—has only continued to grow in Thompson and surrounding areas. There is—sorry.

(6) There is no adequate medical care available in the city and region, whereas the city of Winnipeg has 14 medical foot-care centres.

(7) The implications of inadequate or lack of podiatric care can lead to amputations.

(8) The city of Thompson also serves as a regional health-care service provider, and the need for foot care extends beyond just those served in the capital city of the province.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to provide the services of two nurses to restore essential medical

foot-care treatment to the city of Thompson effective April 1, 2022.

And this petition, Madam Speaker, has been signed by Yvonne Nault, Laurie Rees-Dysart, Joe Alcock and many other Manitobans.

Louise Bridge

Mr. Jim Maloway (Elmwood): I wish to present the following petition to the Legislative Assembly.

The background of this petition is as follows:

(1) Over 25,000 vehicles per day cross the Louise Bridge, which has served as a vital link for vehicular traffic between northeast Winnipeg and the downtown for the last 110 years.

(2) The current structure will undoubtedly be declared unsafe in a few years as it deteriorated extensively, becoming functionally obsolete, subject to more frequent unplanned repairs and cannot be widened to accommodate future traffic capacity.

(3) As far back as 2008, the City of Winnipeg city has studied where the new replacement bridge should be situated.

(4) After including the bridge replacement in the City's five-year capital budget forecast in 2009, the new bridge became a short-term construction priority in the City's transportation master plan of 2011.

(5) City capital and budget plans identified replacement of the Louise Bridge on a site just east of the bridge and expropriated homes there on the south side of Nairn Avenue in anticipation of a 2015 start.

(6) In 2014, the new City administration did not make use of available federal infrastructure funds.

(7) The new Louise Bridge Committee began its campaign to demand a new bridge and its surveys confirmed residents wanted a new bridge beside the current bridge, with the old bridge kept open for local traffic.

(8) The NDP provincial government signalled its firm commitment to partner with the City on replacing the Louise Bridge in its 2015 Throne Speech. Unfortunately, provincial infrastructure initiatives, such as the new Louise bridge, came to a halt with the election of the Progressive Conservative government in 2016.

(9) More recently, the City tethered the Louise Bridge replacement issue to its new transportation master plan and eastern corridor project. Its recommendations have now identified the location of the new Louise bridge to be placed just to the west of the

current bridge, not to the east as originally proposed. The City expropriation process has begun.

(10) The provincial budget due in mid-April two—2022 is the Province's opportunity to announce its portion of funding for this long overdue, vital link to northeast Winnipeg and Transcona.

* (14:40)

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the Premier to financially assist the City of Winnipeg in her new 2022 provincial budget to build this three-lane bridge in each direction to maintain this vital link between northeast Winnipeg, Transcona and the downtown.

(2) To urge the provincial government to recommend that the City of Winnipeg keep the old bridge fully open to traffic while the new bridge is under construction.

(3) To urge the provincial government to consider the feasibility of keeping the old bridge—old Louise Bridge open for active transportation in the future.

And this petition is signed by many, many Manitobans.

Lead in Soils

MLA Malaya Marcelino (Notre Dame): Madam Speaker, I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background of this petition is as follows:

In December of 2019, the provincial government's commissioned report on lead concentrations in soil in Winnipeg was completed.

The report found that 10 neighbourhoods had concerning levels of lead concentration in their soil, including Centennial, Daniel McIntyre, Glenelm-Chalmers, north Point Douglas, River Osborne, Sargent Park, St. Boniface, West End, Weston and Wolseley-Minto.

In particular, the predicted blood lead levels for children in north Point Douglas, Weston and Daniel McIntyre were above the level of concern.

The Weston Elementary School field has been forced to close down many times because of concerns of lead in soil and the provincial government's inaction to improve the situation.

Lead exposure especially affects children aged seven years and under, as their nervous system is still developing.

The effects of lead exposure are irreversible and include impacts on learning, behaviour and intelligence.

For adults, long-term lead exposure can contribute to high blood pressure, heart disease, kidney problems and reproductive effects.

The provincial government currently has no comprehensive plan in place to deal with lead in soil, nor is there a broad advertising campaign educating residents on how they can reduce their risks of lead exposure.

Instead, people in these areas continue to garden and work in the soil and children continue to play in the dirt, often without any knowledge of the associated risks.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to take action to reduce people's exposure to lead in Winnipeg, and to implement the recommendations proposed by the provincial government's independent review, including the creation of an action plan for the Weston neighbourhood, developing a lead awareness communications and outreach program, requisitioning a more in-depth study and create a tracking program for those tested for blood lead levels so that medical professionals can follow up with them.

This was signed by Maria Hinagpis, Donato Hinagpis, Rio Lapada and many other Manitobans.

Eating Disorders Awareness Week

Ms. Lisa Naylor (Wolseley): I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background of this petition is as follows:

An estimated 1 million people suffer from eating disorders in Canada.

Eating disorders are serious mental illnesses affecting one's physical, psychological and social function and have the highest mortality rate of any mental illness.

The development and treatment of eating disorders are influenced by the social determinants of health, including food and income security, access to housing, health care and mental health supports.

It is important to share the diverse experiences of people with eating disorders across all ages, genders and identities, including Indigenous, Black and racialized people, queer and gender-diverse people, people with disabilities, people with chronic illness and people with co-occurring mental health conditions or addictions.

It is necessary to increase awareness and education about the impact of those living with or affected by eating disorders in order to dispel dangerous stereotypes and myths about these illnesses.

Setting aside one week each year to focus attention on eating disorders will heighten public understanding, increase awareness of culturally relevant resources and supports for those impacted by eating disorders and encourage Manitobans to develop healthier relationships with their bodies.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to support a declaration that the first week in February of each year be known as eating disorders awareness week.

This has been signed by Lori Peters, Maria Alexandra [*phonetic*] and Karli Smith and many other Manitobans.

Abortion Services

Ms. Nahanni Fontaine (St. Johns): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) Manitoba women, girls, two-spirit, genderqueer, non-binary and trans persons deserve to be safe and supported when accessing abortion services.

(2) Limited access to effective and safe abortion services contributes to detrimental outcomes and consequences for those seeking an abortion, as an estimated 25 million unsafe abortions occur worldwide each year.

(3) The provincial government's reckless health-care cuts have created inequity within the health-care system whereby access to the abortion pill, Mifegymiso, and surgical abortions are less accessible for northern and rural individuals than individuals in southern Manitoba, as they face travel barriers to access the handful of non-urban health-care professionals who are trained to provide medical abortions.

(4) For over five years, and over the administration of three failed Health ministers, the provincial government operated under the pretense that reproductive health was not the responsibility of the Ministry of Health and seniors care and shifted the responsibility to a secretariat with no policy, program or financial authority within the health-care system.

(5) For over four years, the provincial government has refused to support bill 200, The Safe Access to Abortion Services Act, which will ensure the safety of Manitoba women, girls, two-spirit, genderqueer, non-binary and trans persons accessing abortion services, and the staff who provide such services, by establishing buffer zones for anti-choice Manitobans around clinics.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately ensure effective and safe access to abortion services for individuals regardless of where they reside in Manitoba, and to ensure that buffer zones are immediately legislated.

Signed by many Manitobans.

Foot-Care Services

Mr. Matt Wiebe (Concordia): Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The population of those aged 55-plus has grown to approximately 2,500 in the city of Thompson.

(2) A large percentage of people in this age group require necessary medical foot care and treatment.

(3) A large percentage of those who are elderly and/or diabetic are also living on low incomes.

(4) The northern regional health authority, the N-R-H-A, previously provided essential medical foot-care services to seniors and those living with diabetes until 2019, then subsequently cut the program after the last two nurses filling those positions retired.

(5) The number of seniors and those with diabetes has only continued to grow in Thompson and surrounding areas.

* (14:50)

(6) There is no medical—sorry. There is no adequate medical care available in the city and region,

whereas the city of Winnipeg has 14 medical foot-care centres.

(7) The implications of inadequate or lack of podiatric care can lead to amputations.

(8) The city of Thompson also serves as a regional health-care service provider, and the need for foot care extends beyond just those living—sorry, those served in the capital city of the province.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to provide the services of two nurses to restore essential medical foot-care treatment to the city of Thompson effective April 1, 2022.

And this petition, Madam Speaker, is signed by many Manitobans.

Madam Speaker: Grievances?

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

Hon. Kelvin Goertzen (Government House Leader): Could you please call for debate this afternoon bills 27, 8, 15 and 13.

Madam Speaker: For orders of the day, government business, it has been announced that the House will consider the following this afternoon: second readings of Bill 27, Bill 8, Bill 15 and Bill 13.

SECOND READINGS

Bill 27—The Highway Traffic Amendment Act (Alternative Measures for Driving Offences)

Madam Speaker: I will therefore call second reading of Bill 27, The Highway Traffic Amendment Act (Alternative Measures for Driving Offences).

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I move, seconded by the Minister of Finance (Mr. Friesen), that Bill 27, The Highway Traffic Amendment Act (Alternative Measures for Driving Offences), be now read a second time and referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and I table the message.

Madam Speaker: It has been moved by the honourable Minister of Justice, seconded by the honourable Minister of Finance, that Bill 27, The Highway Traffic Amendment Act (Alternative Measures for

Driving Offences), be now read a second time and be referred to a committee of this House.

His Honour the Administrator has been advised of the bill, and the message has been tabled.

Mr. Goertzen: Drinking and driving, of course, all Manitobans know, is a serious offence, and it needs to be taken seriously, and there needs to be serious consequences for the offence. And, of course, in Manitoba and other jurisdictions in Canada, those measures have increased as the years have gone by, and we have come to a better understanding of the dangers of drinking and driving—tragically, in many cases.

Mr. Brad Michaleski, Acting Speaker, in the Chair

We've been assisted, as other governments have in the past, by advocates like Mothers Against Drunk Driving is one example, but there are many advocates who bring forward their real life experiences, often in tragic situations, when it comes to drinking and driving, and that has led us to many changes.

This is another change, Madam Speaker, which adds upon a change that came into place a couple of years ago in the province of Manitoba. The bill amends The Highway Traffic Act with respect to alternative measures under the Criminal Code for certain impaired driving cases for first-time offenders. And it's important to remember that this applies only to first-time offenders and where there aren't other aggravating factors.

On December 16th of 2019, our government proclaimed into force amendments to The Highway Traffic Act to introduce an immediate roadside prohibition known as an IRP process in Manitoba. It had and has—continues to have the support of advocates like Mothers Against Drunk Driving.

