

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

*Published under the  
authority of  
The Honourable Myrna Driedger  
Speaker*

**Vol. LXXVI No. 34 - 1:30 p.m., Monday, April 11, 2022**

ISSN 0542-5492

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALTomARE, 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

Monday, April 11, 2022

*The House met at 1:30 p.m.*

**Madam Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

We acknowledge we are gathered on Treaty 1 territory and that Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishininewuk, Dakota Oyate, Denesuline and Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Good afternoon, everybody. Please be seated.

### ROUTINE PROCEEDINGS

**Madam Speaker:** Introduction of bills? Committee reports?

### TABLING OF REPORTS

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** Good afternoon, Madam Speaker.

I'm pleased to table The Fatalities Inquiries Act, section 43(1), the report for the fiscal year 2021.

**Madam Speaker:** Any further tabling of reports?

**Mr. Goertzen:** I'm also pleased to table the 2021 annual review of the Office of the Chief Medical Examiner for the Department of Justice.

### MINISTERIAL STATEMENTS

**Madam Speaker:** The honourable Minister of Families—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.

### Sexual Assault Awareness Month

**Hon. Rochelle Squires (Minister responsible for the Status of Women):** I rise today to recognize that April is Sexual Assault Awareness Month, a month where we rededicate our efforts to call attention to the pervasiveness of sexual violence in Manitoba and around the world, while acknowledging the deeply traumatic impact that this type of violence has on individuals and communities.

In recent years, we have seen an increase in the level of understanding and attention paid to sexual violence. Global movements like #MeToo, and the trials of several high profile perpetrators have deepened our understanding of the ways that sexual violence manifests itself in our workplaces, schools, streets, homes and online spaces.

More and more, we are recognizing that sexual violence is about power, and that power imbalance along with social stigma can make it incredibly difficult for those who have experienced sexual violence to come forward.

These power imbalances are also felt in the atrocities that occurred within residential schools, where sexual abuse and violence were a common experience for thousands of young children, many of whom still carry the trauma with them today.

We see, in many ways, society continues to place the responsibility for actual or potential sexual violence on survivors and possible victims. It doesn't matter what someone is wearing, whether they are intoxicated, or where they are. Sexual violence is a violent crime that should be blamed solely on the perpetrator.

We also know that sexual violence is also a highly gendered and vastly underreported crime. According to the Canadian Women's Foundation, women are five times more likely to experience sexual violence than men, and 30 per cent of the women over the age of 15 having experienced at least one instance of sexual assault in their lifetime. However, only an estimated 6 per cent of those assaults are ever reported to police.

Certain groups of women are at a higher risk of sexual violence, including those who are Indigenous, disabled, young or part of the 2SLGBTQQIA+ community, as well as individuals who are gender-diverse.

Madam Speaker, all Manitobans deserve to live free of sexual violence, but eliminating it is going to require action on all our parts.

We recognize the importance of providing survivors who care—survivors with care that is trauma-informed and victim-centred to help decrease the long-term effects of sexual violence.

That is why I would like to highlight that our government, along with the Minister of Health (Ms. Gordon), last week announced \$640,000 to expand services for survivors of sexual assault and intimate partner violence, bringing care closer to home.

This new Forensic Nurse Examiner program will provide equitable and timely responses for adults who are survivors of sexual assault and intimate partner violence, allowing them to remain closer to their support network during a most traumatic moment in their lives.

The new nurses will be trained as forensic nurse examiners with specialized training and knowledge to provide comprehensive care for survivors of sexual assault and intimate partner violence, which includes assessment, documentation of their injuries, testing and treatment for infection and injury, and forensic evidence collection.

Existing nurses in Brandon, The Pas and Thompson will have the opportunity to receive the training necessary to become forensic nurse examiners.

This month, I encourage everyone to take some time to be intentional in drawing awareness to the issue of sexual violence and then to continue doing so all year round. Modelling respectful behaviour, talking about consent and believing survivors are all small but meaningful ways we can eliminate sexual violence on a day-to-day basis. Most importantly, educate yourself and those around you on what sexual violence is and the impact it has on its survivors.

Knowledge and understanding is how we break down that stigma and create a more supportive environment for survivors to come forward.

Thank you, Madam Speaker.

**MLA Malaya Marcelino (Notre Dame):** Madam Speaker, this House is united in the need to end all forms of sexual violence in our communities.

Last week, after years of advocacy from nurses and women's groups, the Province announced much-needed supports for forensic nurses to better help victims of sexual assault in rural Manitoba. This House also recently passed bill 217, brought forward by the NDP member of The Pas-Kameesak, which will ensure that much-needed forensic examination resources will begin to be provided to rural, remote and northern areas in their care for child victims.

Proper access to forensic resources in the immediate aftermath of sexual violence is one step in the right direction, but we have a long way to go before our justice system can even begin to approximate what justice means for sexual assault survivors. The vast majority of victims of sexual assault do not report their cases or get justice for the violence committed against them. The reasons for these troubling statistics are complex, but among them are a lack of supports for them as they go through the judicial process. This means that there is no justice for victims and, simply put, rapists go free.

One support of which we need to be especially aware is third-party reporting. Often, victims of sexual assault do not want to report the crime themselves. If this is the case, please reach out to an organization like Winnipeg Safe City Initiative or the Women's Resource Centre in Brandon for assistance.

\* (13:40)

Today, this House recommits to supporting Manitoban victims of sexual assault in their journeys for healing and justice.

Thank you.

**Ms. Cindy Lamoureux (Tyndall Park):** Madam Speaker, I seek leave to respond to the minister's statement.

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

**Ms. Lamoureux:** We use this time to talk about sexual assault here in the province of Manitoba to gain awareness and a deeper understanding of sexual assault, the supports in place for those who experience sexual assault, both first-hand and indirectly, and ways we can better work together to prevent it, for example, through ending human trafficking and child exploitation.

Madam Speaker, when a person of any demographic is sexually assaulted, there are often incredibly conflicting feelings that are attached to that experience.

People may feel violated, hurt, angry, ashamed and so many more feelings, and these are often layered in silence and secrecy. Madam Speaker, being silenced is absolutely detrimental to the health of our survivors of sexual assault. It can also be harmful to our society as a whole because if—we cannot act if we do not know where the problems are.

And this is where we have a big responsibility as legislators. We need to do more not only to prevent sexual assault, but ensure we have measures in place where people can come forward when they are ready to talk.

Madam Speaker, it is important we also differentiate here how there is a big difference in choosing to be silent and being silenced. A victim may choose to be silent for whatever reason they wish. And this should not be questioned, nor should they feel guilty, nor should they be forced to speak unless they chose to. Many who have been victims find empowerment in having the choice to speak up if and when they want to, as the experience is theirs to share.

Madam Speaker, here in Canada, one in three women and one in six men will experience sexual violence in their lifetime. We know, statistically, that women are four times more likely to be a victim of intimate partner violence and three times more likely to be stalked. We also know that people between the ages of 15 to 24 face the highest rates of sexual assault and that populations including BIPOC individuals, newcomers, 2SLGBTQ+ community members and those with disabilities are at the greater risk of being sexually assaulted.

Lastly, Madam Speaker, we know through the pandemic that violence was heightened throughout the world, and intimate partner violence has gone up here in Manitoba. To anyone who may be experiencing violence or is in need of talking to someone, please never hesitate to use the resources being offered. We have provincial resources including Clinic Sexual Assault Crisis Program and survivors of hope, and national programs including Canadian Human Trafficking Hotline and myPlan, a safety planning app.

With those few words, I want to thank the minister for bringing forward today's ministerial statement and for having the opportunity to speak.

Thank you.

## MEMBERS' STATEMENTS

### Niverville Community

**Mr. Ron Schuler (Springfield-Ritchot):** Two months ago Stats Canada began releasing data collected during the previous census. It was great to hear that Niverville has been declared Manitoba's fastest growing community. Not only that, but Niverville has also been declared Canada's fifth fastest growing municipality as well. There are many great things happening in Niverville that show just how vibrant this community is, and I want to take a moment to highlight a couple of them.

One example of our growing community is the continued focus on safety. I had the pleasure of seeing Niverville's first set of traffic lights go up in May 2020, and recently we were able to announce the second set of traffic lights.

Another thing that highlights Niverville as a growing community is the beautiful community centre that we have, giving a space that Niverville can use to host events, gatherings and community get-togethers. And who can forget the Blue Crescent Hotel that is in development, helping to increase tourism to wonderful events that Niverville puts on, such as the Olde Tyme Country Fair.

Speaking of tourism and the community centre, I have to highlight Niverville's status as being home to the Manitoba Junior Hockey League's newest franchise, the Niverville Nighthawks. We are looking forward to the first home game, and I will most definitely be at it. We are so excited to see Niverville growing vibrantly and cannot wait to see the new ways in which Niverville will continue to thrive.

In closing, I wish to congratulate second-place West St. Paul and the third-place Neepawa on their impressive growth. I know that the communities of Steinbach, Winkler, Morden and Altona, just to mention a few, should take heart as they have the next 10 years to try and keep pace with Niverville. Niverville: the gold medal winner of growing communities in Manitoba.

**An Honourable Member:** Organizations providing care—

**Madam Speaker:** My fault, I apologize.

The honourable member for Notre Dame.

### Adult Disability Support Workers

**MLA Malaya Marcelino (Notre Dame):** Thank you, Madam Speaker.

Organizations providing care to Manitobans living with disabilities are sounding the alarm. A recent campaign by Abilities Manitoba, which represents 95 non-profits that provide residential and day services to Manitobans with intellectual disabilities, highlights the dire staffing shortages and poverty wages of people working in this sector.

These challenges are resulting in poor quality of care for over 7,000 clients and families dealing with conditions like cerebral palsy, autism, Down syndrome, FASD, intellectual delays and other co-occurring mental and physical health issues.

This is in no way the fault of organizations and workers who are going above and beyond to provide care to those who need it, but it's a result of the chronic underfunding and lack of urgency we are seeing from this government. Funding to non-profits who support adults with disabilities lags up to 30 per cent behind the cost of living and there has been no provincial funding increase in years. One of the biggest obstacles to recruiting and retaining staff is the fact that these organizations cannot afford to pay higher wages on their own, while requiring trained staff who possess diverse skills to assist a wide variety of clients.

The staffing shortage is leading to existing staff feeling overworked and burnt out. Many are newcomers who are forced to hold multiple jobs due to the low wages. These workers deserve a living wage and proper respect and recognition for the valuable work that they do. Families are also facing a disproportionate burden and many are forced to forego employment and stay home to take care of loved ones with disabilities.

Manitobans are falling through the cracks and there is much that this government can do to help. The most important way to ensure that people with disabilities receive excellent care is enabling organizations to hire sufficient numbers of qualified staff. Their well-being should be a top priority.

Thank you, Madam Speaker.

### Manitoba Maple Syrup Festival

**Mr. Brad Michaleski (Dauphin):** This past weekend, the great community of McCreary, Manitoba, hosted its ninth annual Manitoba Maple Syrup Festival.

This festival celebrates the heritage, culture, land and local producers of our region. Those who have attended the festival over the years know that many activities that offer a range of experiences that encourage healthy living activities, education, musical entertainment and, of course, delicious treats. Events this year included an old-fashioned drive-in movie, a farmer's market, nature scavenger hunt, maple syrup geocaching, musical entertainment for kids of all ages and an old-time dance and special performance by the Métis Club traditional dancers.

While difficult to choose a highlight, the horse-and-wagon ride to the authentic working sugar bush is a favourite to many. Participants could learn about tapping trees and producing Manitoba's maple syrup, tour a maple syrup evaporator, join in traditional bannock roasting on a stick and enjoy maple taffy on the snow.

As the festival website states, the Manitoba Maple Syrup Festival committee understand that McCreary is located on Treaty 2 territory, the traditional lands of the Anishinaabeg, Ojibwe and the Homeland of the Métis Nation. McCreary is close to Manitoba House, where Treaty 2 was signed in 1871.

Local Indigenous peoples have been tapping Manitoba maple trees for eons in this area. It is thanks to our Indigenous friends that we enjoy the wonderful gift of maple syrup, and our annual festival aims to facilitate learning and entertainment that helps to honour and respect this fact.

My congratulations to all event organizers for planning, you know, hosting a wonderful springtime experience, a tremendous lineup of activities and a truly authentic Manitoba experience in McCreary, Manitoba.

### John King

**Mr. Jim Maloway (Elmwood):** On March 4th, 2022, Elmwood lost one of its favourite sons. John King left us suddenly, leaving behind his wife Linda and their three children, Bret, Ashley and Meghan, and his grandchildren and his mother Grace. Linda and Ashley are in the gallery today. He was so proud of them all.

\* (13:50)

He also left behind so many friends and a community that benefitted enormously from his lifelong activism and straightforward, sincere and thoughtful counsel.

When the City planned to close and tear down the Kelvin community club in 2006, John was instrumental in leading the fight to 'presooove' it—to preserve it. Although the City did tear it down, that didn't stop our residents, and John was once again a driving force in its restoration to the Clara Hughes recreational park.

Another personal memory that stands out for me was chronicled in the 2006 Winnipeg Sun picture-filled article, headlined: owner risks life to save kitty.

On a Friday in late April 2006, a distressed cat was first heard and observed 40 feet up in a big, old elm tree surrounded by Red River flood waters. On the third day, after a second visit by the fire department and failed attempts earlier in the day to get the cat down, Milton Schenk realized that it was his missing cat, Max.

John was at the foot of the tree, waist deep in the flood waters wearing hip waders, and after Milton Schenk finally climbed down from the tree and then down the 32-foot ladder, the cat transfer didn't go so well. John got the worst of the encounter. Fortunately, the paramedics stopped the bleeding, gave John's forearms bandages and administered the tetanus shot.

