

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on JUSTICE presents the following as its First Report.

Meetings

Your Committee met on February 18, 2016 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under Consideration

- **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant)
- **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel
- **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants)
- **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »

Committee Membership

- Hon. Ms. BRAUN
- Hon. Mr. CHOMIAK
- Mr. GOERTZEN
- Mr. GRAYDON
- Ms. HOWARD
- Hon. Mr. MACKINTOSH
- Hon. Ms. MARCELINO (*Logan*)
- Mr. MARCELINO (*Tyndall Park*)
- Mr. SMOOK
- Mr. SWAN
- Mr. WISHART

Your Committee elected Ms. HOWARD as the Chairperson

Your Committee elected Mr. MARCELINO (*Tyndall Park*) as the Vice-Chairperson

Motions

Your Committee agreed to the following motion:

- *That this committee recommends that the fees paid with respect to Bill (No. 300) – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic », be refunded, less the cost of printing.*

Public Presentations

Your Committee heard the following ... presentations on **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant):

Kevin Rebeck
Charlene Matheson
Barbara Byers
Michelle Gawronsky
William S. Gardner
Gloria Kelly

Manitoba Federation of Labour
Private Citizen
Canadian Labour Congress
Manitoba Government and General Employees Union
Manitoba Employers Council
The Public Service Alliance of Canada

Dave Sauer	Private Citizen
Charlotte Cameron	Winnipeg Labour Council
Carmen Neufeld	Private Citizen
Gina Smoke	UNIFOR
Leanne Sookram,	Private Citizen
Carmen LeDarney	Private Citizen
Pamela McLeod	Willow Place
Beatrice Bruske	United Food and Commercial Workers

Your Committee heard the following two presentations on **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel:

Jane Ursel	Private Citizen
Kim Storeshaw	A Woman's Place NorWest Co-op Community Health

Your Committee heard the following two presentations on **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants):

Lawrence Pinsky	Manitoba Bar Association
Trent Tait	Private Citizen

Your Committee heard the following presentation on **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »:

Chad Smith	Mount Carmel Clinic
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Written Submissions

Your Committee received the following two written submissions on **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel:

Maddie Laberge	Private Citizen
Trudy L. Lavallee	Ikwe Widdjiitiwin, Inc.

Your Committee received the following written submission on **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants):

Nicholas Bala	Faculty of Law – Queen's University
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Bills Considered and Reported

- **Bill (No. 8)** – The Employment Standards Code Amendment Act (Leave for Victims of Domestic Violence, Leave for Serious Injury or Illness and Extension of Compassionate Care Leave)/Loi modifiant le Code des normes d'emploi (congé pour les victimes de violence familiale, congé en cas de blessure ou de maladie grave et prolongation du congé de soignant)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 11)** – The Domestic Violence and Stalking Amendment Act/Loi modifiant la Loi sur la violence familiale et le harcèlement criminel

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 33)** – The Family Law Reform Act (Putting Children First)/Loi sur la réforme du droit de la famille (mesures pour le mieux-être des enfants)

Your Committee agreed to report this Bill, with the following amendments:

THAT Clause 5(2) of Schedule A of the Bill be amended by striking out ", unless it is someone" and substituting "unless he or she conducted an earlier evaluation of them or is someone".

THAT Clause 6 of Schedule A of the Bill and the centred heading before the Clause be replaced with the following:

DISPUTE RESOLUTION

Dispute resolution by the parties

6 The parties to a dispute must act in a way that strives

(a) to minimize conflict;

(b) to promote co-operation;

(c) to meet the best interests of any child involved in the dispute; and

(d) to the extent the parties consider it appropriate to do so, to resolve the dispute by reaching an agreement through negotiation or another dispute resolution process.

THAT Clause 33(2) of Schedule A of the Bill be replaced with the following:

Person in loco parentis may apply

33(2) A person in loco parentis to a child may also apply for

(a) custody of the child, if there is leave of the court; or

(b) access to the child;

if the child's parents are notified of the application.

THAT Clause 40(4) of Schedule A of the Bill be replaced with the following:

Variation of order for access

40(4) The court may, on application, vary or terminate an order for access if the court is satisfied that the child's needs or circumstances have changed since the original order was made or last varied. The provisions of this section apply in relation to that application.

- **Bill (No. 300)** – The Mount Carmel Clinic Amendment Act/Loi modifiant la Loi sur la « Mount Carmel Clinic »

Your Committee agreed to report this Bill without amendment.

Submitted by,

Ms. Jennifer HOWARD, Chairperson
February 18, 2016