Among other things, the IRP process provides an 'expedited' provincial administrative sanctions alternative to the criminal court process for first-time impaired drivers who refuse or register a fail on an approved screening device, an ASD, where the case does not involve death, serious bodily harm or other aggravating factors.

So, again, Mr. Acting Deputy Speaker, the IRP process is not available for everyone, has to be a first-time offender, and it cannot involve death, cannot involve serious bodily harm and other aggravating factors.

However, the IRP process has not been used to its fullest possible extent, although it's been successful

since its introduction due to its—some operational issues such as law enforcement suspending the use of ASDs in response to COVID-19 safety concerns or an ASD being unavailable.

This is particularly true—not the concern about COVID-19 because it's a breath-operated device—but in some northern communities, some remote communities an ASD breathalyzer is not always available at the roadside for a lot of different reason—and this IRP process is really a roadside provision.

As a result, cases that otherwise would have qualified for an IRP process instead proceeded to a criminal charge prosecuted through the traditional court process. The Criminal Code allows for the diversion of these cases; however, the diversion of cases that ended up in the court system instead of being resolved by IRP would not result in the drivers receiving the full range of IRP sanctions as there is no existing authority to require the imposition of an—of all IRP sanctions post-charge.

The amendments to The Highway Traffic Act would correct this gap—and it really is a gap in the IRP process—and create a legal framework for the imposition of more stringent IRP sanctions in cases where the diversion occurs post-charge.

So in a more layman's perspective, Mr. Acting Deputy Speaker, while in many cases if it was a first-time offender and there aren't those aggravated factors that I already listed, and someone either fails to take a breathalyzer or fails on a breathalyzer at the roadside through the ASD—the alternate screening device—they could then be eligible for the IRP process—not go through the criminal court process, but have sanctions that are similar applied much sooner. And the reason that advocates against drinking and driving support this is because it brings the penalty much more quickly to the individual.

And there is evidence that the closeness of a penalty to a criminal offence, not just drinking and driving, but other offences, too, is a deterrent factor itself and can help in preventing re-offences.

So if that isn't available either because of the COVID situation that we've been dealing with or because the ASD wasn't available at the roadside, a charge could then be laid, but there wasn't an ability after a charge had been laid to allow the person to select or be selected to go into the IRP process. This resolves that.

Upon successful completion of the program, a stay of proceedings would be entered on the Criminal

Code impaired driving charge and the driver would be subject to IRP sanctions over and above the impaired driving sanctions already imposed at roadside, such as the ignition interlock requirements. Non-completion of the program would result in the criminal charge continuing through the court process.

This is a similar process that is already in place for Prostitution Diversion Program for first offenders charged with using a motor vehicle in the course of soliciting the purchase of sexual services.

This would also help to achieve the intended roadside safety and justice efficiencies and the benefits of the IRP approach.

So, again, it will ensure that even if a roadside test isn't provided and a charge is laid, there's an opportunity after the charge to still go into the IRP program and the benefits that ensue.

The bill also repeals the provisions requiring Manitoba Public Insurance to suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences. Currently, the registered-register of motor vehicles must suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences. The requirement is not necessary since the failure to complete the alternative measures results in the renewal of the criminal prosecution and a post-conviction suspension.

So, again, I want to just reiterate, Mr. Acting Deputy Speaker, this is filling the gap of an otherwise successful program, one that is supported by advocates against drinking and driving, one that is seen to ensure that the punishment for drinking and driving becomes more closely connected to the offence of drinking and driving to try to reduce the instances of drinking and driving.

And I want to commend all of those who are actively engaged, whether that's law enforcement on the enforcement side of drinking and driving, or groups like MADD who are always involved in public awareness and speaking, whether it's to schools or other groups, to speak about how drinking and driving impacted their individual families lives but how the impact that it has on the community as a whole, Mr. Acting Deputy Speaker.

* (15:00)

So I look forward to this bill moving forward to committee. I also look forward to the questions from

the opposition and seeing it pass hopefully before summer.

Thank you very much, Mr. Acting Deputy Speaker.

Questions

The Acting Speaker (Brad Michaleski): A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

Ms. Nahanni Fontaine (St. Johns): Currently, in certain cases, those charged with sexual procurement offences can divert their cases from prosecution if they complete alternative measures here in Winnipeg, called john school. If they—one of the measures, the most—the one that's usually—these folks are sent to. If they fail to do so, they lose their licence, but instead, the minister proposes that they only lose their licence once they fail to complete.

Why is that?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I think it was already indicated that if they fail to complete the diversion program—sometimes, as the member suggested, known as john school—they then go back into the criminal system and so they would lose that opportunity to be diverted, but then would go back into a criminal charge system.

Hon. Jon Gerrard (River Heights): The minister has talked about screening using breathalyzers for alcohol. I wonder if the minister would update us with regard to what is happening with roadside screening for cannabis and how that fits under this legislation.

Mr. Goertzen: Roadside screening for cannabis is not specific to this legislation. The member will know that there are, you know, more significant challenges sometimes for screening for those who are impaired through cannabis, so it's not specific to this legislation.

I can attempt to provide him—although it's a little bit out of scope—I can attempt to provide him an update on that at committee.

Ms. Fontaine: So, you know, the argument that's being proposed here today, or—and by the minister and in the bill is that, you know, if they—you know, these

predators, offenders, if they don't complete the alternative measures, a.k.a. john school, they will then just revert back to the criminal charge system, but we know that it's not always a guarantee that there's going to be a charge and that individual will end up actually making its way into court. And so essentially, what you end up having is individuals who attempt to procure sex with no consequences.

Mr. Goertzen: I don't believe that that's true, Mr. Acting Deputy Speaker. A person chooses to go into the diversion program, there's an acknowledgement of guilt, I would believe, and if they then don't fulfill the requirements of that diversion program, they then would get—they would go back into the charge system and post-conviction they would be—they would have a suspension applied.

And so it's not that they are avoiding punishment, but when you choose to go into the diversion, you're essentially acknowledging that you have guilt associated with you but you're choosing a different path. If you then don't fulfill that, you go back into the charge system.

Mr. Gerrard: The minister has referred to the fact that up north, there were sometimes a lack of access to breathalyzers. And I wonder if the minister would provide a further explanation. Why is there a shortage of breathalyzers up north and, you know, who should be supplying those breathalyzers so that they are functional and in adequate quantity to address the need?

Mr. Goertzen: I mean, I don't know all of the reasons why it might be that breathalyzers are not always available. I mean, it could be simply a shipment and supply issue at certain times in rural and remote communities. That would be true for a lot of different things and not just breathalyzers.

You know, it may be sometimes that, you know, out on a shift, for whatever reason, they're just simply not available. Of course, the COVID situation was more obvious in terms of why there was concerns maybe about using NASD at certain points of the pandemic. You know, if there's more information I can get from law enforcement, in terms of the different scenarios in which they're short, I can certainly provide that.

But I understand it's primarily a rural and northern concern and that's likely because of—

The Acting Speaker (Brad Michaleski): Time is up.

Ms. Fontaine: So, again, Bill 27 proposes that those individuals that are charged with sexual procurement offences and who don't meet the requirements to divert their charges can keep their licence until convicted, if at all convicted.

Is the minister not at all concerned that between the time of charges and conviction, there is a high—a higher rate risk to re-offend?

Mr. Goertzen: I mean, I'll seek greater clarity from officials within the department on the operation of this, Mr. Acting Deputy Speaker. I don't suspect that this changes anything from a functional perspective.

If somebody has diverted into the program and they have their driver's licence suspended because they wilfully go into the diversion program, if they then don't complete the diversion program and go into the charge system, you obviously have to wait until there's a post-conviction for that suspension to take place. But I suspect that that is already operationally how it is working.

Mr. Gerrard: I would ask the minister if he can provide information on the number of people who fell under this legislation which—since it was implemented initially, I think, in 2018 or 2019. If there's information by year that would be helpful in understanding something about the magnitude of its impact.

Mr. Goertzen: Yes. It's a reasonable question, so we'll get updated information for the member for committee and I'll table it at committee.

Ms. Fontaine: Can the minister advise who was consulted in respect of Bill 27?

Mr. Goertzen: So there was significant consultation on the IRP program when it was coming forward, both, you know, more broadly with law enforcement and then those advocates—I mentioned MADD. MADD is also aware of this provision and this change and I understand that they're supportive of it as well.

So, both from a law enforcement perspective and those who are advocating against drinking and driving, there's been significant input and awareness.

Mr. Gerrard: Yes. Just some clarification on the practicalities of how this bill works. The person with the restricted licence only permits the person to drive a vehicle equipped with an ignition interlock device for a specified period of time.

If a person is found on a roadside test to be high on the breathalyzer, does that mean that the person can be driving? The interlock device, presumably, can't be

put on the roadside, I would guess, but must be put on somewhere else. Is that correct?

Mr. Goertzen: Yes. I believe that that's correct, but I'll get clarification for the member.

Ms. Fontaine: And so the bill reduces—focuses on diversion from the criminal justice system. What is the minister proposing here to reduce recidivism?

* (15:10)

Mr. Goertzen: You know, it's a fair question, and it's a question that I asked when the initial bill came forward as well. I was in a different role, but asked the question. And there's good evidence that if—and, of course, the penalties that exist, if you go into the IRP program, essentially mirror the penalties than if you go through the criminal system, but they happen much more quickly.

And there is a good deal of evidence that if you can bring the punishment, doesn't matter what the crime is, closer to the actual action, the criminal action, if you bring those closer together, it can reduce recidivism because people see the punishment as coming closer in time to the act.

Mr. Gerrard: I'd like to ask the minister a little bit of clarification with regard to if there's an individual who is given, you know, comes under this act, and they then decide to move to another province, what is the situation in terms of them being able to get a licence in another province?

Mr. Goertzen: I mean, what—the province of Manitoba has a number of different cross-jurisdictional agreements when it comes to the criminal justice system and it comes to driver's licences, and we see that when—on something much more minor when it comes to tickets. If you get a ticket in one jurisdiction from, you know, photo radar, for example, not speaking from experience, but, you know, if you—if one didn't pay for that ticket, it could result in demerits on your driver's licence in Manitoba even though that happened in another province. And those agreements exist between provinces.

On the specific operations of this, I'll provide the member more information at committee.