John was indeed everywhere, lending a helping hand when needed, and Elmwood was so much the richer because of it.

I would like to attach a list of the organizations that John was involved with.

GeNA, the—he's a founding member of The Glenelm Neighbourhood Association; Happy Days on Henderson; North East Winnipeg Historical Society, Elmwood Bear Clan, Juicers Hockey Club, Kelvin community club, Elmwood EK active living centre, Elmwood Community Resource Centre, and I'll provide a further list.

Thank you, Madam Speaker.

*Organizations: Elmwood Bear Clan; Glenelm Neighbourhood Association, founding member; Happy Days on Henderson; Juicers Hockey Club; Kelvin community club; North East Winnipeg Historical Society.*

### **Kaden Arnason**

**Hon. Alan Lagimodiere (Minister of Indigenous Reconciliation and Northern Relations):** Madam Speaker, Manitobans have relied heavily on our health-care heroes and first responders since the start of the COVID-19 pandemic.

We take comfort in knowing that these individuals are part of a dedicated, professional community. They are highly educated, caring individuals who provide emergency medical care in the event of serious illness or injury.

Today, I would like to acknowledge Mr. Kaden Arnason, one of the Selkirk constituency's health-care heroes and first responders.

Kaden has been a member of the Clandeboye fire department for the last six years and a medical first responder for the last two and a half years. Kaden is described as a hard-working team player who everyone can count on. Kaden has many achievements to acknowledge and celebrate. He earned a bachelor of science from the University of Winnipeg.

While working alongside Emergency Medical Services personnel and local members of the fire department, Kaden soon realized that he wanted to be part of Manitoba's EMS professionals. He enrolled into the primary-care paramedic course through Criti Care in Winnipeg. His passion to excel saw him graduate at the top of his class.

In 2020, Kaden was recognized by the Canadian Organization of Paramedic Regulators for achieving the highest grade in all of Canada on the primary-care paramedic exam.

Kaden has greatness in him and the ability to get things done. He states his success is due to the support and motivation from those around him: the Clandeboye fire department, his family, instructors, classmates and colleagues, who have all helped him succeed.

As MLA for Selkirk, we are proud to have Kaden as an integral member of our community, the Clandeboye fire department and an outstanding member of Manitoba's EMS team.

I would ask my colleagues to please acknowledge Mr. Kaden Arnason for his achievements and commitment to serving Manitobans.

### **Speaker's Statement**

**Madam Speaker:** I have a statement for the House.

I have been reflecting on recent events in this House. As you know, I have had many concerns about the deterioration of decorum in this place which I have shared with you before and, unfortunately, feel that I have had to do that on too many occasions.

However, today I need to raise a more specific issue regarding decorum. This is not a procedural matter, but rather a matter of courtesy and respect.

The world has changed a great deal in the 151 years this Assembly has been in operation, and it has even changed a great deal in the last 10 or 20 years. Specifically, the manner in which individuals wish to be addressed has been a part of recent wide-ranging changes in our society.

As members should know, in our society today many people have expressed that they do not identify with gender-specific pronouns, but instead ask to be addressed with gender-neutral pronouns. The right to be addressed with gender-neutral pronouns must be respected without question and without judgment, both in this Assembly and in our society.

I strive to comply with these wishes at all times as I believe it is a matter of respect and understanding, but, unfortunately, I know that on occasion I do make mistakes and I have misgendered. I apologize for that and I will strive to do better in the future. I would ask the same of every member in this House.

We can do better and we must do better.

Accordingly, I would like to remind all members that everyone deserves the respect of being referred to by their preferred pronouns, including gender-neutral pronouns. This aligns with the respectful policies we strive to uphold in this Chamber.

Thank you for your attention to this important matter.

## ORAL QUESTIONS

### **Surgical and Diagnostic Services Timeline to Clear Backlog**

**Mr. Wab Kinew (Leader of the Official Opposition):** I want to thank you for your interjection there, Madam Speaker.

Nearly 170,000 Manitobans are waiting for a surgery or a diagnostic test even as we gather here today.

One of them is Lloyd Carr from Swan River, Manitoba. Now, he's been waiting since June of 2020 to get the health care he needs. He needs a surgery but, Madam Speaker, he can't even get the MRI necessary first in order to be able to book that surgery. Manitobans like him have been waiting for far too long.

Budgets should be about accountability. One of the accountability measures needed in this budget is to provide a date by which the surgical and diagnostic backlog will be cleared.

Can the Premier tell us today that a date to clear the surgical backlog will be announced tomorrow?

**Hon. Heather Stefanson (Premier):** I thank the Leader of the Opposition for the question.

And to Lloyd, who has been waiting: obviously, we want to ensure he gets this as quickly as possible. Lloyd will also know that, of course, during the pandemic—and the Leader of the Opposition will know that, as a result of the pandemic—there was significant backlogs that accumulated as a result of that over the last couple of years—backlogs in surgical and diagnostic procedures.

This is something that has become an absolute No. 1 priority for our government and there will be more news about this tomorrow.

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

**Mr. Kinew:** Madam Speaker, we know that Lloyd and many other Manitobans simply don't trust this government any more when it comes to health care.

We know that Lloyd has been waiting a very long time to get the procedures that he needs. He's been waiting in pain. But there's been an economic burden as well. Lloyd hasn't been able to work. He's been forced to close his business and lay off his staff all because he's waiting for this backlog to be cleared.

Now, to add insult to injury, Lloyd feels a frustration that, for all the sacrifices he's made throughout the pandemic, this government has continued to cut health care. It's continued to make the situation worse even as he's been asked to wait longer and longer for the care that he needs.

It's a simple request. It's one that we've been making along with many, many experts.

Can this government provide a date by which the surgical backlog will be cleared?

**Mrs. Stefanson:** What Lloyd should also know is that the Leader of the Opposition continues to put false information on the record within this Chamber, Madam Speaker.

It is just absolutely false that we're—we are, in fact, spending much more in health care, almost \$1 billion



more, than the NDP ever did when they were in government. They created a mess in our health-care system, Madam Speaker. We've spent years trying to clean up that mess. Obviously, COVID has had—has given us a significant—it's been a challenge, Madam Speaker, a significant challenge, over the last couple of years.

We recognize that there are challenges with surgical and diagnostic procedures and backlogs, Madam Speaker, and we are committed to dealing with that. There will be much more on this tomorrow in the budget.

\* (14:00)

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

**Mr. Kinew:** Who can believe them when it comes to health care, Madam Speaker? Lloyd sure can't.

We remember back under Brian Pallister this very same Cabinet announced \$50 million to address the surgical backlog, but now, under a new Premier, how much have they spent? Maybe a quarter, Madam Speaker—25 per cent, and they call that their No. 1 priority.

They make announcements; they never follow through. Meanwhile, people like Lloyd are waiting in pain. It's a physical pain; it's an economic pain as well.

A simple step would be to announce a date by which the surgical and diagnostic backlog would be cleared.

Can the Premier commit to doing so this week?

**Mrs. Stefanson:** Well, Madam Speaker, I can recall back under the previous NDP government where there were significant challenges and significant wait-lists for various surgical and diagnostic procedures in our province, and that wasn't as a result of a pandemic.

We are just coming out of a pandemic, Madam Speaker, of the last two years. There have been challenges. It's nothing that is unique to Manitoba, in fact it's right across our country where we are having challenges with this.

We will continue to make it a priority and more news will be out on this tomorrow.

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

### **Patient Transfers Out of Community Request to End Practice for Seniors**

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, we know that Manitoba has the worst outcomes when it comes to the wait-times for surgeries and diagnostic tests, and Manitobans know why.

They know because, leading into the pandemic, this government says they were hard at work. What were they doing? They were hard at work cutting health care, closing emergency rooms, cutting ICU beds, reducing the number of nurses who work at the bedside in Manitoba.

We also know that one of the other big impacts has been patient transfers over these past few months. We're aware of at least 300 Manitobans—seniors who helped to build this province and were rewarded by the PCs by being sent away from a hospital close to home to one hundreds and hundreds of kilometres away. That makes it harder to heal with less access to family and the good supports that help people during their time of need.

Will the Premier commit in tomorrow's budget to stopping these patient transfers?

**Hon. Heather Stefanson (Premier):** Well, again, Madam Speaker, the Leader of the Opposition continues to put false information on the record of this Chamber. We are spending almost \$1 billion more than the NDP ever did in health care. And those are investments that we made.

And just prior to the pandemic hitting, Madam Speaker, we had reduced the ER wait times very, very significantly—way lower than anything it was under the previous NDP government.

So while we continue to clean up their mess, Madam Speaker, obviously we know that a pandemic hit and there are some challenges that have come about as a—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —result of that.

We recognize that there is surgical and diagnostic backlogs, Madam Speaker. We've started to make investments in those areas and we will continue. And there will be more information, again, in tomorrow's budget.

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

**Mr. Kinew:** You know, Madam Speaker, I'll let the Premier and the other members of the PC Cabinet continue to defend Brian Pallister's failed plan to close emergency rooms in Winnipeg, because what we're after here are specifics—commitments to the people of Manitoba. They've already failed to commit to people like Lloyd to provide a date on the surgical backlog. What we're asking about here is a commitment to end patient transfers.

Of course, they're going to make announcements in tomorrow's budget; they're going to make announcements, Madam Speaker, but who can trust them? They announce, announce, announce and then they never follow through. It's been amazing to be here the past number of years and to see how every single commitment that they put out a press release and announcement for ends up being underspent, unfulfilled and otherwise a broken promise.

Will they simply commit that in tomorrow's budget they will end the practice of shipping Manitoba seniors hundreds of kilometres away from their homes?

**Mrs. Stefanson:** I think what Manitobans don't want to do is to go back to those days under the previous NDP government where they closed more than 20 rural ERs, Madam Speaker. We don't want to go back to those days, nor do Manitobans.

We recognize that Manitobans want to have access to health care closer to home. That's why we have moved towards that, Madam Speaker, through our clinical preventative services plan. We'll be making—we have made significant investments in that area, and we will continue to do so to ensure that Manitobans in rural and northern communities have better access to health care closer to home.

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

**Mr. Kinew:** Madam Speaker, again, the Premier and the failing PC Cabinet can continue to defend Brian Pallister's failed health-care plan. That's fine. That's all they got.

But who is getting health care closer to home in Manitoba these days? It's not seniors. They're being sent hundreds of kilometres away from their homes. That's inside Winnipeg. That's also in Gimli. That's in Ashern.

How about spine surgery patients? No. They can't even get care in Manitoba. They're being sent out of province.

How about ICU patients during the pandemic? No. Sent to other jurisdictions.

Madam Speaker, it should be clear to the PC Cabinet, as clear as it is to everyone else in the province, that these cuts simply aren't working.

Will the Premier begin to shift course by committing in tomorrow's budget to ending the practice of sending seniors hundreds of kilometres away from their homes?

**Mrs. Stefanson:** Well, Madam Speaker, perhaps the Leader of the Opposition is defending the dark days of the previous NDP government where they closed down 20—almost 20 ERs in rural Manitoba.

That is not what Manitobans want, Madam Speaker. They don't want to go back to that.

I wonder what the Leader of the Opposition's plan is, moving forward. *[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** In fact, Madam Speaker, after two years of the pandemic we do have a plan, and tomorrow we'll outline more of that, which will provide better health care for all Manitobans.

### **Health-Care Support Workers Pandemic Wages and Bargaining Contract**

**MLA Uzoma Asagwara (Union Station):** Madam Speaker, you can't trust this PC government when it comes to health care, neither can health support staff who've been waiting on this government for a contract for five years.

Far too many of them were left out of pandemic top-ups for their service during this pandemic. The budget needs to resolve this and ensure that health-care support workers get the contract and supports they deserve.

Will the minister ensure top-ups and a new contract in tomorrow's budget?

**Hon. Reg Helwer (Minister of Labour, Consumer Protection and Government Services):** Well, I continue to be instructed by new information from the member opposite.

Again, we are not the employer. Shared Health is the employer. We do not intervene in contract negotiations, collective bargaining works—*[interjection]*

**Madam Speaker:** Order.

**Mr. Helwer:** –Madam Speaker, and we depend on that process to come to an agreement with Shared Health and the unions.

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

**MLA Asagwara:** Madam Speaker, it's been five years since cuts and consolidations took place across our province. The PCs have broken their trust with Manitobans and they've broken trust with health-care support staff, many of whom have been without a contract for over five years. Their wages have been frozen and they were cut out of top-up pay.

It's time to show these workers the respect and the support they deserve.

Will the minister ensure COVID top-ups and a new contract come with tomorrow's budget?

**Mr. Helwer:** Well, again the member opposite asks me to intervene in contract negotiations between Shared Health and the unions, Madam Speaker.

I won't do that. That is not my role. Shared Health is the employer. They negotiate through the collective bargaining process and we anticipate that they will come to a good agreement with the union. We look forward to that result.

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

**MLA Asagwara:** Madam Speaker, the minister needs to ensure that new funds are available for health support staff in this coming budget.

Inflation is now over 5 per cent. Many health support workers have had their wages frozen for years, and they've put themselves at risk working with patients infected with COVID-19. It's time for a fair deal for all health support workers and that includes health support staff who have worked day in and day out during this pandemic. They deserve new contracts and top-ups that recognize their service on the front lines of COVID-19.

Will the minister ensure that funding is in place in tomorrow's budget?

**Mr. Helwer:** Well, again the member opposite asks me to intervene in a process that the government does not have a role in, Madam Speaker.

Shared Health is the employer. They are negotiating with union. We were quite pleased to see them come to a negotiated agreement with the nurses. We

expect that we will see similar agreements through the collective bargaining process when it is done.