Ms. Fontaine: Bill 27 focuses, again, on diversion, but I'm curious if the minister looked at what other provinces are doing in respect of drafting this legislation.

Mr. Goertzen: I believe that this model is used in other jurisdictions. And, again, I think a large part of

what's happening within the criminal justice system, it's not just about diversion to keep cases out of the criminal court system, although that has its own benefits. But it's about trying to bring the punishment closer to the actual action.

You know, sometimes we've heard that the term, access—or, justice delayed, is 'jacks'—justice denied. There's truth to that, and if you can bring punishment closer to the actual action, it does itself lend itself to be a deterrent for those on action. So that is a big part of why other provinces and Manitoba have done this.

Mr. Gerrard: Yes, Mr. Speaker, my question to the minister has to do with the fact that these changes are happening just a couple of years after the bill was initially implemented. It seems to me that this indicates that the bill as originally brought forward was not as well-thought-out as it should've been and that there were clearly, you know, mistakes in the way the original bill was drafted.

Can the minister explain why those mistakes were made when the bill was drafted and what he's doing to make sure that there aren't other mistakes in the future?

Mr. Goertzen: I think we must be getting close to the end of the question period because we've moved from the very substantive questions for the member for River Heights (Mr. Gerrard), which I think were—had lots of merit to the questions of how can we just cast blame on folks.

The reality is that any piece of legislation often has unintended consequences. I don't think, at the time that this bill was brought forward, people were predicting a one-in-100-year pandemic and the consequences that could exist in a lot of different places, including the reluctance to use ASD devices.

So I think rather than trying to poke and point fingers at good department officials who are bringing forward pieces of legislation, I would commend them for seeing a way to fix a problem that came up largely as a result of a pandemic.

Ms. Fontaine: I'm curious, in respect of Bill 27, what kind of Manitoban or—does the minister intend to divert from prosecution: like, first-time folks, more than a one-time, you know, offence. So who is the minister looking to divert?

Mr. Goertzen: Yes, I thank my colleague from St. Johns for the question. It's an important question to bring further clarity that this is about first-time offenders where there's not a death involved or serious

injury. So it is about those limitations. It has to be a first-time offender, no serious injuries or death involved. It's a good question.

Mr. Gerrard: Yes, I think—I just wanted to clarify for the minister. I was in no way putting blame on the good officials. But I had expected that the minister who would have introduced it initially would accept some accountability for having brought in a bill which was not as good as it should have been.

So if this was just for the pandemic, you know, it wouldn't need to be done. But clearly, it's more than just for the pandemic.

Mr. Goertzen: I'm not sure why it wouldn't have to be done. Maybe the member knows that the pandemic is over and that's helpful for him to be able to declare that.

I know he doesn't have a tremendous amount of experience when it comes to bringing in provincial legislation, but I do know that he has brought in some as a private member. And I believe even on private members' bills there's often revisions and changes that happen, because he might be perfect, but none of us are. This is a good piece of—or, the rest of us aren't.

This is a good piece of legislation, the original piece. This provides—makes it even better. And I'm sure if there are other improvements down the road, we'll continue to make improvements while the member opposite continues to cast blame.

The Acting Speaker (Brad Michaleski): The time for questions has expired.

Debate

The Acting Speaker (Brad Michaleski): The floor is now open for debate.

Ms. Nahanni Fontaine (St. Johns): I'm going just put a couple of words on the record in respect of Bill 27, The Highway Traffic Amendment Act (Alternative Measures for Driving Offences). Bill 27 amends The Highway Traffic Act with respect to alternative measures under the Criminal Code. The Criminal Code allows changes to be diverted out of the criminal justice system by allowing an accused to agree to alternative measures to avoid possible conviction.

If a person alleged to have committed an impaired driving offence is dealt with by alternative measures, the Attorney General must provide a written notice to the register of motor vehicles. The register must issue a restricted licence to the person and only permits the

person to drive a vehicle equipped with an ignition interlock device for a period of time—a specific period of time.

Currently, the register must suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences. The requirement—this requirement is repealed. The stated reason for doing this is the failure to complete the alternative measures results in a renewal of the criminal prosecution and a post-conviction suspension.

So I know that when I asked the minister in respect of, you know, why they are getting rid of the suspended licence to an individual who is charged with procuring sex, the minister's saying that, well, it will happen if they don't complete the diversion program. But, in reality, though, it—there's not a guarantee, as I said in my questioning, and there's not a guarantee that an individual who is charged with an offence for sexual procurement—if they do not complete the diversion program, there's no guarantee that this individual is actually going to make its way through the court system.

We know that at any given time, our court system is bogged down with so many different cases—in fact, we know just a couple of years ago across the country, there was a judgment that came down that some cases are taking too long, and so we know that there were cases that were, you know, no longer came before the court because it was just not a significant amount—it was not a sufficient amount of time to come before the court.

* (15:20)

So we know that not everything comes before the courts. We know that, actually, right now in Manitoba, we don't have enough judges as it is. So, you know, there is no guarantee that somebody who is charged with a sexual—an offence for sexual procurement will actually make its way into the court system. And so what this—you know, the changes to—in Bill 27, what effectively that's doing is ensuring that you have individuals who are, you know, in some cases preying on some of the most vulnerable and marginalized Manitobans with no consequences at all.

At least, you know, when an individual has a suspended licence, there's consequences—there's consequences for individuals who drive to a particular part of our city—and a particular part of our city that most often is racially constructed and racially divided—so that, you know, individuals—and again,

you know, if you know the demographics of those predominantly men that go and seek, you know, procurement of sex from sexually exploited individuals, you'll know that these men come from all over the city—they come from every area of the city, they come from every socio-economic background.

And so you have individuals that come, they know they can go to a certain part of our city, they know that they can, you know, drive up and down in their cars and eventually they will come upon, again, predominantly women—not always, but predominantly women, and in some cases, girls. And they can seek, you know, get the procurement of sex, and if they're caught, which, you know, the reality is most are not caught. Most do not come into contact with the WPS. More often than not, they don't.

I think one year—I can't remember what that—what year that was—there was only 120 individuals that were diverted to the so-called john school, but we know that there are more Manitobans that seek out the procurement of sex services, so we know that there are a lot that do not ever come into contact with the police.

And so you have all of these individuals, now with Bill 27, you know, when Bill 27 receives royal assent who will have no consequences at all.

And let's be honest here in this Chamber today. You know, a lot of these men that go into a particular area of the city to 'pecure', you know, the—sex from, again, vulnerable Manitobans—a lot of them are married. And so, you know, at least if you're suspending their licence, in some way you're holding these men accountable—maybe not within the criminal justice system, but you're certainly holding these men accountable at home when their wives or their partners are asking what the hell—what the heck happened to their licence.

Now, you know, you have an individual who—you have a married man who goes to, you know, particular area of the city to procure sex from vulnerable Manitobans—now, with the changes in this legislation, he doesn't have to say anything. There's no way that anybody in his family is going to be—is going to find out that he did what he just did—if, that is, he comes into contact with the police—which, again, we've established, many do not.

So, you know, I would disabuse the minister in respect of, like, well, it will make its way down the court system. At least there's some measure of accountability immediately. I mean, we have Manitobans that come into contact with, you know,

police or come into conflict with the law and who are held for lesser offences than the procurement of sex of the most vulnerable—who come into contact for lesser offences, and yet their consequences are, you know, you're thrown into remand, you have to go before the judge for bail application, you're maybe released and you have all these conditions.

So we have segments of the society, segments of our society, segments of Manitoban—Manitobas—Manitoba who get more consequences than men—and, again, predominantly, you know, we can say—or, I don't know, predominantly—but certainly, married men who go and try to procure sex services, the services from the most vulnerable Manitobans. Now this bill ensures that there's really very, very little consequences to doing that.

So I have to say I'm really disappointed about that. I remember years ago, again, you know, in 2007, the body of Fonassa Bruyere was found. She was 17 years old. She was found on the outskirts of the city. And she was 17 years old. She was sexually exploited. She was from my home community of Sagkeeng Anishinabe First Nation. Again, she fell through the cracks, but she was sexually exploited. And from there—and I've shared this in the House before—from there, stakeholders and rights-holder organizations all gathered and organized and established what was called the Sexually Exploited Youth Community Coalition—SEY for short is what we called ourselves—and started looking at, you know, really, the sexual exploitation here in the city.

And, again, you know, a lot of the sexual exploitation that occurs, occurs on the bodies of Indigenous women and young girls. And here's the thing is that a lot of people will say, well, you know, these women are 18 or 19 or 20. But the vast majority of—for Indigenous women, the vast majority of Indigenous women that are sexually exploited, they're first sexually exploited as children, some as young as 10, 11, 12 years old. And so it's not like you can kind of divorce yourself from the reality that now they're 18, so somehow this is—it's okay, when in reality they've been sexually exploited since they were children.

And we started looking at all of the things that we needed to do in respect of, you know, trying to tackle the sexual exploitation, predominantly of Indigenous women and girls. And I remember there was a—again, there were so many different folks and experts who sat on this SEY, and I remember there was a group of women who were formerly sexually exploited, and

there was some particular areas in Winnipeg that, again, cars at all hours of the night drive by because they know that there'll be sexually exploited women and youth there.

And it was in front of a residential neighbourhood, in front of school, in fact, and these women who, again, were now, you know, in their 30s and 40s who had been formerly sexually exploited, they went down to that area and actually what they would do is they would film all of the vehicles that were going back and forth. And I remember at that time it was around the same time that—as I've spoken before, that—at that time, the NDP were undertaking a review of Tracia's Trust. They were going to renew Tracia's Trust, and so there were consultations and there were meetings that were taking place at that time. And I remember that there was a meeting.

At the time, the minister who was in charge was Gord Mackintosh, my predecessor. And we had a meeting, I believe it was at the—where was it? No, it was at the RBC, the old RBC, and their—kind of like their auditorium there. And there were women that proposed—and we talked about why can't we, as a society—and, in this case, the question was for the government of the day—why can't we, when men go and prey upon Manitoba's most vulnerable for the purposes of sexual exploitation, why can't we publish their names? Why can't we publish their pictures? Why can't we publish their addresses? And for a whole host of reasons, that's not doable.

* (15:30)

I mean, I don't think you'd see any complaints from a lot of folks in respect of publishing, you know, Manitobans' faces and names and letting their families know what they're doing, sometimes during their work hours or when they're not working, what they're doing.