\* (14:10)

Thank you, Madam Speaker.

### **Fort Whyte By-Election Campaign Inquiry into Use of Corporate Staff**

**Ms. Nahanni Fontaine (St. Johns):** It's important that elections are fair. It's against the law in Manitoba for corporations to contribute to political campaigns, so we have serious concerns the PC MLA in Fort Whyte used illegal corporate money to help run his campaign. We've asked the elections commissioner to investigate.

So I will ask the Justice Minister a simple question: Is it against the law to use paid corporate staff to help run an election campaign?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I've learned, much to my disappointment, Madam Speaker, never to accept anything that the member opposite brings to the House of this floor without verifying it first, because so often she brings allegations that aren't true and then tries to present them as being true.

I do know, Madam Speaker, that I've certainly seen—*[interjection]*

**Madam Speaker:** Order.

**Mr. Goertzen:** –violations in the past. I remember when the NDP bundled unions' donations, Madam Speaker, and the elections officer had to find the NDP in violation. And then, of course, they had—NDP then changed the law to try to bring themselves into accordance with the law.

So, the NDP does know something about breaking the law when it comes to elections.

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

**Ms. Fontaine:** The member for Fort Whyte (Mr. Khan) had paid staff from his businesses work on his campaign. He wrote that himself, Madam Speaker.

That's deeply concerning and that's why we've asked the elections—*[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** –commissioner to investigate. Corporate contributions are illegal in Manitoba. *[interjection]*

**Madam Speaker:** Order.

**Ms. Fontaine:** And so, the Justice Minister needs to be clear with the House today: Is it wrong to use corporate money to pay staff to work on an election campaign? Yes or no?

**Mr. Goertzen:** Again, Madam Speaker, I've learned that, when the member opposite brings things to the House, never to just accept it as being true, because so many times she's brought information that turned out not to be true, Madam Speaker.

We could look back, though, at some truths when it comes to this House, Madam Speaker. I do remember when a former Chief Electoral Officer, Mr. Balasko, had to investigate the NDP at one point because they'd taken union workers—the union workers came over to the NDP and then they were instructed by the CFO of the NDP to declare that as an election expense even though the union paid for the labour.

And so, there was rebates—more than a half a million dollars—which shouldn't have gone to the NDP and they then had to admit and pay the money back, Madam Speaker.

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

**Ms. Fontaine:** Well, Madam Speaker, the MLA for Fort Whyte already received \$500,000 for his GoodLocal business from taxpayers. Now we learn he paid—his paid staff were doing work on his election campaign. That's illegal, Madam Speaker.

We need a clear statement from the PCs so that every Manitoban knows that there isn't one set of—all of us—for the rest of us here, and then one set for all of them over there, and all of their friends and all of their PC insiders.

Will the Minister of Justice tell this House if corporate contributions are illegal in Manitoba, and will he make sure that the law is followed today?  
*[interjection]*

**Madam Speaker:** Order.

**Mr. Goertzen:** Madam Speaker, accepting none of the allegations of—true—given the member's history, of course—I'll give her a little bit more lesson in history.

So, at that time when the NDP took union workers and had them work on the campaign, the CFO from the NDP then said, just declare that as an election expense even though we didn't pay anything because then we can get the money back. And they told all of

their different election campaigns to get this illegal money back. It was declared to be illegal, but some of the NDP Cabinet ministers at the time knew that it was illegal, so they asked for a written letter to—get-out-jail card free, so they could wave round, so they could say yes, we knew it was illegal, but—we knew in advance it was illegal; we told them not to do it.

I'll give you a list of the members opposite who used to be Cabinet ministers who asked for that get-out-of-jail card free.

All that to say, why would we take any lessons from a government that proved to be so ethically bankrupt when they were in government, Madam Speaker?

### Highway and Road Upgrades Infrastructure Spending

**Mr. Matt Wiebe (Concordia):** Promises made but, once again, promises broken by this PC government.

Last year, infrastructure was underspent by half a billion dollars in this province. That means less for schools, less for hospitals, less for roads. Conservative cuts are leaving a huge hole, and it will take years just to fill that, let alone the damage they're doing to our economy and rebuilding it now.

Will the minister commit to stop cutting infrastructure investments today?

**Hon. Doyle Pivniuk (Minister of Transportation and Infrastructure):** Madam Speaker, I want to thank the member for the question.

Madam Speaker, when it comes to our infrastructure, in the last year's budget we actually allocated over \$500 million for investment in infrastructure throughout the province, and that's a three-year budget of \$1.5 billion.

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

**Mr. Wiebe:** More talk, Madam Speaker, but where the rubber meets the road, no action once again.

Communities across the province—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** —are asking for investments in our roads. Over 5,000 Manitobans have signed a petition calling on upgrades—for upgrades on Highway 6.

Highway 6 conditions are bad, but especially in the winter it needs attention. They're asking for road

upgrades, rest areas, more regular passing lanes and help to reduce accidents.

Will the minister listen to the 5,000 people who have signed the petition and work towards making Highway 6 safer?

**Mr. Piwniuk:** Madam Speaker, I'm not going to take any lessons from the member across.

You know, when they were in government, they did not do anything. They underspent many years under—when it came to infrastructure budgets.

This year—in the last—since we took over government—*[interjection]*

**Madam Speaker:** Order.

**Mr. Piwniuk:** —you should see all the highways that are being done. And we're going to continue—*[interjection]*

**Madam Speaker:** Order.

**Mr. Piwniuk:** —doing more highways in the future.

And we will continue doing what we have been doing: investing into Manitoba for economic development. *[interjection]*

**Madam Speaker:** Order.

The honourable member for Concordia, on a final supplementary.

**Mr. Wiebe:** Again, the minister lays blame. He'll make promises, and yet for the fifth year running, highways investment was underspent by tens of millions of dollars. The result? Highways budget has been cut 36 per cent by the government. And cuts have consequences, Madam Speaker.

More needs to be done all over this province, including for Highway 6. Over 5,000 people now have signed that petition calling for upgrades to make Highway 6 safer.

Why should Manitobans believe this government when he says he's going to spend more, and yet, year over year, they underspend their budget? Why would anyone trust this government with this budget?

**Mr. Piwniuk:** Madam Speaker, we're 'contillu' investing money into infrastructure. In the last number of years, we've invested so much to infrastructure that we've actually did the Trans-Canada Highway, we did many highways throughout the province.

And you know what? When the—it comes to lessons on Manitoba, we are going to do that right. We

are going to continue investing into Manitoba so that Manitoba's highways are safe and that we actually are going to invest for economic development in this province.

### Safe Consumption Site Request Investment in Budget 2022

**Mrs. Bernadette Smith (Point Douglas):** There were 407 drug-related deaths last year in Manitoba. Those are someone's loved ones. That's the highest we've ever seen, and double what it was a couple of years ago.

\* (14:20)

We know that there are solutions to help. Safe consumption sites can help address this crisis and reduce the number of deaths.

Will this government do the right thing and invest in safe consumption sites in this year's budget and help save Manitoban lives?

**Hon. Sarah Guillemard (Minister of Mental Health and Community Wellness):** I appreciate the question coming from the member opposite.

It's true that it is tragic—any death in Manitoba, but certainly the deaths of those who are dealing with addictions issues. My heart goes out to the families and friends and loved ones of the individuals who have passed in this manner, as well as to, previous years, the families who have lost ones, as these—this news coming out can be retriggering of the grief.

And, Madam Speaker, our government is committed to making investments in core services to assist families and to assist those who are suffering from addiction issues.

**Madam Speaker:** The honourable member for Point Douglas, on a supplementary question.

**Mrs. Smith:** The PCs removed a recommendation of safe consumption sites from their own report. They've intentionally hid their heads in the sand and pretended like this isn't happening, but the crisis is just getting worse under their government. There has been 407 drug-related deaths. Those are people's loved ones, not just numbers.

Will this government follow the recommendations of health experts and invest in safe consumption sites in this year's budget and, again, help save Manitoban lives?

**Mrs. Guillemard:** Our government has been listening to the experts and we have been following the advice,

which is why we have invested an additional \$17.1 million into a five-year road map to address these very issues that the member raises today.

I know that the member wants to make this an ideological issue and topic, but, Madam Speaker, there were 17 years that the member opposite's party had governed and not one of these initiatives were invested in.

We will address this issue. We will provide proper support—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Guillemard:** —and resources, Madam Speaker, and I look forward to working with the member opposite on new initiatives.

Thank you.

**Madam Speaker:** The honourable member for Point Douglas, on a final supplementary.

**Mrs. Smith:** Nearly 1,200 people have lost their lives to an overdose in this province, and this government is doing nothing. Four hundred and seven—and I'll repeat that number: 407 Manitobans. Those are somebody's loved ones.

We try everything that we can to reduce the harm, and their deaths are coming from a raging drug crisis. We have the capacity to save lives here. We have a government that can put some political will behind it.

Will this government throw off their ideological approach and invest in safe consumption sites and help save Manitoban lives?

**Mrs. Guillemard:** The member will know that what the experts have said is that you need to invest in core services.

There are a number of harm reduction initiatives that can be implemented to assist those who are dealing with addictions issues. But if you do not have those core services, of which RAAM clinics did not exist in 17 years under the NDP government; we now have six. We will be investing in more. More good news to come in the budget tomorrow.

Thank you, Madam Speaker.

#### Northern Health Region Nurse Staffing Levels

**Mr. Dougald Lamont (St. Boniface):** In March, I asked about the fact that nearly one in four health positions in Southern Health were vacant during the

pandemic, and it's clearly a problem all over the province.

I table a Northern Health Region FIPPA request. As of March 16th, there are vacancies for registered nurses of 20 per cent in Flin Flon; Gillam has a 46.15 per cent vacancy rate; Leaf Rapids, 66 per cent; and Thompson, the hub of the North, is 28.57 per cent.

Do—does anyone know why this is happening? Was the Premier (Mrs. Stefanson), as Health minister, decimating our health-care system in a pandemic on purpose, or was it just carelessness?

**Hon. Audrey Gordon (Minister of Health):** I do want Manitobans to know that the member for St. Boniface is not doing his homework.

I want to assure Manitobans that our government is graduating 15 per cent more nurses than members opposite under the NDP ever did, and that's before our recent announcement of \$19.5 million to add 259 nurse-training seats this year at five—five, Madam Speaker—post-secondary institutions. And that's part of our larger plan to add 400 new nursing seats.

And in the North, \$4.3 million for 37 additional nurse-training seats at University College of the North.

**Mr. Lamont:** Madam Speaker, I tabled my homework, which was directly from the northern health authority.

The vacancies I mentioned were only the RNs in a handful of—*[interjection]*

**Madam Speaker:** Order.

**Mr. Lamont:** —communities, and the extra nurses that has been—that the minister mentioned don't come anywhere near to filling the empty spaces. There are shortages of LPNs, home care, dialysis and emergency; again, in Thompson, a 45 per cent shortage in ER, 33 per cent vacant in dialysis, 45 per cent vacant in obstetrics.

And as I also showed, this government is relying on agency nurses, hundreds of thousands of dollars a month each in Flin Flon, Gillam and Thompson. In Thompson, in November alone, the Province spent nearly \$425,000 on agency nurses.

Is this government going to get nurses back to work in the public system or are northern Manitobans going to have to live with health care provided by temp agencies?

**Ms. Gordon:** We are getting nurses into the system: 149 nurses have completed their ICU nurse training program since last April, Madam Speaker; 93 nurses in the last year have completed the 12-week critical-care orientation program so that they're able to help support our ICUs. Thirty more nurses signed up for the program in February, and 100—I was part of the faculty of nursing graduation program; 115 nurses were welcomed into the system in October of last year.

We will continue to do our part to ensure that those vacancies are filled as quickly as possible, Madam Speaker.

### **Electric Vehicles Provincial Rebate**

**Ms. Cindy Lamoureux (Tyndall Park):** It has never been more evident that we need immediate action on climate change. Manitobans want to do their part, but this government is not making it easy as life continues to get more and more expensive.

Since 2019 the federal government has been and continues to provide rebates for electric vehicles.

Will the Minister of Finance (Mr. Friesen) do his part and help provide Manitobans, at a provincial level, supports that are necessary to go electric?

**Hon. Jeff Wharton (Minister of Environment, Climate and Parks):** We know the federal budget had come out last week and we know there's emphasis on climate, Madam Speaker, and that's exactly what our focus is as well.

We know that investments are coming, and we are going to be tapping into every federal dollar, and I hope the member can help us move forward with that as we work collaboratively with the federal government on a go-forward basis.

### **Employment Support Programs for Single Parents**

#### **Employment and Income Assistance Recipients**

**Mr. James Teitsma (Radisson):** Last week, I got to share with this House how pleased I am with the Minister of Families (Ms. Squires) and how her own life story is inspirational to me and many others.

She recently announced a robust extension for a program that provides child care, career counselling and other services to single parents who are on Employment and Income Assistance and have children under school age.

These services are essential to those in need of assistance to build the foundations for success.

Can the minister please explain more about how this program works?

**Hon. Rochelle Squires (Minister of Families):** I'm humbled by my friend's kind words, and I thank him for the question.

Last week, our government was proud to announce \$2.6 million in additional funding to single-parent employment programming as well as Taking Charge! This funding will help single moms who are on EIA receive life-changing training, skills building and vital experience to ultimately connect them back to the labour force.

Further, Madam Speaker, we're also ensuring that child care is available for all these single moms while they take this programming. And as a former single mom on EIA who once took advantage of programming similar to this, I know first-hand how life-changing these programs could be.

I'd like to thank everybody involved in the service delivery and wish all those moms the best of luck in achieving their new destiny.

Thank you, Madam Speaker.

### **Internationally Educated Nurses Request to Address Credential Barriers**

**MLA Malaya Marcelino (Notre Dame):** Madam Speaker, promises made and promises broken.

\* (14:30)

Last month, the minister suggested that 1,300 internationally educated nurses had been identified to work in Manitoba. The college says it's actually only seven.

We need more than promises but real action to bring more nurses to work here.

Will the minister stop the shell game and get on with supporting internationally educated nurses today?

**Hon. Wayne Ewasko (Acting Minister of Advanced Education, Skills and Immigration):** Thank you for the opportunity to get up. I want to put a few facts on the record, Madam Speaker.

We know that internationally educated nurses are going to be pivotal in the post-pandemic experience that we're having here in Manitoba, Madam Speaker. So that's why we took it upon ourselves after 17 years

of NDP rule—which they did nothing to help with internationally educated nurses—we created the portal. We had roughly 1,800 internationally educated nurses log on. We're moving forward with making sure that they are skilled up with the right skills, at the right time, to get them right into the workforce.

Thank you.

**Madam Speaker:** The honourable member for Notre Dame, on a supplementary question.

**MLA Marcelino:** Madam Speaker, Manitoba's process for internationally educated nurses is broken and newcomers are voting with their feet. They are working elsewhere, even when their family has already settled here, and for those who try to come back, they are being told to re-train even after being credentialed and working in other provinces.

This needs the minister's attention. This needs a resolution.

Why are nurses who work in Canadian hospitals being denied the right to work in Manitoba?

**Mr. Ewasko:** As the member knows—and I know the member knows this—she is unfortunately using the self-serving talking points of her leader, the member from Fort Rouge, Madam Speaker.

So, we're working—[*interjection*]

**Madam Speaker:** Order.

**Mr. Ewasko:** —on this side of the House, we're working with our post-secondary education partners. We're working with the various colleges for licensed practical nurses and registered nurses, Madam Speaker. We're working with these—[*interjection*]

**Madam Speaker:** Order.

**Mr. Ewasko:** —organizations to make sure that our internationally educated nurses, their credentials are met and any skills that they need as far as upskilling, we're—are going to get done. And that's why we're working with all those partners across this province of ours.

Thanks, Madam Speaker.

**Madam Speaker:** The honourable member for Notre Dame, on a final supplementary.

**MLA Marcelino:** Madam Speaker, there is a nursing shortage in Manitoba. The PC government is taking away nurses' summer vacations and we need internationally educated nurses, but the province is turning far too many away.

I currently have over 100 cases in my constituency office for folks who want to return to Manitoba and work here. There are credentialed nurses right now working in hospitals as close as Kenora who want to work here but are being told no.

We need immediate action to get these professionals working on the front lines.

Will the minister ensure this is addressed immediately?

**Hon. Audrey Gordon (Minister of Health):** Seventeen years; no action, no help for internationally educated nurses. It took our government to establish the licensure and practicing funding program of up to \$23,000 in financial aid for individuals who need to upgrade to be able to be 'liscent' here in the province.

And why is the member opposite saying that we're not supporting nurses? A new undergraduate nursing—nurses employees program, Madam Speaker, last December—63 third- and fourth-year nursing students have joined the system. We continue to add nurses to the system.

They did nothing to help internationally educated nurses; we are doing our part.

#### Northern Health Care Staffing Levels and Services

**MLA Tom Lindsey (Flin Flon):** Agency care in the North, in our health-care system, has doubled to \$11 million compared to two years ago.

All this money that's being spent on private agency nursing could actually be used to address and fix some issues, such as hot water in Thompson hospital, hiring back staff the government has cut, maybe restore obstetric services in Flin Flon.

Why won't this government actually focus on the right thing for health care in the North? Why, instead, do they continue to cut services?

**Hon. Audrey Gordon (Minister of Health):** What Manitobans need are the facts, and I'm pleased to rise today in the House to provide—[*interjection*]

**Madam Speaker:** Order.

**Ms. Gordon:** —some facts: \$812-million investment, historic capital finding for rural and northern health care under our clinical and preventative services plan, Madam Speaker, creating a northern hub to ensure Manitobans in the North can receive care closer to home.



Where is it? Madam Speaker, \$283 million for 90-bed new hospital in Portage. We have Neepawa, we have Boundary Trails, Selkirk, Dauphin.

More to come, Madam Speaker. Stay tuned for members on the opposite side.

**Madam Speaker:** The honourable member for Flin Flon, on a supplementary question.

**MLA Lindsey:** Madam Speaker, I guess for the next set of questions about health care in the North, I'll have to supply the minister with a map so that she actually knows where the North is and knows the areas that we're talking about—*[interjection]*

**Madam Speaker:** Order.

**MLA Lindsey:**—and the cuts that they've put in place.

Flin Flon's obstetric unit is shut down thanks to this government. The Pas obstetrics is described as being in a fragile state. The same is now true for Thompson.

When will this government stop the cuts and actually do what they say and supply care closer to people in the North so that they can get the health care they deserve? This is a crisis situation, needs urgent attention.

Will the minister take action and find out where the North is and fix the problems she's helped create?

**Ms. Gordon:** Thompson, Flin Flon, The Pas, all of those communities are part of our 812—historic \$812-million clinical and preventative services plan.

We're meeting with First Nations communities, leaderships, and I'm so pleased to be going up to Thompson next month for a roundtable, Madam Speaker, of stakeholders who are solutions-focused.

We are going to get the job done that they failed to do on the opposite side of this House.

**Madam Speaker:** Time for oral questions has expired.

## PETITIONS

### Foot-Care Services

**MLA Uzoma Asagwara (Union Station):** 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:

(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 has only continued to grow in Thompson and surrounding areas.

(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 services—the services of two nurses to restore essential medical foot-care treatment to the city of Thompson effective April 1st, 2022.

This has been signed by Paula Sheppard, Justin Sheppard, Doug Bishop, Darnell Francis *[phonetic]* and many Manitobans.

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

\* (14:40)

**Mr. Diljeet Brar (Burrows):** Madam Speaker, I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba:

The background to this petition is as follows:

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

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

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

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.

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

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

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

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.

This has been signed by many, many Manitobans.

Thank you.

**Mr. Ian Bushie (Keewatinook):** 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:

(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.

(6) There is no adequate medical foot 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.

So 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.

This petition has been signed by Janet Graham, Chris Cottyn, Zoey Bettess 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 has 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.

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 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 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 2022 is the Province's opportunity to announce its portion of funding for this long overdue vital link to northeast Winnipeg and Transcona.

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 Louise bridge open for active transportation in the future.

And this petition is signed by many, many Manitobans.

#### Foot-Care Services

**Mrs. Bernadette Smith (Point Douglas):** I wish to present the following petition to the Legislative Assembly.

The background of 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 previously provided essential medical care—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.

(6) There is no adequate foot 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 Winnipeg 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 has been signed by Lindsay Osborne, Marilyn Spence, Justin Levassiere [*phonetic*] and many other Manitobans.

#### Health-Care Coverage

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

To to the Legislative Assembly of Manitoba:

The background for this petition is as follows:

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'—undocumented residents who have lost their status for a variety of reasons.

Private health insurance is not a substitute for public health insurance. Private insurance plans available to most migrant and international students are paid for by the worker or the student. They do not provide coverage for all of the potential health needs covered by public health coverage. Individuals are required to pay up front for health expenses without a guarantee that they will be covered and wait weeks for reimbursement.

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 in Manitoba.

\* (14:50)

Without adequate health-care coverage, if they are ill, many of those without provincial health coverage will avoid seeking health care 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.

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

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.

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

We petition the Legislative Assembly of Manitoba as follows:

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

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.

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

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 public health care without jeopardizing their ability to remain in Canada.

This has been signed by Maureen Keelan, Lorena Martinez and Bujar Hashani, and many other Manitobans.

### Foot-Care Services

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

The background of 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 has only continued to grow in Thompson and surrounding areas.

(6) There is no adequate medical foot 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 many Manitobans.

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

The background of 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 has only continued to grow in Thompson and surrounding areas.

(6) There are—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'—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 1st, 2022.

And signed by many Manitobans.

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

The background for 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 to 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.

(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) 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 1st, 2022.

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

**Madam Speaker:** Grievances?

\* (15:00)

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Kelvin Goertzen (Government House Leader):** Could you please call this afternoon second reading on Bill 32, and then resume second reading on Bill 8, then second reading on Bill 23 and second reading on Bill 33.

**Madam Speaker:** It has been announced that the House will consider second reading of Bill 32, debate on second reading, Bill 8, and second readings of Bill 23 and Bill 33.

## SECOND READINGS

### Bill 32—The Victims' Bill of Rights Amendment Act

**Madam Speaker:** I will therefore call second reading of Bill 32, the victims' right—pardon me—Bill 32, The Victims' Bill of Rights Amendment Act.

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I move, seconded by the Minister of Education, that Bill 32, The Victims' Bill of Rights Amendment Act, 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 Education, that Bill 32, The Victims' Bill of Rights Amendment Act, 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:** I'm pleased to be in the House today—thank the members for the applause—I'm pleased to be in the House this afternoon to speak about The Victims' Bill of Rights Amendment Act. *[interjection]* I'll thank my friend from Flin Flon for his support as well.

This bill will broaden a more equitable access to needed supports and benefits for victims of crime and their families in Manitoba. It aligns with the goals of the Criminal Justice Modernization Strategy by taking into account the root causes of offending and victimization and supports the ongoing work of reconciliation in the justice system. The bill has received the support, after consultation, of a number of Indigenous leaders as well as victims' groups and victims' advocates.

*Mr. Dennis Smook, Acting Speaker, in the Chair*

It'll remove barriers in the legislation that currently prevent compensation for victims of crime through the program, from creating policy to allow family members, specifically a spouse or a common-law partner, parent, child or sibling, of a deceased victim to be eligible for benefits even if the deceased victim had a past criminal history.

These changes acknowledge that family members of deceased victims are coping with a difficult and complex circumstance and are not necessarily at fault for the criminal past of their loved ones. Holding them accountable for this action and denying them service is—services, subsequently denying them benefits in this regard, only victimizes the family members and could ensure that there is a continuation both of grief but also trauma, and potentially have negative consequences for the criminal justice system beyond that.

So as an example, Mr. Acting Deputy Speaker, if there is an individual who, maybe when they were 20 years old, let's say, was involved in a crime, drug possession crime, and they were convicted at the age of 20 years old. And then, you know, for the next nine years they straighten their life out and they become productive members of society, they get married, they have kids, and they then themselves in some way become a victim of a crime when they're 29 years old—random victim of a crime. Their family, under the current circumstance, would be denied Victim Services as a result.

And so this fixes that. It provides the ability to have more flexibility so the administrators can provide Victim Services to the family members in a circumstance like that that I just described.

I'm also pleased to advise that this bill expands access to free, independent legal counsel for victims when their third-party records are being requested as part of a criminal court proceeding. Currently a victim in a sexual assault case whose personal information is sought by an accused person through the application process under the Criminal Code of Canada is entitled to free, independent legal representation paid for by the government through this program.

Recent amendments to the Criminal Code add a similar process for determining whether information or records about a victim are admissible into evidence. And so in the one circumstance, which is already covered, where personal information is sought by an accused person in a sexual assault case, there is already support for legal representation for the individual who is the victim.

In this circumstance, there is now a court process for determining whether information or records of a victim are admissible as evidence in a court case, not just a seeking of the information, and now a victim is entitled to participate and be represented by counsel in this process. And so this provides additional coverage for them if they need free legal representation in that particular part of the proceeding.

Providing independent legal counsel for third-party records requests is important to protect the privacy of complainants and their victims. It also helps to ensure matters proceed in an 'expedited' way through the justice system to provide and improve access to justice.

I'm pleased to be able to bring forward these changes to the Victim Services program. It is a program that I know existed under the former government as well, and that I think Manitobans generally see as important.

For many, many years, the criminal justice system was very much a one-sided discussion. Essentially all of the discussion and, some would say, much of the support, went to the individual who was accused of a crime. And the voices of victims are really lost within that system, and often the victims themselves felt lost in that system.

Through the advent of programs like Victim Services, through the advent of organizations like Candace House, which advocate on behalf of victims and provide a safe space, and our government has—and the former government, in fairness—has been pleased to support Candace House.

And now, through the extension of that—and I was pleased to be able to make an announcement with Federal Justice Minister Lametti just a few weeks ago—to ensure that those who are the support workers in the Victim Services program, they themselves can have access to support because, as they're dealing with victims each and every day, they themselves can have traumatic effects from that work. And so the announcement with Federal Minister Lametti provided support for those who are victim support workers.

And so there's much more attention—and it's a good development in the criminal justice system—much more attention paid to the victims within the system. Of course, there are important reasons why those who are accused in the system, why there are processes, of course, on the accused side. We need to ensure that our system remains fair and that there is the presumption of innocence before a finding, potentially, of guilt. But that those who are—have been victimized in society as they move through the system, they need to find support as well.

So this is an evolution and one more step in ensuring that victims are supported, their families are supported, and I'm pleased to recommend it to the House and I hope for its quick passage here today.

## Questions

**The Acting Speaker (Dennis Smook):** 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.

**MLA Tom Lindsey (Flin Flon):** We do, obviously, have some questions that, hopefully, the minister can answer for us.

So, first off, there's a list of serious offences called designated offensive which are established by the act, and they're set out in a regulation.

Does the minister intend to update or change any of those designated offences?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** It's a good question from my friend from Flin Flon. And we, of course, are always looking at the different offences which provide a barrier from an individual from being able to access Victim Services.