And I don't think that any woman, if they were married to a man who was doing this, wouldn't want to know that their husband or their partner is going to particular areas of the city and sexually exploiting, you know, vulnerable, you know, Indigenous women or girls.

So, you know, when we look at here, again, we're, you know, taking out, repealing this piece about your suspended licence, is basically like a freebie for these individuals that do end up getting—coming into conflict or contact with the police, because now there's nothing. You can pay your \$800 and go to this, you know, again, for a lack of a better word, it's called john

school. It's not really what it's called, it's—what's it called?

Anyways, you know, you can pay your \$800, you know, participate, and then we really have to kind of get into the analysis on what participation really means. You know, you'll have individuals that will sit there, but, you know, maybe listen, maybe take it in, maybe not, maybe doesn't really care, maybe still kind of justifies.

You know, you have a lot of these individuals that will say, well, I was helping her out, she needed money so I was helping her out. If—I don't know if anybody's ever read Victor Malarek, I think is his name—is that—am I saying his name right? Victor Malek [*phonetic*], I think, yes. So, he's amazing. He's written two books that I would recommend to everybody who wants to kind of get a better sense of the sexual exploitation of women and girls, not only here in Canada but actually across the globe. He wrote one, it was called *The Natashas*, and what he did was he looked at the sex trafficking of eastern European women and that trafficking that goes on.

But then he also wrote a book, it's called—I think it's called *dear john*. And what he did—something like that, I can't remember the name of it. But I would recommend to everybody to read these books. Like, it does give you a good sense. But what he did in that—in *dear johns*, which is his second book, is he really—he infiltrated these different groups, these different, you know, online groups of predators, different areas that he would go, and—because he wanted to have a better sense and understanding of the men that seek out the procurement of sex.

And one of the things on all the men that he interviewed and all the men that he, you know, established these kind of, like, relationships with to get a better insight, you know, all of them said the same thing: that they believed they were doing these women and girls a favour. Like, they didn't see anything wrong in their behaviour. They didn't see that they were sexually exploiting women.

And so when you look here, when you look at Bill 27 and you look at, you know, that there's kind of less enforcement now in respect of getting rid of a suspended licence—which, by the way, I would imagine that everybody in the House would agree, is actually the bare minimum that we can do. It's literally the bare minimum that if you come into contact because you're in the process of procuring sex from vulnerable Manitobans and your licence is suspended, it's actually the bare minimum.

And, you know, so, you know, now we don't even have that, so it's even less than the bare minimum right now with the changes in Bill 27.

And, again, let me put it on the record: There's no guarantee that if an individual doesn't go to john school and doesn't pass john school or do whatever they've got to do, there's no guarantee that they will actually make their way into the court system.

Is the—is john school perfect? Is it a perfect—absolutely not. Absolutely not.

I suppose, you know, it's—you know, again, it's diversion, so it's one set of consequences. But eliminating the need for—or, eliminating a suspended licence, honestly, is like a free-for-all. It's a free-for-all within a system—like, within the context of a system that not all men who go out, who prey on the most vulnerable in respect of procuring sex services get any consequences.

So—and I know that if this change—and, again—again—I cannot stress how much this is the bare minimum—the bare minimum.

I know that back in, you know, 2007, 2008, 2009, when this stuff was going on around Manitoba in respect to sexual exploitation, and—I can tell you that the folks that we were working with—that I was working with would be incredibly disappointed with this. And so I don't think that this is a great—a change. I—or, I know it's not a great change and it's kind of disappointing to see.

So, again, I know I was talking about Victor Malek [*phonetic*]. I do want to just go back again to indicate that—you know, so you have these individuals that are going to procure the sex services who believe that they're actually doing good because they're actually helping women and girls. That's what they believe, and so—

The Acting Speaker (Brad Michaleski): I'm sorry.

I would just remind the member that we are on Bill 27, The Highway Traffic Amendment Act, and I think, you know, I think we've wandered a little bit off and I've given a fair amount of room and latitude for the conversation, the comments that are made.

I would just ask the member to bring her comments back to the bill under consideration, which is Bill 27.

Ms. Fontaine: So let me just share, Deputy Speaker, that I've been working on the issue of sexual exploitation, predominately of Indigenous women and girls,

since 1997, and this bill—and let me read it. So what I am putting on the record is relevant. It is not in any way, shape, form not relevant to the discussion on this bill.

Currently, the register must suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences. The requirement is repealed since the failure to complete alternative measures results in a renewal of the criminal prosecution and a post-conviction suspension. Discussing the reasons why predominantly men sexually exploit is entirely connected to the repealing of a individual's suspended licence. It's entirely connected to that. In fact, it's all connected to that. So I would disabuse that it's not connected in any way.

And, again, you know, when we're talking about the sexual exploitation of—you know, again, here in Manitoba in this context predominantly of Indigenous women and girls—it is important to talk about the reasons why men feel it is their right to go into particularly racially segregated areas to go and exploit predominantly Indigenous women and girls. It is very important and it is very relevant to the discussion and debate today.

And, again, I will say it is particularly important when we look at, you know, getting rid of the suspended licences—which, again, was the bare minimum that we could do. When we look at Manitoba and the number of MMIWG2S citizens that we have, you cannot divorce the sexual exploitation and the devaluing of Indigenous women and girls' bodies and lives from the numbers of MMIWG2S that we have in this province.

Like, Manitoba has the distinction—and not the proud distinction, Deputy Speaker—of having some of the highest numbers of MMIWG2S across the country. It has been well proven, including in the national inquiry on missing and murdered Indigenous women and girls, that the sexual exploitation of Indigenous women and girls and two-spirited is tied to the issue of MMIWG2S.

* (15:40)

And so why am I saying that? I am saying that because we already have a province in which—and I believe the numbers go: BC, Manitoba, Alberta, something like that. We're second in the country for the number of MMIWG2S families or women.

And so, you know, when we are now debating a law or amendments to a law that ensured that at least some of these men who sexually exploit Indigenous

women and girls—and all women, but predominantly here in Manitoba it is Indigenous women and girls—talking about little girls—at least they—their licence was suspended. And now this Bill 27 is taking that away. So we have literally the bare minimum.

And, again, I know that the minister is saying, well, if they don't complete it—again, they'll go back to the charge system.

An Honourable Member: They have to.

Ms. Fontaine: They—I know that they have to, but the reality is that they don't always make it to court. They don't. You know that and I know that. We know that's why we have women—that's why nine out of 10 women will not report sexual assault, because they know it doesn't make its way through the courts.

And so, you know, again, there's been a lot of work that's been done here in Manitoba—a lot of work—and, again, that—it was borne out of the murder of Fonassa Bruyere: 17 years old, dumped on the outskirts of the city as if she was nothing, as if she was trash.

Here was a child sexually exploited, and a lot of work has gone on in the last many years to protect women and girls and to deal with the issue of sexual exploitation of Indigenous women and girls. And, you know, this doesn't help that and that—this bill and these amendments do not in any way, shape or form work to protect Indigenous women and girls who are the most vulnerable and who are the most at risk to be exploited.

So it's—you know, I know that the minister feels a little bit more confidence in this bill and maybe feels a little bit more confidence in the justice system that it will do what it's intended to do. I would submit to the House that the justice system does do what it's intended to do and it's, you know, it is intended to protect and maintain the status quo.

That's why the bare minimum that we have right now as it exists is that if you come into contact or if you are—come into contact with the police and are found to have been trying to procure sexual services, you right now get your licence suspended and you get to go to school. The system does exactly what it's designed to do, and it's designed to ensure that Indigenous women and girls are still sexually exploited. And this bill just made it a lot worse—and, again, we were already starting with the bare minimum.

So there's other things in this bill, but I feel that I—you know, I wanted to concentrate my comments on the, you know, amending the—or, revoking, I guess—revoking the suspended licence because, again, I think it's not good. It's the bare minimum that this Province could have done to individuals who are sexually exploiting Indigenous women and girls, who are cheating on their wives and their partners, and now nobody needs to know about these things and men just get away with these behaviours and it's like nothing.

Miigwech.

The Acting Speaker (Brad Michaleski): Is it—oh.

The honourable member from Borderland.

Mr. Josh Guenter (Borderland): Right on. Thank you, Mr. Speaker. Appreciate the opportunity just to put a few words on the record, and I want to thank the Minister of Justice (Mr. Goertzen) as well for his work on this bill.

Impaired driving is the No. 1 criminal cause of death in Canada and the No. 1 cause of death of Canadian youth, and so it's important that those who drink and drive face the consequences and, as well as, you know, the victims of accidents involving impaired drivers where people lose their lives or they're injured. And the victims are often the family, and the loved ones feel the consequences.

And so, there needs to be a balancing where we stand up for victims' rights and make sure that those who commit these egregious offences bear the consequences, and that they're rehabilitated to the extent possible, that they don't recommit these offences and that they learn from their decision.

And so, this bill is important. It addresses a gap where individuals who are charged with impaired driving but are not—I guess, due to the unavailability of a breathalyzer or an approved screening device, ASD—they are not dealt with at the roadside by immediate roadside prohibition sanctions, and so they're instead—they go through the criminal court system.

And so, there's a unique situation there where then they are eligible for the immediate roadside prohibition program sanctions but they don't bear them, and so this bill ensures that they do. And so, I think it's important.

There's a number of things we can do to combat drinking and driving, such as this piece of legislation right here. And there's things like enforcement sanctions, which again, is what we're talking about.

And then there's things like public awareness; and I think of organizations like Mothers Against Drunk Driving, which do great work to ensure that the public is aware of the consequences of drinking and driving, and I applaud them for their work and awareness on that.

I think to my time as a student in high school when we were visited by a former RCMP officer who sustained severe burns to his whole body as the result of a crash—a fiery crash—that he was involved in trying to stop a drunk driver.

So, clearly, this is a problem. This legislation ensures that individuals who commit these offences receive consequences that are appropriate, and that they go through the appropriate programming and learn from their mistakes.

So without any further comment, Mr. Speaker, I yield my time. Thank you.

Mr. Mintu Sandhu (The Maples): It's my honour to speak on Bill 27, The Highway Traffic Amendment Act (Alternative Measures for Driving Offences).

Mr. Deputy Speaker, the bill amends The Highway Traffic Act with respect to alternative measures under the Criminal Code. The Criminal Code allows for charges to be diverted out of the criminal justice system while allowing an accused to agree to alternative measures to avoid a possible conviction.