This act doesn't contemplate a broader sort of review of the barriers, but, in particular here, it does allow those individuals who are family members of a victim who previously had an instance with law enforcement and a certain conviction from, the family member's able to continue to—or, now get victim support.

But on the broader question of those offences that might be considered a bar, that's always being looked at.

**Hon. Jon Gerrard (River Heights):** I wonder if the minister, just for the record, would put on the record the prescribed offences. And in one of the changes which is proposed to section 54.12 involves if the victim has, and replacing it with to a victim if they have.

Is this change made solely to allow compensation to the victim's family, or will it also allow a lawyer to cross-examine a victim about their past?

**Mr. Goertzen:** No. My understanding—and I thank the member for the question—is that this change is specifically intended to allow for the family members to be able to receive Victim Services. And the reason,

again—and we've heard from victims' rights advocates, we've heard from those in the Indigenous community who said there are too many times where families themselves aren't able to get Victim Services because of something that the family member had done but really is not related to the actions of the family who now is looking for Victim Services. And in some way they get re-victimized as a result of that.

\* (15:10)

I gave an example in my opening comments about—

**The Acting Speaker (Dennis Smook):** Honourable minister's time has expired.

**Mr. Ian Bushie (Keewatinook):** This legislation proposes that family members of those victimized be eligible for compensation when the person victimized was convicted of a proscribed offence in the last 10 years. However, it does maintain the director's ability to disallow claims as set out in regulation.

Does the minister intend to change the regulations, and how does this minister expect this process will work?

**Mr. Goertzen:** It does still allow for there to be claims that can be disallowed, and I think it's important that we still have some degree of discretion for the director under this program. It's really impossible to try to establish every possible scenario of which a victim or a family member would present themselves. And I think this is part of the challenge and why the bill has changed so often is as you go along, you see the different circumstances.

So we're able to main flexibility for the director to be able to either disallow or allow for compensation still within the regulations. It's impossible to—it's important to have some flexibility.

**Mr. Gerrard:** Mr. Acting Deputy Speaker, on section 54.1(4), it's added: to a victim or a parent, child or sibling of a victim. Just—if it is not the victim, is there prioritization of the other family members? How will compensation be decided if there's multiple family members involved, and are there some circumstances where compensation could be given to a victim and to a family member?

**Mr. Goertzen:** So my understanding is that the legislation doesn't change things for a victim who's been involved with a criminal past, but it changes the eligibility for the family of the victim. And so who the member asked the question about, the determination of compensation—there's a lot of ways compensation

is determined. It's not always by a straight formula, and I know that the director does their best to try to ensure that the needs of victims and their families, where they're eligible, are able to be met, whether that is, you know, for funeral costs at times, whether that is for counselling or a variety of other services that—

**The Acting Speaker (Dennis Smook):** The honourable minister's time has expired.

**MLA Lindsey:** I just want to get some kind of clarification, if possible, on the minister's answer to my friend from Keewatinook. If the director has the ability to disallow claims, as set out in a regulation, can the minister maybe give us an idea of some kind of criteria that would be in place that the director can use to start making those decisions, and can the minister explain what the appeal process would be if somebody disagrees with the director's decision?

**Mr. Goertzen:** Yes. I thank the member for the question, and I think it's a well-intended question. It probably gets too far away from the legislation and more into how things are operationalized at an official level when the director is exercising their discretion in terms of the amounts and how to distribute funds under the Victim Services.

However, because I do think it's an important question, I will take the question as notice and give some examples at committee in terms of how they apply their discretion.

**Mr. Gerrard:** The approach to a victim in a sexual assault case—the words sexual assault are used, but can this include sexual harassment? How broad or narrow would be the definition of sexual assault?

**Mr. Goertzen:** You know, I can provide, you know, the various sections under the Criminal Code that are applied. I suspect that it's a number of different sections as it relates to sexual offences, and that's a wide suite of offences as defined in the Criminal Code.

But the salient point is that this is to ensure that those who are either having their records accessed and they've been a victim of a sexual offence, or they are—that—those records are being asked to be entered into evidence I—in a case, they can have free legal advice. But I can determine the wide range of suite of offences as pertained in the Criminal Code and provide the sections to the member.

**Mr. Bushie:** As a result of the changes made about by this piece of legislation and this bill, how many more applicants does the minister anticipate will now be



eligible, and how much additional compensation might be provided?

**Mr. Goertzen:** I don't think that we know the exact answer. There clearly will be more. You know, my understanding, in speaking to those within the community and Victim Services is that, you know, there are, you know, several cases a year which arise, although not in the hundreds, but there are several cases a year that arise where an individual's family might be disqualified from receiving Victim Services because of the past history of the victim of crime. And so there will be some degree of financial cost, but it'll be a—small in the context of the program as a whole.

**Mr. Gerrard:** Yes, I want to return to one of the points that was discussed a little bit earlier on, and that—the issue that compensation payable can be reduced or denied. I wonder if the minister can give examples of instances where the payment compensation might be reduced or denied.

**Mr. Goertzen:** Well, and I think that the member's probably focusing on only one side of the equation. Of course, there are situations, I think, because it allows for policy to be created so that the discretion can be used by the director, but might also allow for increased compensation.

So as I committed to one of the members of the official opposition, we'll provide some examples in committee of places where discretion can be applied to also potentially increase compensation to victims.

**MLA Lindsey:** So, we know that for the last several years compensation for victims of crime has been underspent by hundreds of thousands of dollars.

Can the minister explain why that is and why those funds haven't been allocated?

**Mr. Goertzen:** So, it's not that the funds are not available at any given time, and it's not quite like a lot of areas of government where it is needs-and-demand-driven, so it requires, obviously, individuals to apply. It requires the—and won't be the same every year, of course. There are some situations in some years which are exceptional and some which aren't. So there can be a lot of reasons why there's variation in terms of the program, but I can assure the member that it is always the intention of the program to have the funds available when needed and where an individual qualifies.

**Mr. Gerrard:** Yes. I'm just—come back to this actions of denying or reducing the amount of compensation. The reactions of victims of crime can be one, you

know, crying, upset; the other can be anger and, you know, and I'm just concerned that there would be quite different reactions that—much more compensation to somebody who is crying and upset, and much less to somebody who is angered.

I just want to get on the record how the minister would approach this.

**Mr. Goertzen:** So, the member will know that I'm not, as Minister of Justice, bringing in victims and then allocating money from the desk of the office of the Minister of Justice. There are policies that are put in place and officials who operation of the—I'm sure that it's not done based on an emotive response or emotional response. But the member should know that if he's concerned about denial of claims, this bill expands the ability. It doesn't make it harder to get Victim Services funds. It makes it easier in certain circumstances.

\* (15:20)

So this bill is all about increasing the flexibility: providing more opportunity, not less.

**Mr. Bushie:** Further to the member for Flin Flon's (MLA Lindsey) question about the underspending, the actual expenditures for victims of crime was \$2.8 million in 2016, 2017. Last year was—in 2020–2021, it was \$2.6 million, which was a reduction of actual expenditures.

And the minister referred to making it easier and barriers, but can he explain why, in fact, that reduction happened?

**Mr. Goertzen:** Well, I might be able to provide some more specific details in an Estimates context when those officials are available.

Again, in this particular kind of program, Mr. Acting Deputy Speaker, it is often not the same each and every year. It is driven by the types of applications that come forward. It's driven by the demand that comes forward. It is not always exactly the same, in terms of what the requirements are coming forward.

But again, we'll have the opportunity in the Justice Estimates in the month ahead, following the budget, to explore the program at greater detail.

**Mr. Gerrard:** Yes, my question relates to criminal offences under the controlled substances act, particularly those in the past which related to the use of cannabis or marijuana and to what extent that somebody who had an offence related to cannabis, which is

now legal, could be caught up in this situation and not be compensated.

**Mr. Goertzen:** I'm not aware of situations like that. I mean, I think the member opposite, we were talking a bit about—and I used the example of an individual who might have had a drug charge. It likely wouldn't be a possession charge. It would probably be a charge of dealing, when it comes to drugs, and probably at a greater level than cannabis.

But again, this is about providing more flexibility for the family members of an individual who then becomes a victim themselves. So it provides greater access and not less access.

**The Acting Speaker (Dennis Smook):** Time for question period has expired.

### Debate

**The Acting Speaker (Dennis Smook):** The floor is now open for debate.

**MLA Tom Lindsey (Flin Flon):** I'm sure that other members can probably speak more eloquently to some of the changes that have been expressed in this bill than what I can, but there are a few things that I'd like to hopefully address.

And so, one of the things that did concern me was my question about the director's ability to deny compensation and ensuring that there's some appeal mechanism or some criteria that would have to be in place for the director to be making decisions like that.

And I appreciate the fact that this particular bill amends the Victims' Bill of Rights to enable the director to pay compensation to the family members. And it would be remiss of us not to spend some time talking about some of the traumatic effects that not just the victims, but family members of the victims, and sometimes family members of the perpetrators.

Not all families are guilty of an offence just because one member of the family has committed, and it affects other members', in some cases, employability. It affects some family members' ability to actually earn a living and carry on in society. Sometimes just the shame itself of what's taken place can be so overpowering that family members suffer exponentially more than what we think they do.

And so I guess I've been somewhat fortunate in my life that my family hasn't had to feel that kind of trauma, but, certainly, others I know have and others certainly would have more eloquent speech on that effect on the family member.

So it's certainly appreciated that this Justice Minister wants to expand some of that compensation to the family members.

I guess the other concern such as what was raised from my friend from Keewatinook was the fact that there seems to be a pattern of underspending—and I get what the minister said, that there's criteria that has to be met. There's qualifications that you have to meet and all these other things. But it certainly seems in this province we have no shortage of victims of crime. We have no shortage of people that have suffered the ill effects of that kind of crime.

So I don't know that the minister's answer really satisfies the question. The question should, of course, be that fund doesn't get underspent because there's so many people in need of what that whole program is supposed to supply to them and to leave it short-handed is—or short-funded, I guess, is problematic to say the least. To set the criteria in such a way that so many people don't qualify would perhaps be something that should be reviewed to ensure that more folks that have suffered from crime are adequately compensated, perhaps should be something that the government would be willing to be look at and do it.

So, of course, while we recognize now that we may be adding more people to the compensation that's out there for victims of crime, when we start adding family members one would have to hope that the funding for that program would also be increased to recognize the fact that there may very well be exponentially more people that should be compensated for that. To leave the funding where it is and merely spend the amount that should have been spent but wasn't already, I'm sure the minister would agree isn't the right answer. So we need to make sure that that funding is in place and properly accessed, properly able to do what the intent of the bill is, which is to compensate folks.

You know, I'm left thinking about a recent case where a young fellow working at a beer vendor was murdered. Workers Compensation doesn't really address the issue. It provides some very limited funding for burial costs and whatnot, but if that young individual, which I'm told that he was—he was partially supporting his family. So now that family support isn't there. So, hopefully, that family would be able to access some of these type of funds to help carry them through. I mean, it's bad enough they have to suffer the loss of a son and a brother, but while they're also feeling that loss, to now have to figure out how they're going to pay the bills is a huge blow that only makes

their trauma that much worse. So I'm hoping that even though that crime has already happened, that the compensation for family members will kick in and be able to assist that family member.

And then, of course, it leaves us with the need to look at Workers Compensation and figure out what we need to do differently there so that family members are adequately compensated if that family member is, in fact, a portion of—being the breadwinner for the family that now has been taken out of the picture.

\* (15:30)

So I'm not going to spend too long talking about this, but we need to make sure that some of the things we did talk about in the questions, like figuring out there's a regulation that lists some of those crimes that would make someone ineligible. So we need to make sure that that regulation is also updated to ensure that it's current and that the thinking behind some of those crimes as listed, and I'm not sure how old that regulation is, but certainly the world changes and definitions change and the meaning of certain things changes. So I would hope that as part of this process, the minister would be amenable to having a look at associated regulations; course that's always a concern anytime we talk about legislation is the details that come out in regulation.

So, hopefully, the minister is willing to consult with people as required, certainly people that have been through this but also there's any number of community groups out there that help families deal with issues like this that, I'm sure, have valuable input and would very much appreciate the government actually coming and talking to them and listening to what they have to say because, really, the consultation process can't be just coming and talking but not actually listening and not taking some of those recommendations that get made seriously and incorporating them.

So we can go through a bunch of the issues about what victims of crimes and what family members—we've talked a little bit, particularly about family members. It's not just the physical that we need to be concerned; it's the mental, and it's the ongoing mental issues, the P-T-S-T. Imagine someone who's son or daughter has to work late at night, and they have a couple of kids that have to do that because that's what the jobs are. Now, imagine, Mr. Deputy Speaker, one of those kids gets killed, seriously hurt, robbed, beaten, raped, whatever the case may be. Imagine the anguish that that family has to go through every night when one more of their children has to go out and face the same reality.

So, hopefully, and, I mean, this bill may not be able to, at the end of the day, address those issues specifically, but perhaps if there's funding available, then some of those family members may be able to get other employment or get employment in a safer environment that will help, not just them, but help the rest of the family be able to move on, to feel less trauma every day of the week.

So those are some of the things that need to be addressed, and, of course, when it comes to things like robbery, if victims have money stolen, that money may very well be what puts food in the—on the table and pays the bills, keeps the lights on and all those things.

So one would hope that the process of accessing these funds isn't so onerous and time consuming that by the time they're actually deemed to be able to access some of those funds that it's too little, too late, that the lights have been shut off, the rent hasn't been paid and they've been evicted. So it's about timeliness as well as not just the amount but ensuring that those kinds of things can help families help victims of crime and families when they actually need the help not necessarily months or years down the road.