If a person alleged to have committed an impaired driving offence is dealt with the alternative measures, the Attorney General must provide written notice to the Registrar of Motor Vehicles. The registrar must issue a restricted licence to a person that only permits the person to drive a vehicle equipped with ignition interlock device for that 'pecific' period of time.

Currently, the registrar must suspend the driver's licence of a person who failed to complete the alternative measures for sexual procurement offences. The requirement is repealed. The stated reason for doing so is that a failure to complete an alternative measure results in review of the criminal prosecution and post-conviction suspension.

Mr. Acting Deputy Speaker, it's good to see that these are the only for first-time offenders. It's not for the repeat offenders. But it is sad to see that cannabis—while driving under the influence of cannabis is not somewhere I can see in this.

* (15:50)

Recently, I was just listening to the news out of Saskatoon. They did a roadside check over the weekend and 19 people were—got caught. Out of 19, 15 of them were under the influence of cannabis.

So, it's good to see that these are for the drinking and driving, but we also have to do something for the cannabis part, too. And there's a—while I listening to the same news out of Saskatoon, mothers against drink—drinking driving, also we're posting the stickers or the sign where a person was charged with drinking and driving—slash—cannabis, under the influence of a cannabis.

So, this is a troubling trend that we are seeing. Haven't seen anything in Manitoba, but I'm sure this is same thing is happening in Manitoba. Haven't seen any numbers so far from Manitoba.

And our families should feel safe on the road, Mr. Deputy Speaker. You know that; you drive every few days from Dauphin to Winnipeg, and there's—so many other members are also driving to Winnipeg. It's not only for the safety of us only in this House; it's the matter of safety of every person driving on the road.

Personally, Mr. Deputy Speaker, I had a—I recently went to Brandon on Royal Manitoba Winter Fair. And there's—other members was there, too. So that's driving from Winnipeg to there. That's not just from my part only, again. There were so many other members and there's so many other people also drove to Brandon from other communities.

And, within a couple of days, I was driving back to Brandon again, taking my daughter on the road for a volleyball tournament. And there was thousands of people with small children enjoying the volleyball tournament. We want to make sure everyone who is driving somewhere be safe on the road, be it the drinking and driving, or even under the influence of cannabis.

So, Mr. Deputy Speaker, our NDP team understand the impact that impaired driving is extremely serious and can cost millions in damages and, more importantly, innocent lives. So it is very, very important that we not only just put something on the paper that we did our part. We have to do our part as doing an investment into this where we can educate more people. And I was looking at—there was in—under the NDP government they created increasing funding to several different educational programs and advertised programs to raise awareness surrounding impaired driving.

I think we may have to increase this, not only for the drinking and driving part. As I said, cannabis is another one of those major issues these days. I think it got legalized in 2018, and that one needs to be looked after carefully and in Legislature, so it be brought in for this purpose, too.

So, we were fortunate to see the number of accidents caused by impaired driving in our province decrease from 230 per year in 2011 to 145 in 2016, part of which can be attributed to these investments. So, investment is the main thing we can say. Like, education, as member said from Borderland, RCMP was in his—officer was in the school for the education purpose. I'm sure this would be a more—this kind of investment made into the study where we have less people drinking and driving.

Mr. Deputy Speaker, in this, the Legislature proposed alternative measures in the drunk-driving cases. Part of the measures include temporary installation of interlock devices.

Mr. Deputy Speaker, I was—I think a member from River Heights asked a question if the devices can detect cannabis or any other drugs. I guess there isn't any so far. I was just searching before I want to speak. I want to make sure if there was one. I think there wasn't—there isn't one. So, I think more investment in this part will make it, you know.

The ignition interlock program encourages safe driving by preventing those involved in the program from driving motor vehicles after consuming alcohol. And, Mr. Deputy Speaker, an ignition interlock device is an in-vehicle alcohol-breath-screening device that is wired into the ignition's—vehicle's ignition. The device will prevent the vehicle from starting if alcohol is detected.

So, Mr. Deputy Speaker, I have never seen this kind of device, but studying it, looking at—and I think, after you start the vehicle first by blowing into this device—and, once the vehicle starts, after a certain time—it will again make sure that you didn't—like, while driving, you didn't have any other drinks in your car or something, or drinking.

So, it will ask you to do retest of this breathalyzer—breath test. But it will still give you enough time to make sure to pull on the side of the road instead of stopping right in the middle of the road.

Mr. Deputy Speaker, drivers convicted of impaired driving-related offences, alcohol or drugs, and drivers who fail or refuse an approved 'secureening' device, are required to participate in this program.

This is a good—again, this is for the first-time offenders only. That's why this need to stay in there.

And also, currently, the registrar must suspend the driver's licence for a person who failed to complete alternative measure for sexual procurement offences. The requirement is repealed. The stated reason for doing so is that failure to complete an alternative measure result in a renewal of criminal prosecution and post-conviction suspension.

I just remember, Mr. Deputy Speaker, when I was driving a car when I was in the management. At that time, a case came to us as the management that we're—there was—be—I think the member from St. Johns was talking about john school.

A member—the customer forced the driver to drive to a certain area and asked him to stop at the 'pacific' place. When he stopped, not only the driver got charged, so driver was also charged and the passenger was—both of them charged.

So, we—I think it's a good idea for the government—or the—at that time, Manitoba Taxicab Board was giving the training. I think there was—some improvement was done to this training. And I think it's a good idea if the City of the Winnipeg can follow through on this training, too.

And there's other costs related to this ignition device. Admission charge—administration charges are around \$250, Mr. Deputy Speaker. Installation charges are around \$145. Monitoring charges are \$89 a month.

So I guess monitoring, when you are talking about monitoring, in case, even though your vehicle doesn't stop, but if you blew into either drunk or having a few drinks, it will record. At the end of the month, they can look at it if you were drink—drunk and drinking and were in your vehicle. And there's also another \$50 charge. Once you complete your program, there's a \$50 charge.

* (16:00)

Mr. Deputy Speaker, because we value and prioritize the safety of Manitobans on the road, we are concerned that the PC cuts to public safety officer and the crime prevention programs. Since they came to office, PCs have cut 75,000 in annual funding from the Gang Action Interagency Network which helps youth access sport to exit gangs. Investment is very, very important is it to be policing or prevention and

programs in the schools for youth to teach that drinking and driving kills. I see MPI slogans on this. I think it's a good investment for MPI to be doing in this.

Mr. Deputy Speaker, this bill focuses on the words in our criminal prosecutions. What this bill does not address the rising cost of policing. Because of a new collective agreement negotiated with the RCMP, municipalities across the province face significant increase to the cost of policing this fiscal year and next. The member from Concordia has raised this issue so many times.

What are we doing for funding to the police or the municipalities with this new agreement? And there is no answer from the PC government.

Police forces off across of course deserve to fairly bargain. However, because of the nature of the unique agreement, DPAC is owed back \$50,017 and 24 per cent increase has come due. So funding is very, very important that the municipalities get up to date. We, however, raised this issue several times with the minister. Communities across Manitoba are looking at 24 per cent increase in the cost for RCMP services.

Many of the officers—many of the offices this bill deals with take place in the rural and northern communities, where RCMP are contracted to provide services. Again, earlier heard that RCMP doesn't have the resources or the equipment to do a roadside check. Again, investment is very important in this part.

As I said, Mr. Deputy Speaker, I travel a lot and I want to be—I want to feel safe on the road. And so is the public out there should be feeling safe while driving on the roads.

And with this, I'll give the floor to someone else that wants to speak on this.

Thank you, Mr. Deputy Speaker.

Mr. Dougald Lamont (St. Boniface): It's a pleasure to put some words on the record, and I want to thank the other members for their contributions—their important contributions, to the debate.

This is a needed bill. It's an interesting bill just from the point of view that one of the challenges is that there's a lack of what are called ASD devices, which are used for people—essentially a built-in breathalyzer that allows—determines whether people can start their car or not, and we're using a legal or a legislative remedy to address what is a shortage of ASD devices, which meant that people could not actually enter the—*[interjection]*

The Acting Speaker (Brad Michaleski): Order. Order.

It's—I just want to remind the House—I want to remind the House that the—again, just generally, the level of conversation is getting up. I know we're just at the—at change here, but it's difficult to hear, so if you could keep conversations down, that would be appreciated.

Mr. Lamont: And this is—it is an—a very important issue as well. I know that there have been challenges—and that I just briefly want to address because when it comes to access to these devices, that there are some—that there are differences in the devices.

I've heard concerns expressed from individuals in Thompson that a new kind of device was used that could be—that people were able to do workarounds so that there are tests—that in—there are machines that essentially make it very difficult for people to pass the breathalyzer to make sure. But there are other ones that make it much easier, all they have to do is direct a stream of air into it and they can still start their car despite the fact that they may actually be inebriated.

So this is—so the technology needs to be there and it needs to be in place, as well as the legal remedies.

But I do just want to mention the fact that this is a very serious and, frankly, a deadly crime when it comes to drunk driving—that a US study out of the CDC showed that Canada's drunk-driving death rate is the worst among wealthy countries.

And when you compare Canada, the United States, New Zealand, Australia, Slovenia, France, Belgium, Finland, Sweden and Netherlands—the Netherlands—the percentage of motor vehicle deaths related to alcohol impairment in high-income countries, Canada had over a third—and that was just by far the highest. The United States was next.

And one of the ways to do it is to having random—is—to address this is to have random roadside tests. MADD Canada has estimated the introduction of mandatory screening on roadways, which already exists in several European countries, would have a major deterrent effect and would actually—and has succeeded in reducing roadside fatalities.

And when it comes to impaired driving, you have the question not just of—the individuals who are driving, the people who are passengers in their car—*[interjection]*

The Acting Speaker (Brad Michaleski): Order.

I want to remind everybody again—again, it's very difficult for me to hear. The level of conversation on the—across the House here is high and I think we need to—everybody give respect to the people that have the floor.

Mr. Lamont: Thank you, again, Mr. Assistant Deputy Speaker—and this is—it is a question of the law that we have—and this is—it is actually truly shocking when we look at the number of fatalities that—as it is reported in 2021, February 2021, that drunk driving is actually Canada's deadliest crime, that over 100,000 people a year, every year, die in impaired driving accidents.

And it's truly tragic because it can come out of nowhere and that—I remember when I was young, I remember the tragic story of some people at graduation, five young people who were about to graduate who ended up crashing into a tree on the night of their graduation and they all lost their lives. And that was something that I remember, that I still remember from over 40 years ago because it was something that there was—you know, one of the people who died of—was a kid who grew up on my block.

And, you know, I know other individuals who've been involved in these accidents and it's always—there's an enormous amount of trauma that's left behind. So this is—it is important. We have to be balanced, and I think this bill does do that in trying to make sure that when it comes to enforcement in these—that it is being taken seriously.

However, I will just emphasize again that both in terms of having effective law enforcement, having alternatives for people to be able to travel, whether it's public transportation or taxis—many of which are hard to find, certainly, in rural and remote areas—but that there are investments we can make in transportation to make sure that people can get where they need to go without having to drive themselves anywhere at all, is a—would be a huge—it makes a big—a difference as well.

* (16:10)

So it is a large and complex issue, but we're losing too many lives both in Manitoba and in—across Canada. And there have been huge strides made, which are enormously positive, thanks to the advocacy of groups like MADD and just a general realization that this is not something that should be—that there was almost a culture that accepted—or was—didn't take intoxicated driving or impaired driving as seriously as it needed to be.

There are other tests that need to be required as the—some of the members from the official opposition noted, that you know, there are other intoxicants as well, including cannabis. And, in fact, actually one of the more dangerous ones is amphetamine, which is also related vehicular accidents and injuries and deaths.

So, we will support this legislation. We are looking forward to its speedy passage, but we do hope that the government will invest—will assist municipalities especially, that there was always talk when it came to cannabis revenue that cannabis revenue could be applied to extra policing but—and especially because policing is one of the largest costs, not just for the City of Winnipeg but for municipalities across the province—that there is a provincial role to step up to make sure that we have enforcement, which can—not just to arrest people, but to act as an effective deterrent.

And with that, I'll close my comments and pass it on to the next speaker.

Madam Speaker in the Chair

Thank you so much, Madam Speaker.

Mr. Matt Wiebe (Concordia): I can see there is a quick change happening here, so I appreciate the quick work of the Speaker to recognize me. Thank you very much for the opportunity to speak this afternoon to this particular bill, Bill 27.

As I think many of my colleagues have identified, this is an important piece of legislation. We know that this bill amends The Highway Traffic Act with respect to alternative measures under the Criminal Code. The Criminal Code allows for charges to be diverted out of the criminal justice system by allowing an accused to agree to alternative measures to avoid possible conviction.

We also know that if a person is alleged to have committed an impaired driving offence, they can be dealt with by alternative measures and, if that is the case, the—excuse me, the Attorney General must provide written notice to the Registrar of Motor Vehicles. The registrar then would issue a restricted licence to that person that only permits the person to drive a vehicle equipped with an ignition interlock device for a specific period of time.

Currently, we know, Madam Speaker, that the registrar must suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences. This requirement is repealed in this legislation and the reasons for doing so, as stated

by the government, is that the failure to complete alternative measures results in renewal of the criminal prosecution and post-conviction suspension.

Now, I know the member for St. Johns (Ms. Fontaine) has very thoroughly addressed the last point there in my opening remarks, so I'm—if I could, Madam Speaker, I would like to focus my remarks on just the impact that this legislation could have on police, on municipalities and on our, I think, our shared goal, but certainly within our caucus, our specific focus on making our roads safer for all Manitobans.

You know, we, as New Democrats, have shown time and time again in this House and elsewhere that this has been a major plank and a major focus of our legislative agenda when we were in government, and I think it's one that is—quite frankly, is reflected even now in work that the government is now carrying on and bringing forward here in the form of this legislation.

But even, I would suggest, Madam Speaker, in the work that MPI is doing in their campaign, on what they call their Road to Zero and looking at eliminating those final road fatalities, that, you know, stubborn batch of road fatalities, many of which can be tied to impaired driving and, in fact, are caused by it.

The work that was done—you know, primarily, I guess, in the early 2000s—was, at the time, considered groundbreaking, and was—you know, showed leadership across the entire country. You know, I, of course, was not involved formally in politics, but as a student of the work of the previous government, was always impressed by the fact that this was made a No. 1 priority.

And it was as early as 2002 that, you know, MADD Canada was standing side—shoulder to shoulder and side by side with government, saying, we think—you know, we recognize the work that you're doing, and we see that you are being leaders here across the country. We were called pioneers and groundbreakers with regard to how strict the work around impaired driving was.

So, it was our—always a major focus, but I saw that further enhanced after being elected when, in 2012, the interlock system—again, that has been mentioned by a few of my colleagues here today—was instituted here in this province.

And it had existed in the past, it had been in use. However, the change that was made by then-Attorney General Andrew Swan was to—you know, for anyone,

not just those accidents causing death, but for anyone who was not a first-time offender would be subject to using the interlock device.

And we know that that made a huge difference. We know that, you know, from 2011 to 2016—so, you know, that period of time that we're talking about here—in 2011, there were 230 deaths—or, accidents, sorry, caused by impaired driving per year in 2011. By 2016, that number had dropped to 145.

So we know that these devices were working and were having an impact. We know that these interlock devices help to, you know, really curtail those individuals who are problematic in that they continue to offend or reoffend.

We know that this device is an in-vehicle, alcohol-breath-screaming—screening device that's directly wired to the vehicle's ignition. So, it prevents the vehicle from starting if alcohol is detected in any amount, and will sound an alarm if the vehicle is in motion.

Drivers who are convicted of impaired driving-related offences—that's either alcohol or drugs, Madam Speaker—and drivers who fail to—fail or refuse an approved screening device are required to then participate in the program. Again, a change that was considered groundbreaking at the time; now, I believe, I think almost every province in the country is following Manitoba's lead with regards to those—implementation of those devices.

All outstanding licensing requirements must be satisfied prior to getting a licence. These must—might include, but are not limited to, an assessment from the Impaired Driver Program, medical or retesting requirements and paying back fines or arrears.

All costs related to the Ignition Interlock Program are the responsibility of the offender. So, this is not a program that costs government, you know, much money in terms of dollars spent but it does, you know, put the onus on the drivers: the administration charge of \$250; installation charge of \$145; monitoring charge, \$89 a month; removal charge, then, at the end of the program, \$50.

So these are—this is a technology, as I said, that was being used but wasn't being used to its full extent. But it took an NDP government to take the lead, to show that we as Manitobans can be leaders across Canada with regards to impaired driving. And we were happy to do that.

As I said, I believe that the initiative that we took within that decade that we're talking about—decade

and a half of NDP government—I think set the stage and set the expectation of Manitobans that we can be on this path to—or sorry, this road to zero, the #savethe100 campaign that MPI is now promoting and using in their advertising. It's an initiative that finds its roots in Nordic countries, I believe, in Europe. I think the member for St. Boniface (Mr. Lamont) may have been referencing that.

* (16:20)

There's a precedence for this and there is a way that we can achieve this if we focus our attention on this, and this is one of the ways that we can do it if we focus on impaired driving. Because we know that impaired driving still, you know, makes—has a huge impact here in Manitoba.

Just in 2020, unfortunately, Madam Speaker, we saw a 28 per cent increase in highway deaths here in Manitoba, and of those impaired—or of those accidents, impaired driving accounted for half of the fatal crashes, and in around 34 per cent of cases, the deceased wasn't wearing a seatbelt.

So these are concrete ways that we can address this issue and be on the road to one—to on the road to zero. You know, half of fatal crashes are the result of impaired driving and that number, that overall number, was increased 28 per cent just in 2020.

We have work to do, Madam Speaker. There is work that we need to undertake as legislators. This legislation can be part of that overall strategy.

But, you know, at the end of the day, Madam Speaker, it is our law enforcement that are taking on the responsibility for enforcing these laws and, you know, our kudos go out to their work and appreciation for their work in making sure that our highways and roadways are safe from impaired drivers.

So while we can give them the tools—as legislators it is important that we remember we need to support our law enforcement who are out there doing the work. And, you know, this government has shown that they don't have that same sort of commitment. And I do believe that there is a serious disconnect between the words being spoken by the government in terms of their legislation or, you know, their proclamations, and then the actual funding that a—you know, impacts how our police services and our RCMP are able to do their job.

Specifically with regards to the RCMP, we know that currently, there is—was a settlement that was reached at the federal level with the RCMP between

the federal government and the RCMP with regard to their wages. And, you know, of course, we want to make sure that our police services are well-funded in terms of their pay for individual police officers and RCMP. They came to an agreement. They have a settlement in place with regards to their wages, and this is no small amount. This was a significant, a substantial increase in wages, again, as, you know, as was negotiated in good faith.

But what this has meant is that not only do our municipalities, in many cases—in other cases the provincial government—not only are they on the hook now for paying the additional wages to the RCMP going forward, but, in fact, the settlement included a significant amount of back pay to the tune of this having an impact on municipalities north of 20 per cent. Some have estimated 24 per cent impact on their budgets. This is a huge, huge, impact for municipalities and for those municipalities who actually pay the RCMP through the provincial government. So it's actually the provincial government who is—has the—the onus is on them to ensure that these, you know, bills are paid, so to speak. You know, they haven't stepped up to the plate and actually indicated how they're going to make up this shortfall.

This is a significant pressure on municipalities, but in the context of this bill, Madam Speaker, what I would argue is this actually impacts the work that the RCMP is doing out in the field not only in terms of their own, you know, security, in terms of their, you know, the work that they're doing, knowing that their municipality is behind them, their provincial government is behind them and the federal government is behind them as well.

But I would also argue that it's—it could impact the number of police officers that we see in these communities. For some communities, you know, the RCMP being their main police force, they rely very heavily on having well-trained officers who are, you know, integral in their community and out there on our highways and our roadways ensuring that impaired drivers and others are being—you know, that those laws that are applicable to them are being enforced.

You know, it is imperative that we ensure that there are no cuts to the police service—police force here in our province. You know, municipalities come to rely on the work that these officers are doing. And so when they see a budget crunch that, quite frankly, is insurmountable in many cases with regards to the impact on their budgets, you know, they're looking for

any kind of help that they can get to make sure that they don't have to make these cuts.

So, you know, I—as the member for Maples? Maples. The Maples, of course, it is.

The member for The Maples (Mr. Sandhu) quite rightly said, I have brought this forward in the Legislature in question period. We have worked with AMM to continue to put pressure on this government to step up. I asked, you know, the Minister of Municipal Relations (Ms. Clarke) to stand up and to ensure that municipalities are feeling secure in their policing efforts.