One of the things that perhaps this bill doesn't really address but we'd be remiss in not talking about is how—or the some of the issues that have led to increases in crime.

And of course, the big issue around that is poverty. And we'd be remiss if we didn't point out this government's failures in trying to address some of those issues. In fact, many of the policies and laws that they brought in have merely made those problems so much worse. They've created more poverty, created more poor people, people that are less able to feed themselves and their families, which then, of course, leads to more crime.

And, unfortunately, one of the other sad side effects of poverty is drug and alcohol abuse. People that have no hope sometimes do things that aren't in their best interests. And we need to try and address some of those issues so that people know that maybe there's a possibility that they can actually get out of poverty. But again, I would suggest that this government and a lot of the things that they've put in place have done the complete opposite.

So, we need to make sure that we're always addressing those social determinants of all of these, whether it's health issues, whether it's crime issues, it—a lot of those issues are directly related to income, to

people's ability to have the type of life that they should have in this province. That they can have in this province. But we need to make sure the things are in place to do that.

We need to look at what this government had failed to do by failing to build one single unit of social and affordable housing. How many more homeless people? And we see that every day in Winnipeg, but we're also seeing that in other communities. While there always was a small number of folks in Flin Flon that were homeless, that number has grown dramatically in the last few years as affordable housing has disappeared from the picture, as jobs have bled from the North and continue to.

I mean, when I look at my own city that has lost hundreds of jobs already and in the very near future, by June of this year, there be another 250 people, 250 families, that no longer have an income. Some of those folks are going to be unable to procure another job simply because of age and economic circumstance, educational circumstance. So they may very well land up on the streets trying to find a way to feed their family, and unfortunately they may make the wrong decisions at some point in time. I hope not, but certainly that seems to have—be one of the things that leads folks down that path.

So I would really encourage the government to look at not just issues in the city, not just issues in the south, but let's really expand that horizon and look at what a government can do to assist folks that are struggling in the North. We have housing units that are owned by Manitoba Housing that are sitting empty, forcing people to live on the street. There's multiple empty housing units in Flin Flon that the government could, in fact, look at using for short-term housing, or even long-term housing for folks that lessens some of those folks' turning to crime to sustain themselves.

And while this bill talks about things for addressing the victims of crime, if we don't do something up front to address the problem, then we're not going to be able to ever properly fund programs for the victims of crime if we just continue to make more people fall into that trap.

\* (15:40)

So, I mean, we've talked about quite a bit in relation to this bill and how it ties into so many other things—so many other things—that the government could have done positively to address some of these issues.

I mean, we talk about mental health and how it is treated in the North and the government constantly stands up and touts their one RAAM clinic—one RAAM clinic—that's open from 9 to 5 in Thompson, which does somebody in The Pas absolutely zero good; does somebody in Flin Flon absolutely zero good; does somebody in Cross Lake no good; does somebody in Tadoule Lake no good.

There's so much more that this government can do to address those issues. But instead, what we see in reality is less mental-health workers available in the North which then, again, ties back into a rising crime rate creating more victims, and the problem just keeps snowballing out of control if the government won't do anything to try and stem the tide at the start, if you will.

So I think, Mr. Deputy Speaker, I will cede the floor at this point in time to someone else. And, hopefully, the government has been listening and will be able to address some of those issues.

So, thank you, Mr. Deputy Speaker.

**Mr. Ian Wishart (Portage la Prairie):** I'd like to put a few words on the record in support of Bill 32 as introduced by the Attorney General, the honourable Minister of Justice (Mr. Goertzen).

I think that many comments have already been made in regards to this bill. It is a step in the process of trying to make sure that victims of criminal justice—or, of criminal events are looked after properly, and that proper programs are in place and proper compensation where appropriate.

I know it's certainly important that we maintain a level of ability to adjust these through the directors to make sure that they fit the circumstances, as has been outlined—and of course, there is often varying extraneous circumstances, some families in much greater need than others—to make sure that it can be adjusted to be appropriate for that. And I think it's important as we move forward that we recognize that and give the—leave the flexibility in the program. Some of that, of course, would be covered a little bit under the regulations as well.

And it's also important that legal advice be available to victims in this process as necessary to make sure that they have the proper advice and make sure that, as they move forward, that they're not 'viximized' again during the legal process, which certainly does seem to be a risk in some particular court cases—that they are victimized again and again—and we want to make sure that that simply doesn't happen.

And this is consistent, really, with the goals of a Criminal Justice Modernization Strategy as we move forward. This is a step in the long process.

There is also some changes being made in this act to catch it up and to correct some of the translation issues. The translators have had a look at it and determined that we're not quite consistent in our wording between English and the French side and, of course, that's very important in any criminal justice documentation and any legislation in general, and so that, too, is important. But those are relatively minor adjustments that will certainly help make it clearer for the francophone community here in Manitoba.

So, I'd like to thank the minister for bringing this forward. I know it's a step in the process, that it's necessary, but it's a step in the right direction. And I would certainly encourage all members of the House to support this bill when it comes for the vote.

Thank you very much, Mr. Deputy Speaker.

**Ms. Nahanni Fontaine (St. Johns):** So, I'm pleased to get up this afternoon and put a couple of words on the record in respect of Bill 32, The Victims' Bill of Rights Amendment Act.

As has been stated, this bill amends The Victims' Bill of Rights act, to enable the director to pay compensation to the family members of a victim despite a victim's conviction of certain offences, and currently family members are ineligible if the victim's criminal record includes a conviction for any one of those offences.

As so, you know, I think the member previous just said it, but, you know, it's good to see that there's some movement to kind of modernize and reflect the realities that Manitobans go through, including Manitobans who have previously come into contact with the law and have a conviction, but have, you know, done their time, or whatever language we want to employ in respect of that.

We can't further—we can't continue to further penalize and criminalize Manitobans who have come into conflict of the law, but have, you know, done what they needed to do in respect of the criminal justice system. So we are, you know, I think that this is a good move in respect of modernizing The Victims' Bill of Rights and ensuring that all Manitobans have access to access victim services.

And, you know, I want to share with the House, you know, when we're talking about kind of like modernizing victim services here in the province,

there's always lots of work to be done. There's always more work to be done so that we are, you know, those services that are supposed to benefit Manitobans can be more robust and comprehensive and I—and, certainly, I would submit to the House that this is one change that will do that.

But I want to share with the House another change that occurred under the NDP when we were in government. You know, for many, many years there were concerns and criticisms coming from the Indigenous community in respect of accessing victim services.

And, you know, particularly—and I'll concentrate particularly in respect of missing and murdered Indigenous women and girls, because often what would happen is that you would have family members—so, first off, you'd have certain family members that couldn't access victim services. For instance, the member for Point Douglas (Mrs. Smith), whose beloved sister is missing. There was a time when the family wasn't able to access victim services because, allegedly, no crime had been committed because her sister is missing. And then there were changes made under the NDP to ensure that if you were a family and you had a loved in who's missing, that you were able to access those victim services.

So, you know, what are some of the victim services that we're describing? For one, counselling, right? You weren't able to access those counselling services. That changed. Under the NDP—ensured that, you know, MMIWG2S families here in Manitoba, if they had a loved one that is missing, they would be able to access those services. So that was one concern and one criticism that was brought forward to the NDP and the NDP acted on that—and that was brought forward by MMIWG families, by the way, Deputy Speaker.

So another, you know—again, over the years, another concern that was brought forward by MMIWG2S families, not only MMIWG2S families, but many Indigenous people brought forward concerns in respect of accessing victim services; even just physically being able to access that infrastructure, right.

I think that it should be no surprise to anyone that, you know, government systems can often be very intimidating and overwhelming and difficult to navigate. Even, you know, some of us in this Chamber sometimes, you know, when you get casework that comes into your constituency and you're like, oh, okay, and trying to navigate and, you know, do your best to be able to advocate for your constituent.

So these systems can be, you know, overwhelming and very difficult and cumbersome to kind of navigate through. And again, that was a concern that was brought forward by the Indigenous community, but particularly MMIWG2S.

\* (15:50)

And those concerns were again, once again, brought forward to the NDP government. And unlike members opposite, we listened and so we effected change, Deputy Speaker. And one of the change came specifically in respect of families of missing and murdered Indigenous women and girls and two-spirited.

Families said that they didn't feel safe in some cases, maybe not welcomed, or they were just too intimidated to physically go into Victim Services' building to be able to meet with Victim Services workers and all of that.

And so what the NDP did was established Medicine Bear, and so Medicine Bear operates out of Ka Ni Kanichihk, which is on McDermot. And so Ka Ni Kanichihk is an Indigenous service agency; in my mind, one of the best across Canada. They do phenomenal work and really set the bar on the way that service agencies, service organizations, social development organizations must be working with Indigenous peoples. They set the bar across the country.

And so they, in concert with MMIWG2S families, establish Medicine Bear, and it—the offices are in Ka Ni Kanichihk. It was actually a separate space from the rest of the organization, and they hired—and for the life of me, I can't remember what their exact titles were, but they were MMIWG—they weren't counsellors, but kind of like counsellors, advocates, you know, spiritual advisors, all of these in one. And phenomenal women that worked in those positions over the years: Ruth Murdoch [*phonetic*], who's an elder in our community; Candace Newman [*phonetic*], who's just this phenomenal Indigenous woman in the community, who worked with families directly to provide care and advocacy and needs that MMIWG2S families—that they need.

So, for instance, when I was the special adviser on Indigenous women's issues, every year we hosted Wiping Away the Tears, which is a gathering for MMIWG2S families from across Manitoba, and I worked with Ka Ni Kanichihk's Medicine Bear together so that we could bring in families for two and a half days from across the province and bring

families together, which, again, Deputy Speaker, when we started doing that—and I know that the member for Point Douglas (Mrs. Smith) has also spoken about Wiping Away the Tears in the House, as well—when we started doing that in Manitoba, no other province or territory was doing that work, nowhere across the country. In fact, Saskatchewan only just hosted their first MMIWG2S families gathering in—I guess that would be 2019. And so the member for Point Douglas and myself actually drove to Regina and attended the gathering—MMIWG2S gathering. That was the first time that the province had ever done that.

Meanwhile, in Manitoba, again under the NDP—because the NDP cares and listens to families—we had been doing that work since 2008, so significantly longer than Saskatchewan, while in 2015 the government of BC hosted their first MMIWG2S families gathering, and they held that gathering in Prince George, and they had family members from across BC, but also across Canada because, as you know, Deputy Speaker, and who I've brought up here a couple of times, one of Canada's—or Canada's most prolific serial killer, Robert Pickton, came—preyed on women in BC. But his victims actually came from across Canada. In fact, my reserve, Sagkeeng First Nation, one of his victims is from my reserve.

Anyway, so BC held their first ever MMIWG families gathering in 2015 in St. George, like I—in Prince George—apologies—and the member for Point Douglas and I also attended that. We flew out to participate in sharing circles with the families and helped facilitate and just show our support for MMIWG families from across the country. Which I will say that, you know, our families from across the country are this huge collective of a family, right. Regardless of where we live in our territories, we are part of this family for MMIWG2S.

So, you know, I share this history in this Chamber because it's an important history. Manitoba, you know, for all the, you know, nonsense that the members opposite will try to put up in this Chamber about, you know, the dark days of the NDP; none of that is true, Deputy Speaker.

Like, the reality is that our government listened. Our government understood the importance of supporting victims, including MMIWG2S. Our government understood that so much that, long before any other jurisdictions were doing this work, we were doing this work here in Manitoba.

And I'm proud to say that I—you know, I was a part of all of that work. And in fact, I miss that work. I miss working directly with MMIWG2S. I miss, you know, our Wiping Away the Tears gatherings when we spent, you know, two and a half days, three days together, in some instances.

And I'll share again, you know, when we're talking about supporting victims—you know, I've introduced a bill in the House previously about ensuring that dollars from proceeds of crime would go directly to victims.

I've put this—I've introduced that bill previously because a lot of Manitobans don't know that there is this pot of dollars that derives itself from, you know, proceeds of crime that you can apply to. Organizations that work with victims can apply for those dollars.

But at the same time, so can police. Policing institutions can also apply to those dollars. And I know that, you know, there's been many policing institutions that have applied for those dollars, and not the least the Winnipeg Police Service who, in previous years, have applied for those dollars for new—I—you know, one time I think it was Taser guns, when those came on as part of their general duty. They applied for dollars for new bulletproof vests.

And so, what my bill is doing is saying, you know, those proceeds of crime, the money that's coming into that special pot of dollars, it should solely go to victims because it derives itself from the profit of crime.

And so, you know, the government doesn't seem to be interested in supporting that bill, but it's an important bill to ensure that, you know, it strengthens the infrastructure of support and advocacy and programs for victims by ensuring that those organizations that are actually on the ground in support of victims have access to this dollars.

What are some of the things that you can do with those pot of dollars, Deputy Speaker? Well, as I said, I think it was one of the last—I don't know if it was—yes, I think it was the last Wiping Away the Tears gathering I worked on before I became elected, we hosted a national Wiping Away the Tears gathering. And we had MMIWG2S families from across the country coming to Treaty 1 territory at Winnipeg—or, in Winnipeg, and we spent two and a half, three days all together.

The budget—like, in order for me to be able to do that national families gathering, the budget came from the proceeds of crime. And in fact, it was the former—

our former colleague, Jamie Allum, who approved that.

So, those dollars can do some really good, healing, connecting, empathetic work in the lives of victims. And as I said, you know, as we understand in greater need what victims require, we should make those changes. And like I said, the NDP, our government, made those changes.

\* (16:00)

And I'm proud to say that Medicine Bear is still operational, still works with MMIWG families and, in fact, during the last two years during COVID has played a, you know, a key role in making sure that family members are connected with.