But I know in other provinces it has gotten to the point where they are exploring other options, such as provincial police forces. Now, you know, that might be a road that municipalities here in this province want us to go down, but what I would suggest is that in the very near term, that in the, you know, current budget year that we're talking about, this needs to be resolved, and it needs to be resolved immediately because we don't want to see RCMP further pressured to the point where they're not able to, you know, enforce in the way that we want them to, bills like Bill 27.

So there are—there is a lot that this government needs to answer for when it comes to—their, you know, lack of commitment when it comes to policing here in this province.

We know that—and this was highlighted by others but I do want to put it on the record because, you know, this government has an abysmal record when it comes to supporting police services: \$75,000 was cut from the Gang Action Interagency Network; the Spotlight unit, an intensive anti-gang project with supports to youth at risk of gang involvement; the Auto Theft Suppression Strategy, which reduced auto theft in Winnipeg, as I mentioned, by 86 per cent from 2004 to 2011. And 316 positions have been cut within the Department of Justice, which includes at least 47 positions from community safety.

So this is their record, their record of cuts and underfunding. And I think there's, you know, there's a real disconnect, as I said, between the words or even the legislation that's coming forward and those—and the support for those who are actually enforcing these laws on the streets in order to keep our highways and our roadways safe here in the city and in the province at large.

You know, we, as I said, we have stood shoulder to shoulder with law enforcement to ensure that not only are we looking at the, you know, the crime and

ensuring that we're tough on that crime, but that we're actually looking at the social determinants of that crime as well.

And I think when it comes to issues like impaired driving, there is a case to be made that, you know, this kind of legislation can be helpful to ensure that those individuals who need the help can get the help. It remains to be seen whether this particular legislation is the answer to that; it will actually suffice to ensure that folks are getting the help that they need to ensure that if they have made a mistake that they're not going to reoffend because we know that when it comes to impaired driving, you know, a good portion of the—of those folks convicted are reoffenders.

So how do we go after those folks, but also understand that there are people who are, you know, maybe just one-time or first-time offenders that need some other kind of, you know, program or answer to ensure that they don't become reoffenders and that they understand, you know, how their actions are—have impacted folks?

* (16:30)

So, Madam Speaker, I do—you know, I think there are others that want to speak to this bill. I do think that it is a bill that I—you know, of—well, I mean, you know, we're always interested to hear from the public and to have that input that we get at committee. This is the kind of bill where I do think there are, you know, there are so many good organizations—I mentioned Mothers Against Drunk Driving earlier—but I do think that there are others within the community that will have good input with regards to this.

And I hope that not only are we hearing from those advocates against impaired driving, but that we're also hearing from those within the criminal justice system because we know that this is—there are lessons to be learned about how to best, you know, prosecute or deal with those folks who are—who have been charged, and I think there's a lot that can be learned.

You know, and sometimes, I guess, you know, led—folks think of us legislators that we're—you know, we kind of go behind closed doors so to speak. We decide things or we talk about things, you know, as a caucus or as a Cabinet or with department and we get their input but, you know, it is nice that here within Manitoba we actually have that opportunity for the public to come in to educate us, to give us some of their perspective.

And so, you know, if, you know, if my words carry outside of this Chamber here today, I do hope that those folks that have that expertise are willing to give their time to us so that we can learn how we can better, you know, we can better shape this legislation.

And, you know—and as part of that I would also hope that the government is open to, you know, amendments or other pieces of information that come out of those hearings because I think that's when we operate best, when we're actually, you know, genuinely looking to implement these pieces of legislation the best that we can. So I—you know, I look forward to learning more personally, but also to understanding just how we can better shape this legislation in the future.

And I know that the member for St. Johns (Ms. Fontaine) who, you know, as our Justice critic has done a lot of work to understand these—this piece of legislation as well as the many, many others that are here before us in the Department of Justice. You know, I know that she's listening and she's making sure that, you know, what they don't get right here and maybe doesn't get amended or doesn't get dealt with, that this is not a one-time, a one-shot deal that, you know, Manitobans understand that we have done it before. We have showed that we are—take this issue and all road safety extremely seriously under the NDP and that's not going to change. That's not going to change with the current member for—or the current critic for Justice, the member for St. Johns, it's not going to change with whatever, you know, the next Cabinet and next leadership of this province looks like.

But what I will say is that what we do want to do is we want to commit to Manitobans that this is just one step in the right direction. We will continue to enhance and improve these kinds of pieces of legislation. And, you know, my critic role as the critic for Transportation, you know, it fits very much within this as well. I have worked very closely with the member for The Maples (Mr. Sandhu) as well, who is our critic for MPI. He is taking this kind of legislation incredibly seriously as well. And by having this—kind of this team approach here, I think, you have the people in place who are going to take this kind of work seriously and look to continually enhance and improve road safety.

We are, you know, I hope all of us, Madam Speaker, on that Road to Zero that MPI uses as their slogan. We want to be a part of that, but I think there are steps that we can take that can further enhance

that. So I commit to doing that and I commit to working with our team to showing that we can be leaders here once again in this province, that we can show leadership across Canada, that others will be following us instead of the other way around as it's been over the last little while.

And as I said, finally, you know, also seeing or understanding that the RCMP police services in municipalities and here in the city of Winnipeg can be our partners in this as well. And we want to make sure that they understand that, you know, under an NDP government we will show them the respect when it comes to the funding models that we come up with to ensure that not only are we just funding them, but we're funding them in a way that actually helps them do their jobs.

So that's what we're going to continue to do. We'll continue to press this government to fund the RCMP municipal—or through municipalities here in this province. And we'll continue to do that, as I said, as a team in partnership with Manitobans who are concerned about this. I invite all of them to come out to speak, to give us their advice and give us their input at the committee stage. So I look forward to moving this bill forward to that stage in the process.

Thank you very much, Madam Speaker.

MLA Malaya Marcelino (Notre Dame): The highway traffic act, the alternative measures for driving offences: the purpose of this bill is to amend The Highway Traffic Act with respect to alternative measures under the Criminal Code. The Criminal Code allows for charges to be diverted out of the criminal justice system by allowing an accused to agree to alternative measures to avoid a possible conviction.

And if a person alleged to have committed an impaired driving offence is dealt with by alternative measures, the Attorney General must provide written notice to the Registrar of Motor Vehicles. The registrar must issue a restricted licence to the person that only permits the person to drive a vehicle equipped with an ignition interlock device for a specific period of time.

And currently, the registrar must suspend the driver's licence of a person who fails to complete alternative measures for sexual procurement offences, and this requirement is repealed. The stated reason for doing so is that the failure to complete alternative measures results in a renewal of the criminal prosecution and a post-conviction suspension.

And it's really that latter part, Madam Speaker, that we take issue—that, on this side of the House, we take issue with those changes about those folks that need to get alternative measures after procuring sexual services. We feel that, in that section, there hasn't been enough consultation done, especially with folks that deal with these vulnerable populations in the first place.

Our NDP team understands that impaired driving is extremely serious and can cost millions in damages, and more importantly innocent lives. We do believe that repercussions are an important part of deterring people from driving while impaired by alcohol and drugs, such as cannabis.

We know that there have been a lot of increased offences with folks under the influence of cannabis, and so far our legislation has not yet caught up to issues related to cannabis. So we're hoping that this government will also focus on this measure that's currently needed.

We understand that the government proposes diversion processes out of the criminal justice system, but these processes need to also be effective and reduce recidivism. This bill proposes to repeal the requirement to suspend the licence of a person who fails to complete alternative measures for social procurement offences, and it is not clear why this is required and we are concerned that this could allow people who have been charged with sexual procurement offences to potentially offend again.

We're committed to lowering the number of accidents caused by impaired driving. We want to protect workers and families and seniors in Manitoba who may be harmed or killed due to impaired or dangerous driving. We know that vehicle-related accidents are serious—vehicle-related collisions, rather, are serious and can be life threatening. And this is especially true when collisions take place around crosswalks, playgrounds and schools.

We believe that Manitobans deserve the right to feel safe and to avoid the threat of drivers who are driving while under the influence of alcohol. We created and increased funding to several different educational programs and advertising programs to raise awareness surrounding impaired driving. And we were fortunate, during the NDP years, to see that number of accidents caused by impaired driving in our province decrease from 230 per year in 2011, to 145 in 2016, and part of which we are confident we can attribute to those investments.

* (16:40)

There is still a lot of work to do, however, as 2020 saw a 28 per cent increase in highway deaths. And impaired driving accounted for around half of the fatal crashes; and in around 34 per cent of the cases the deceased was not wearing a seatbelt, and speeding played a role in 27 per cent of the deaths as well.

So, you know, earlier I listened as the member for Borderland (Mr. Guenter) was talking about how legislation like this could help, you know, reduce traffic-related collisions due to impaired driving.

I would like to, you know, remind the member, and all members of this House, that folks with substance abuse issues, chronic—sorry, problematic substance abuse issues, most of the issues stem from mental—can—have stemmed from mental health concerns and also trauma-related concerns.

I actually did quite a deep dive into topics such as substance abuse—problematic substance abuse—after we had some incidents in the Filipino community that had to do with the death of Jaime Adao.

At that time, our Filipino community was really reeling from what happened, and we saw that, you know, it wasn't safe enough for our community members to just, you know, be in our homes. We had constituents who were doing dangerous things, actually, like barring—putting wood up on their doors and, you know, causing fire hazards, things like that, because they really felt that their communities were unsafe.

At that point, I did attend a lot of workshops to really learn more about what meth in the community is like and community responses to that. And that's where I learned a lot about, you know, problematic substance use, you know, like alcohol and meth.

So, legislation like this actually is not going to really help folks because they're—that are struggling with problematic substance abuse; and instead, what we really need to see are investments in our community that help people deal with, you know, trauma-related abuse, and also mental health supports.

We know that young people especially—that's when mental health issues first come into play for a lot of folks is when they're in their teen years. And it's at that time that we really need to have support systems in place in our community to really reduce the kinds of substance—problematic substance abuse that we're seeing.

So, you know, this is kind of like helping on one level, but if we really, really want to support our communities down the road, you know, avoid getting in the situation in the first place, we really need to see some proper investments in mental health and—especially for our young people, and more mental health and addictions supports.

You know, part of the deep dive that I did was attending some really mind-blowing workshops that were organized by the Menno Simons College, and the Social Planning Council of Winnipeg. You know, they invited this researcher named Edward Durgan, and Mr. Durgan—Dr. Durgan—he really specializes in homelessness—study of homelessness—and meth use.