Because the thing is, is that victim services don't just end after a couple of months. Often, victim services, like the supports for victims, can go on for years and years and years. I think that there's this kind of like this fallacy that, you know, you'll get over it after a couple of years. That's not the way that that operates, and often you'll see families that need support for many, many, many years to come.

And Medicine Bear is no different, and I think that that's a testament to the good work that Medicine Bear does, and again, the good work that, you know, the NDP did when we were in government, and our great listening skills. So let me put that on the record.

I wanted to talk about, you know, when we're looking at, you know, supports for victims and victim services and really that kind of—that whole infrastructure, one of the things that is also key to that, that you can marry those two things, is to ensure that, you know, a jurisdiction has a robust restorative justice infrastructure, a restorative justice network. And, you know, Manitoba has some really great programs like Mediation Services, like Onashowewin.

Onashowewin I was part of the team of individuals when I was working at Southern Chiefs Organization that started Onashowewin because we knew that we needed, you know, diversion from the courts into alternative measures that were more in line with the Indigenous worldview and the Indigenous understanding, and so we established Onashowewin.

So, it's a phenomenal program that's been around since, I guess, 2002, 2001, so quite a while that they've been around doing restorative justice. They work, you know, closely with Mediation Services in that kind of—that collective of restorative justice. There are—we

have PTOs in the province that do that work, so MKO has restorative justice circles.

SCO, so, Southern Chiefs Organization, has restorative justice circles in several communities. MKO really had—they started that within the First Nation community, so their infrastructure's really good and they've been doing that for a long time. And, in fact, the member for Keewatinook (Mr. Bushie), his home community of Hollow Water, which I've spoken about many, many times, long before the member was in the Chamber, was known for the restorative justice work that they did in the community.

And, in fact, I was in the United Nations with several of his, you know, colleagues or relatives within the community, or citizens within Hollow Water. We were at the United Nations I believe in—at la Palais des Nations in Geneva, I think in 1997. At that time, it was the 15th annual working group on the draft declaration of the rights of Indigenous peoples, and—although I could be wrong with my year, but it was either '97 or '99. But folks from Hollow Water were presenting on the restorative justice programming that they do in the community, which, again, at the time, nobody was doing across the country. And so much so that they were invited to present at the United Nations. And, still, many programs across the country modelled themselves after the restorative justice program in Hollow Water.

So, you know, when we're looking at victim services, when we're looking at advocacy, when we're looking at creating a system of supports that help to heal, that give a sense of closure, restorative justice is a huge part of that. And, unfortunately, what we've seen from this government—and not that anybody in this Chamber is going to be shocked—but we've seen cuts to restorative justice. And in a time when, you know, in this era of reconciliation, when we should be moving more towards ensuring that there are less Indigenous people within the totality of the criminal justice system, this government here, these folks here have ensured that, you know, those mechanisms to keep folks out of the court system, out of the justice system—they cut those supports.

So, again, you know, Onashowewin is still doing that phenomenal work to support victims and to bring folks who are in conflict with the law together in a safe space, in a culturally appropriate space, to create moments of long-lasting healing for everyone. So I think that's important to put on the record for, you know, for folks that are, you know, maybe watching or listening that—you know, you can't just say that you

support victims and yet at the same time, you know, you're cutting restorative justice.

And restorative justice, Deputy Speaker, is not an expensive endeavour. It's not. When you think of how much it costs to keep citizens housed in, you know, so-called correctional facilities, it's \$125,000 a year. Maybe they were able to get those costs down because if, you know—and I'm sure the Justice Minister will remember that they got rid of milk. Remember, yes? You guys got rid of milk so now citizens have to have, like, powdered milk, right? You got rid of—like, people have to pay for their own phone calls now, right?

So—but, you know, so I don't know. Maybe those costs have gone down a little bit. But, you know, restorative justice costs are significantly lower than incarcerating Manitobans who are in conflict with the law. And so, you know, my hope is that—or, well, I know. Like, we know that there's an election in October of 2023—or sooner, who knows. You know, and, certainly, I know that on this side of the House that we are committed to restorative justice. We're committed to those mechanisms that ensure there is equity in the justice system and equity in the sense that can foster that forgiveness and foster that healing among individuals, and restorative justice is a big part of that.

And I know that this bill, Bill 32, is also talking about, you know, an amendment that allows a victim in a sexual assault case to receive, at no cost, independent legal representation if the victim's personal information is sought to be used as evidence by the accused.

You know, we—you know, and my sister colleague from Notre Dame gave a really important ministerial statement today, reflecting the fact that, you know, there are programs out there that do, you know, work to support victims of sexual assault. But I would suggest that the infrastructure is, you know, maybe lacking still because we still do not have citizens who are facing—who have been victims of sexual assault want to go through the court system. Often they do not because of, you know, because of everything that a citizen would have to go to: disclosing the sexual assault; you know, facing, you know, an individual in the court system; you know, having to disclose in a court system. Like, all of these things are incredibly, you know, re-traumatizing and retriggering.

And so I think that, you know, in any way that we can support victims of sexual assault is a good thing,



and so I, you know, I would say that this is a good opportunity for victims to get a little bit of legal aid representation reprieve because often folks cannot afford those legal costs.

And then, finally, I think it was the colleague—my colleague from Flin Flon, who brought up that when we're talking about supporting victims, when we're talking about, you know, coming into conflict with the law, you know, I agree with my colleague from Flin Flon that it often, more often than not, coming into conflict with the law and harming those around you, you know derives itself from the cruel, unrelenting hardship of poverty.

\* (16:10)

Poverty is, you know, crushing to people's spirit, and so we have seen very, very little action from members opposite on tackling poverty—little, if anything. We don't have the, you know, All Aboard—we don't have any updates on where we're situated in respect of poverty. It's as if members opposite—well, I don't know—don't care about poverty, don't care about individuals that are entrenched in poverty, to no fault of their own, Deputy Speaker. There are a myriad of reasons why folks are entrenched in poverty and what we've seen in the last two years is that that has only grown exponentially.

And so, you know, I know that from myself, Deputy Speaker, when I'm looking forward to the next, you know, year and a half to the next, you know, four years after the next election and when we win government—[interjection]—no, no, no—I—it's, you know, it's pretty clear—

**An Honourable Member:** Then let the voters decide.

**Ms. Fontaine:** Oh, we will; we will, but, you know, when I'm looking forward to, you know, winning government in the next election, what I'm looking at is first off, trying to figure out everything that they've actually done because, of course, you'll only be able to truly get a sense of the damage that the PCs have done when you're in government and you get access to see that, oh, they actually did this and they actually did that; and they cut this and they didn't do that.

And so—and then, you know, once you've—you do that thorough investigation of every—all the damage that they've done, then the task becomes looking at how to repair that and how to ensure that Manitobans are being taken care of because everybody sees, and if you don't see it, I don't know how it's possible that Manitobans can't see it, but everybody sees how worse things have gotten in this province.

I don't ever remember seeing the number of unsheltered Manitobans that we have right now, who are all victims in, I would suggest and submit, that probably are all victims in some way for something that happened in the system, who are just left out on their own to—again, we know that the PCs said that the government can't take care of them and can't help Manitobans.

*Madam Speaker in the Chair*

And there's a really good example of the number of unsheltered Manitobans that keep going up and up and up every year; and you cannot deny that that has happened under this PC government. And why? Because this PC government has cut those very systems that support individuals who are struggling, who support individuals that are facing poverty.

They cut so many different NDP programs and cut the budgets and all of that, so that we have the most unsheltered Manitobans that I've ever seen and that everybody reflects on them. Or, the amount of Manitobans that are struggling, you know, in respect of, you know, precarious work or trying to make a life for themselves with the little piddly amounts of sense that the PCs have given in the last six years since they got elected.

And so, when I look forward and, you know, we're trying to, you know, create a system and an infrastructure that supports victims, you can't divorce yourself from looking at the impact of, you know, cutting social housing as the members have done, or you can't look at the impact of not raising the minimum wage or not—you can't look at the impact of cutting the health-care system for mental health supports, addiction services, not having a safe consumption.

Like, all of these are all married together, and so the task that we will have is daunting, but our team is up to the challenge. We're looking forward to serving Manitobans in the best way and putting the best interests of Manitobans forward before, you know, unlike what the PCs do and put the best interests of their friends before anybody else.

You know, we're looking forward to doing the opposite and we're looking forward to tackling the issue of poverty and how that impacts the—

**Madam Speaker:** The member's time has expired.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I speak to Bill 32, the victims of crime amendment act.

First of all, it's a positive step forward to be able to provide family members of the victims with support and with compensation. Manitoba Liberals will support this bill. We also see it as positive that there's an expansion of conditions for Legal Aid help for victims of sexual assault to help protect their personal information and personal privacy and make sure they're well-represented in court cases.

I think it's important to acknowledge that family victim—members—family members of a victim can be affected in a major, major way. If a victim is killed, there may be a loss of family income, a loss of family support, loss of a loved one. If it is a father or a mother or parent, then the child or teenager may lose the opportunity to be able to attend post-secondary education because of the lack of the income from the parent.

And this is clearly something that needs to be addressed. Post-secondary education may not be a right, but it is certainly that every child should have the potential for access to, regardless of their background, and we know that right now, that it is proportionate of children who are—Indigenous are not even graduating from high school and that additional supports in this area are clearly needed.

If the victim is disabled, there can be a loss of family income; there can be a need for the family to spend a lot of time looking after a disabled victim. And clearly, this can have a very, very large impact on a family and the well-being of a family.

Now, this bill provides compensation or support for a spouse or common-law partner of a victim or a parent or child or sibling of a victim. And it is important that the needs and the well-being of all are fully addressed. And that's why we support this legislation.

We see that there are a number of areas where there are specific concerns or considerations. It is important to be able to achieve equity and fairness. It is important that this is not based on the same sort of fabric as worker's compensation. That is that if the victim was wealthier, had a higher income, that there is more support provided to the family of the victim.

We need to make sure that a child in a family which is poor or on low income has that support to be able to finish their education and attend post-secondary education, if they so desire. That support actually may be greater in some instances where a—it is a family where there is a low income and where there is a family with a much higher income. And this needs to be taken into account. There's nothing

specific in the bill which would require that or mandate it; there's an expectation of equity or justice, but actually delivering that is important, and that's why I'm talking about these matters.

\* (16:20)

I need to indicate that, based on my experience, that it is going to be very important that there not be inequities based on racial or ethnic background. I've had experience trying to help an individual who is Indigenous and autistic on the Asperger scale, and for a whole variety of reasons he has had an extraordinary and inordinate difficulties in getting fairness and justice even when he has been victimized, and there's a variety of reasons for that. But it's going to be very important that we have situations where individuals who are victims of crimes are supported and receive compensation.

And, you know, we can see that it is important that there are crimes—there can be arson or a homicide—where there is not necessarily a person convicted because the individual who's the perpetrator may not be found, but the people who are affected may still be 'dramatically' affected.

And so ensuring that individuals who are victims of crimes can be helped and supported and compensated—it is a broad question. It is not just specifically for cases where there is a conviction. And in this context it's going to be important that the—this legislation work together with restorative justice. In restorative justice you may have a crime which is clearly identified, that there is a victim and a perpetrator who are brought together. There may be a conversation and understanding. Because that person is the victim is involved in a restorative justice program should not mean that they don't get access to compensation. That is clearly important that person who is a victim who goes through restorative justice is not denied compensation, and there are several reasons for that.

It is just where you have a clearly identified victim and a perpetrator and you're working in restorative justice approach. Can you imagine what would happen if you didn't allow compensation for victims when they were going through a restorative justice approach? It would create a bias, a—an incentive, a financial incentive, for people to go to court instead of to go to restorative justice if you didn't provide compensation to individuals who have or are part of a process of restorative justice.

And it's not clear yet from the experience to date because we're still—from the minister's remarks—not

given an adequate account of what the experience has been except we know that there has been less compensation handed out than was expected. But what is clear is that we do need to have a process which is fair and which accommodates or acknowledges people who are victims under a variety of circumstances.

In the case of Candace House, I think it is going to be important and hopefully we will have a presenter who've experience at Candace House helping victims who will present at committee and we can have a dialogue on this. Clearly, in the case of Candace, who was a victim of a crime, this crime went many, many years before it was resolved, before the likely individual responsible was identified and, in fact, it is an example of why it's going to be really important to have compensation even when you don't have a conviction because, clearly, it was a crime and the victims need compensation.

So, Madam Speaker, this is important legislation. It takes us a step forward. I'm looking forward to the discussion at the committee stage. I think it's going to be very important to have a variety of inputs from people not only who've experience at Campbell House but—or Candace House, but also people who have had a variety of experiences with the justice system so that we have comments which will enable this bill not only to move forward, but to be practically useful and helpful to not only victims of crime but to their family members who, in many instances, have been very severely affected by the crime itself.

With those words, I'll let others speak.

Thank you, merci, miigwech, dyakuyu.

**Mr. Ian Bushie (Keewatinook):** Thank you, Madam Speaker, for the opportunity put a few words on the record for Bill 32, The Victims' Bill of Rights Amendment Act.

Like many other pieces of legislation brought forth by this government, it's an attempt, but it's not enough. Madam Speaker, when you think about offenders and victims, inherently you think of it being a cycle, and we always talk about wanting to break a negative cycle in society. For there to be a victim, there is inherently an offender and vice versa. So I think we need to talk about addressing the breaking of that cycle and what we need to do as society to help break that cycle.

Bill 32 does a certain component of that, Madam Speaker. It helps victims and it takes a barrier—one barrier of many—away from a victim to be able to have some kind of peace or some kind of sense of there is

somebody advocating for me, there is somebody standing up for me, there is somebody speaking for me, there is somebody helping me navigate the system. But ultimately it's not enough.