So we were—so in that—it was a very good experience for me because I'd never really experienced too much outside of, actually, even my own home, you know, especially with these types of issues and—but, really, the Filipino community, we really needed to learn more about what's going on in our community, especially for those folks in our community that are really, really struggling with issues like this.

So, in addition to legislation like this, what we'd really like to see is more investments in mental health.

And, you know, just yesterday, I believe I saw Andrea Horwath, which is the NDP leader in Ontario, announce that part of their commitment and pledges was to introduce a universal plan for the health care in Ontario to include mental health services. And I think that that would actually go a long way to reducing this type of chronic and problematic substance abuse that causes these kinds of issues that we're speaking about today in the Legislature.

This legislation proposes alternative measures in drunk-driving cases, and part of those measures includes the temporary installation of an interlock device. The Ignition Interlock Program encourages safe driving by preventing those involved in the program from driving a motor vehicle after consuming alcohol. An ignition interlock device is an in-vehicle, alcohol-breath screening device that is wired—*[interjection]*—finish, okay.

Well, I do have some other quick comments, Madam Speaker, just towards the end here about the sexual procurement offences and then I'll wrap up.

But what I really wanted to press was that there needs to be proper community consultation when you are, you know, dealing with such vulnerable populations. And, you know, folks like the Ma Mawi Wi Chi Itata Centre, like Diane Redsky and Sunshine House

or their director, Levi Foy, these folks were not consulted in this part of the bill.

And I believe that in the future, this is really, really important to talk to these people because they're right there on the ground in the communities and they know what kind of impact this would make. And so in the future, that's what I would recommend to our other MLAs on the—on across the way.

Thank you.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is second reading of Bill 27, The Highway Traffic Amendment Act (Alternative Measures for Driving Offences).

Is it the pleasure of the House to adopt the motion, agreed? *[Agreed]*

I declare the motion carried.

Bill 8—The Court of Appeal Amendment and Provincial Court Amendment Act

Madam Speaker: As previously announced, we will now move to second reading of Bill 8, The Court of Appeal Amendment and Provincial Court Amendment Act.

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I move, seconded by the Minister of Education, that Bill 8, The Court of Appeal Amendment and Provincial Court Amendment Act, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Goertzen: Appreciate the tepid response. I am pleased to rise to speak about Bill 8, the court of appeal and provincial court amendment act. This bill will help advance the goals of gender—reducing gender-based violence, improve the process of relating to judicial appointments, increase public confidence in the justice system and enhance access to justice.

Amendments to The Provincial Court Act will support victims of sexual violence by ensuring that judges who hear and determine these matters have training in the areas of sexual assault and social context.

And I know that this has been a matter of some debate nationally and that Parliament has dealt with this issue. I believe that Rona Ambrose brought forward a bill—Madam Speaker, you'll know it well—that dealt with this and recently passed the Senate, relatively recently passed the Senate, and there were private members' bills that came forward in this House as well, so I think that there's broad unanimity about the importance of this training.

But of course it's not always as easy as just broad unanimity because when it comes to the judiciary there is independence and we needed to ensure that it was done in a way that it didn't impede on that independence.

But judicial education in sexual assault law and social contexts has, of course, been a growing concern in Manitoba and across Canada. These amendments will ensure that the judges who are appointed, or about to be appointed to the court, agree to take the training.

So, the distinction being that a judge who is being nominated in a provincial court has to agree as part of that nomination process to take the training, so it's—it is not prescriptive on the current sitting judiciary so it doesn't interfere with the judicial independence. However, I do know that there is good work happening with the judiciary nationally, and I would assume provincially as well, about the importance of this training.

* (16:50)

So the bill adapts the federal model to the Manitoba context and requires that candidates for appointment as provincial court judges undertake continuing education in sexual assault and social context. The provincial court may establish seminars on these subjects including systemic racism, systemic discrimination and the 'anuary' reports of the court may include information about its training programs, including these seminars. Education in these areas of systemic racism and discrimination would support the judiciary in addressing the unique issues that face Indigenous women and girls who are more likely to be victims of sexual violence. A public reporting the training program, the provincial court would increase public confidence in the justice system.

The bill, therefore, in—protects the integrity of the independence of the judiciary while ensuring that I think the intentions of all members of this House are met by adopting the federal model by ensuring that those who are nominated to become judges agree to take the training.

It will improve the process for appointing provincial court judges by enhancing the accountability of the appointment committee rather than the current short list of recommended names of candidates for the judicial appointment. The committee will provide the minister with a full list of all candidates together with their evaluation and summary regarding each individual. The committee will have the ability to review the list from time to time and may revise it based on their activities. The minister will be able to request re-evaluation of a candidate in the case of a disagreement with the committee's evaluation. For example, if information about a candidate on the list is available to the minister and it conflicts with the committee's summary of that candidate, the minister may return to the committee for them to re-evaluate.

This process is used in other provinces in Canada, Madam Speaker, in many other provinces. It ensures greater transparency by ensuring that there is a full summary and evaluation of the candidates who applied for the judiciary and then also allows there to be a continuous re-evaluation of that list.

And I do recognize, and I've heard the member opposite, member for St. Johns (Ms. Fontaine), talk about the need for more judges. There were recently two judges appointed to the bench in Thompson. I know there remains a vacancy in The Pas, and so we are working, however, to fill those vacancies. Certainly, realize the importance to the justice system—and particularly in the North where access to justice can sometimes be delayed—and I think that our recent appointments of the judges in Thompson are a recognition of that importance.

The composition of the committee will ensure a balance, having representation by the judiciary, the legal community and Manitobans who may be appointed by the Lieutenant Governor. And rather than legislate who will serve as the committee chair, these amendments will require the committee to select its own chair, which is also common, I understand, in other committees in other places.

The amendments to the appointments committee and the process for appointing judges to the provincial court will better inform the minister's selection of appointees and enhance the accountability of the committee while retaining confidentiality with respect to the candidate evaluations, which is very important, of course, because those in the legal profession who are applying to put their name forward to be a judge, of course, their—if they're in the private practice, I mean

it's very important to ensure that these things are confidential—regardless of where they work, even if they're in the prosecutions.

I'm pleased to inform about amendments that will enhance access to justice in Manitoba's Court of Appeal by providing for settlement conferences which will allow judges to assist parties in an appeal where all parties are requesting it in settling issues in appeal proceedings. Early resolution through judicial management of cases before the court for many years been offered by the Court of Queen's Bench, a lower court than the Court of Appeal, and legislated in criminal trial proceedings.

So this is about a settlement conference that can happen before an issue hits the Court of Appeal. So it, by then, will have already gone through a lower court. It's been appealed to the Court of Appeal. There hasn't been that ability to have conferences prior to it being heard at the Court of Appeal. Other provinces have allowed that. This would allow those conferences to happen as well with the hope that there might be settlements before it has to then be heard by the Court of Appeal and take up the time there.

This may, then, be able to reduce the Court of Appeal time required for hearings which then would purport to reduce court delays similar to what we've seen in other places. The new provisions will also ensure that the judges who conduct the conferences are immune from actions against them due to their role in the settlement conferences and may be—and may not be compelled to testify. These restrictions will formulize the protections that are in place in the trial courts already.

So I am certainly mindful of the need to increase access for justice. That is an issue that arises in a number of different places. Legal Aid, I know I've heard members talk about Legal Aid and the importance of having greater support for Legal Aid. We've backed that up with financial support.

I haven't seen what the federal budget will look like, of course, which is coming down in a day or two. I have certainly spoke to Minister Lametti federally and made the case for more Legal Aid support, greater Legal Aid support. He indicated to me that he understood that and he himself has an interest in that. Didn't make any commitments, we'll see what comes out of the budget federally in a couple of days. But that is certainly part of that access to justice.

So the bill has a number of important provisions making sure that the appointment of justices is a more

fulsome process and more aligned with other jurisdictions, ensuring that the training when it comes to sexual education is done for judges, as now is being done federally but it will be done provincially in a way that protects judicial independence which is a tenant of our judiciary and very important to protect.

And I understand why it's important to protect. And that'll also hopefully access to justice by allowing for these pretrial—or pre-Court of Appeal conferences to happen as well.

So a number of different provisions in the bill which are important to improving the justice system and I look forward to the questions from members opposite, and for it proceeding to committee and hopefully passage in this House in relatively short order.

Questions

Madam Speaker: A question period of up to 15 minutes will be held. Questions may be addressed to the minister by any member in the following sequence: first question by the official opposition critic or designate; subsequent questions asked by critics or designates from other recognized opposition parties; subsequent questions asked by each independent member; remaining questions asked by any opposition members. And no question or answer shall exceed 45 seconds.

Ms. Nahanni Fontaine (St. Johns): Would the minister share with the House today why the government is departing from the current selection approach that's in place for judges?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I thank my friend for the question. This brings us in line with other provinces, as well, to ensure that the Minister of Justice is able to get a full listing of those who have applied to be a judge, those who are qualified, and a summary of their evaluation.

Right now, it's simply a list of three to six names, there's no other sort of descriptive value to it, and so it is limiting in trying to make selections and it does bring us in line with other jurisdictions.

Ms. Cindy Lamoureux (Tyndall Park): I'm wondering why in this legislation, the minister has the ability to request the re-evaluation of a judicial candidate. Would it not be better to delegate this to someone non-partisan?

Mr. Goertzen: So, the minister would not delegate their ability to appoint a judge to another person. It is

the purview of the Minister of Justice in all jurisdictions, and to delegate that somewhere else would not be appropriate.

In terms of just simply asking for a re-evaluation, it may be that the minister has information that is conflictual or not in alignment with what the evaluation is and it might be simply trying to ensure that, before a selection is made, that any discrepancy between what the minister believes in terms of qualifications is in alignment with what the committee has brought forward.

Ms. Fontaine: Yes, I know that the minister is saying that these changes are going to, you know, create this full list of potential candidates. But right now as it exists, the Judicial Appointments Committee provides three to six, or whatever it may be, three, of folks that

they've already gone through their list of qualifications, these are the best candidates. Why does the minister feel that that's not good enough that the judiciary appointment committee, what they're suggesting in respect of who sits in our courts isn't good enough?

Mr. Goertzen: I think that it's true in other jurisdictions, as well, so this isn't simply how it's going to be done in Manitoba. But we see this in many other jurisdictions—

Madam Speaker: Order, please.

When this matter is again before the House, there will be 12 minutes left in this question period.

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, April 5, 2022

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