The member from St. Johns had talked about a program in my home community, Hollow Water, the Community Holistic Circle Healing Program, or CHCH program, which brings offenders and victims together in a circle. And a basis of that, Madam Speaker, is acceptance of responsibility.

So, as an offender, there is an acceptance of responsibility towards that victim and that crime and those wrongs perpetrated on that victim. So it allows that communication to happen. And a program such as that is, in fact, a step in the right direction; it is steps beyond Bill 32. So Bill 32 could also improve and bring those components into place to help a victim navigate that system.

Instead, as it stands now and as it will stand even after passage or proposed passage of this legislation, it'll still have those barriers in place. And there's a number of different reasons, Madam Speaker, where a victim may have difficulty navigating a system such as this. Language perhaps may be one, being able to actually get out and communicate their intentions, communicate their wrongs that were committed against them as a victim or just being able to sit there and say, hey, I'm a victim here. And that voice needs to be heard.

So when we talk about victim services and various programs, that's intended to help that victim with the voice, to bring their voice forward, to bring their voice and their issues forward without them having to necessarily stand up and be victimized all over again, to be able to prove why they're a victim.

\* (16:30)

So, Madam Speaker, in one of my former roles, I was actually the executive director for the CHCH program, and so I was front and centre in those discussions, in those healing circles, in those communications between offenders and victims. And being able to see that open communication and see that acceptance of responsibility, and have a sense of help and being able to bring those voices that are normally silenced, that are normally drowned out in the court system or drowned out in the legal system, to hear that voice now brought forward. And things like that need to be encouraged, need to be nourished and brought forth in a more prominent role.

The incarceration rate, or the cost of incarceration rates, you know, between—whether it be male or female—you know, ranges between \$90,000 and \$125,000 a year to incarcerate an individual.

The CHCH program provincially—and it was a 50-50 partnership, but provincially, it was funded for \$120,000. That was the cost of one person. One person being incarcerated for the year was the cost to fund this entire program on the provincial side of that—and federal was also 120, so it was 240 altogether. But, Madam Speaker, that program now has brought forth to be able to bring that voice to those victims, to help those victims heal and be heard was a drop in the bucket financially compared to what's out there now. And it was really based on, again, that acceptance of responsibility and it centred around being able to give a voice to that victim.

And while Bill 32, Madam Speaker, brings forth a certain amount of that, it doesn't do enough. And like many pieces of legislation, it's a start and it's an attempt and it's almost like this government wants, you know, we want to be able to touch on all programs to say we've done something in every single program, every single department, every single ministerial role.

But why not do more? Why not be totally comprehensive to be able to do a piece of legislation that truly touches and truly affects everybody in a positive way? So Bill 32, for example, Madam Speaker—and I'll just kind of read the purpose that as I interpret it: this bill amends The Victims' Bill of Rights to enable a director to pay compensation to the family members of a victim despite the victim's conviction for certain offences. Currently, members are ineligible if the victim's criminal record—they could have convicted for any of those offenses.

Again, Madam Speaker, it also takes away from a potential offender whether or not—whatever time they may have offended, whether it be last year, 10 years ago, 20 years ago or whatever it may be. To be able to rectify that wrong that they're—and there's a variety of different reasons why an offender may have offended, but we need to be able to get to the root of that communication.

Another amendment also made to Bill 32, and it's something that's—that has good intentions, but at the same time, it's got a reason, or it's got a catch to it. The amendment is also made to allow a victim in a sexual assault case to receive at no cost independent legal representation if the victim's personal information is sought to be used as evidence by the accused.

If, Madam Speaker. Why should that word if be in there? Should that victim not be able to access those services regardless of their own circumstances, regardless of their own personal history. Should they not be able to be able to utilize the full scope of those services without having a clause put in there, without having a condition attached to that?

And, Madam Speaker, that—if we want to truly bring forth that voice of the victim and assist those victims, we shouldn't be having words like if in there, or a clause in there to say that, oh, you have to meet this criteria first. If we want to truly make—on behalf of the victim and truly assist and help them navigate that system, those words like if, those various clauses, those various conditions should not be part of this.

And Madam Speaker, that's an important thing to be able to bring forth. To be able to say that, in fact, if you are truly going to assist the victims then let's do it this way and let's not revictimize individuals. Let's not have the system amplify and make worse a situation that's already difficult.

And there's a variety of different reasons why. You know, it may be abuses; it may be criminal activity; it may be theft. There's a number of different reasons why a victim becomes a victim and they shouldn't have to be able to quantify on a scale: you know, I'm at this level, so I'm able to access these services; I'm at this level, so I can't access these services. It should be available for all without conditions, without causes, without the words if you meet the criteria, or you might meet the criteria, or you're—you haven't proven to that yet.

Because, Madam Speaker—and I think it's in society today, and whether it—and it's varying—various scales and very different scenarios, but most of us have been, on some level, a victim of crime. And we all know what that feels like if you have been a victim of a crime, whether it be theft or whether it be abuses or whether it be something even major, if you've had—if you've been impacted by criminal offences and major offences, you know what that feels like. And sometimes you feel helpless, you feel like, you know what, I have nowhere to turn, I have no assistance. And you have—hopefully, you have the assistance of family, of friends to help you get through that.

But you should also have the assistance of something like this, of government, knowing we have your back. We can help you navigate this system. We can help bring forth and assist your voice and amplify your voice without you having to come and necessarily prove it in a court of law, or prove it by way of,

you know, we need all this documentation to be able to say, you can access Victim Services. We should be able to tell somebody, here, we made this as easy as possible for you.

And, Madam Speaker, Bill 32, while it attempts to make that system a little easier, it again falls short. And there's a number of different pieces of legislation that ultimately fall short. We shouldn't be trying to make the victim feel more like a victim. We should make them feel like we have their back, like we have their assistance, and you don't have to re-victimize that victim to be able to say, you know, you've been wronged in this way.

And, again, Madam Speaker, there's various levels, right? There's some that may be just the minor thing, and there's some that may be major, that truly impacts you for the rest of your life, and it's difficult to be able to navigate that. It's difficult to be able to say to an individual—because every individual in society is different. Every individual reacts to that differently, has a different reaction to that.

But at the same time, Madam Speaker, we have to be able to assist wherever that may be. Wherever that level may be, wherever that comfort or uncomfortable level may be for an individual, when Bill 32 comes out, we need to be able to say that, you know what, Bill 32 actually does that, actually speaks to that, actually references that and actually gives that voice, gives that strength, gives that amplification to that voice to be able to say, I want to be able to do this. I want to be able to speak to—I can help you navigate the system.

And there's a number of different reasons, again, Madam Speaker, and I've made this point a couple different times in these few minutes here, there's a number of different reasons why a victim may have difficulty navigating that system. For us as Indigenous people and Indigenous communities, a language barrier clearly exists to be able to navigate whatever system may be, whether it be the justice system, education, health system, there's a language barrier that exists. So we have to be able to do that.

And I know the bill touches on being able to bring some kind of clarification to French versions of what we do here, but there's also a number of different languages spoken in this province, Madam Speaker. So Indigenous communities, you know, whether it be Cree, Ojibway, Dakota, Inuit, there's a number of different languages that are brought forth that this bill also needs to—that we need to help Indigenous people navigate that system in that way.

When we talk—in one of the questions during the question and—part of this debate, Madam Speaker, was about how much more do you think this bill is going to bring, in terms of how much more cases will there be? How much more additional dollars will be necessary?

And the minister was quite open and quite honest about the fact that you don't know that. You don't know that. You don't know that exact dollar amount to be able to say, yes, this is it, it's \$1 more. You know, it's \$1 million more. It's \$10 million more. You don't know that number, but you absolutely, with absolute certainty, know that it's significantly more.

So then you need to now bring into place, to go alongside, hand in hand with Bill 32, those additional funds for Victim Services. We had talked about it being—in 2016, 2017, being spent at \$2.8 million last year, being actually reduced and now being spent at \$2.6 million. So then the question remains, you know, in that four-, five-year gap, why was that expense by, you know, \$200,000 less? And now, if this bill comes to be, how much more will that be? Will that number now be \$10 million more?

\* (16:40)

Because Madam Speaker, if we're trying to navigate and create a system that's going to make things easier and give victims that voice, then we have to be able to say, your voice will be heard; your voice will be compensated when we have a dollar amount put to this kind of legislation, and being able to say, this is what we're going to do.

So, if you're going to make it easier for victims to help navigate the system, then you have to be there with those financial supports for them, too.

So, Madam Speaker, when we talk about Bill 32, again, like many, many pieces of legislation, it's a start. It has good components to it, but it can be brought forth and can be made much, much more effective.

And we need to do that by listening to—and there's a lot more—there are pieces of legislation, Madam Speaker, that can be across party lines, across this entire Chamber, across all of Manitoba—is to be able to hear those voices.

And it shouldn't be: I know what's best, this is what we're going to do. Instead, let's engage Manitobans. Let's engage Manitobans that are truly—been bogged down in this system of Victim Services. Let's engage those Manitobans that had that difficulty

and bring them forth to strengthen this piece of legislation.

And hopefully, at some point, we'll get the chance at amendment stage to be able to do that, but that's engagement that needs to happen, and it's vital that it does happen, Madam Speaker.

So, with those few words, I'd like to say thank you for allowing me this opportunity to speak to Bill 32.

Miigwech.

**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 32, The Victims' Bill of Rights Amendment Act.

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

I declare the motion carried.

### House Business

**Hon. Kelvin Goertzen (Government House Leader):** On House business, Madam Speaker.

I have a leave request. After some consultation with the opposition House leaders, I have a series of leave requests regarding the Sessional Order governing our virtual sittings.

In accordance with section 36 of the Sessional Order passed by this House on October 7th, 2020, and subsequently amended, I am seeking leave of the House to further amend that same Sessional Order so that:

1. Section 5 is repealed and replaced with the following:

- Members are to provide two hours written notice to the Speaker and the Clerk of their intent to participate virtually on any sitting day.
  - (a) In the event that this notice requirement is not met, a member may appeal to the Speaker in writing for an exception.
  - (b) With two hours written notice to the Speaker and the Clerk, if necessary, members may participate virtually in the proceedings of any committee of the Assembly, even if they have

participated in the House proceedings in person that same day.

2. Section 31 and 33 are repealed, with the remaining sections to be renumbered accordingly, and

3. Section 35(a) is repealed and replaced with the following:

- Public presentations to bills at standing committees may take place remotely or in person, with presenters appearing either virtually, by telephone or by being present in the committee rooms.

I would also note, Madam Speaker, that in previous requests to amend this Sessional Order, the date of October 7th, 2020, was incorrectly stated as October 8th, 2020. I would therefore seek leave of the House to retroactively consider all such previous references in those leave requests to October 8th, 2020, to be October 7th, 2020.

**Madam Speaker:** Is there leave to further amend the Sessional Order so that:

1. Section 5 is repealed and replaced with the following:

**Some Honourable Members:** Dispense.

**Madam Speaker:** Dispense?

**An Honourable Member:** No.

**Madam Speaker:** I heard a no.

—Section 5 is repealed and replaced with the following:

- Members are to provide two hours written notice to the Speaker and the Clerk of their intent to participate virtually on any sitting day.
  - (a) In the event that this notice requirement is not met, a member may appeal to the Speaker in writing for an exemption.
  - (b) With two hours written notice to the Speaker and the Clerk, if necessary, members may participate virtually in the proceedings of any committee of the Assembly, even if they have participated in House proceedings in person that same day.

2. Sections 31 and 33 are repealed, with the remaining sections to be renumbered accordingly, and
3. Section 35(a) is repealed and replaced with the following:
  - Public presentations to bills at standing committees may take place remotely or in person, with presenters appearing either virtually, by telephone or by being present in the committee rooms.

Is there leave? *[Agreed]*

Also, regarding all previous leave requests to amend the Sessional Order, is there leave to retroactively consider all references to October 8th, 2020 to be October 7th, 2020? Is there leave? *[Agreed]*

## DEBATE ON SECOND READINGS

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

**Madam Speaker:** We will now move on to debate of second reading, Bill 8, The Court of Appeal Amendment and Provincial Court Amendment Act.

#### Questions

**Madam Speaker:** There are 12 minutes remaining in this question period.

Are there any members wishing to ask questions?

**Ms. Nahanni Fontaine (St. Johns):** Okay, well, I'm glad that we're getting up on Bill 8 and I have several questions for the Minister of Justice.

Let's start with why is the government departing from the current selection approach to selection of judges?

**Hon. Kelvin Goertzen (Minister of Justice and Attorney General):** I think my friend asked this question in the last session, but I recognize it was interrupted because the bill debate ended last time, so I appreciate her asking the question again.

You know, it's important to try to find—and this is similar to the process that happens federally. It provides a more expansive list. It provides the rationale for why somebody is being recommended. It provides broader contextual understanding of the qualifications of the candidate.

**Ms. Fontaine:** Again, I don't know if that answers the question. I don't know why the minister doesn't trust the current selection process as it currently exists for

the judicial appointment board which, as folks would know, is chaired by a judge, a sitting judge.

Why does the minister not trust the expertise of the judicial appointment board?

**Mr. Goertzen:** It's certainly not about trust. It's to provide the Minister of Justice as much information as possible, in these very, very important decisions of appointing a judge, in the same way the Liberal-NDP coalition in Ottawa have a similar process when it comes to appointing judges.

I don't imagine that Jagmeet Singh doesn't have a lack of trust or that Pierre—or, sorry, Justin Trudeau doesn't have a lack of trust but the coalition in Ottawa have a very similar process. So it's not about trust.

**Ms. Fontaine:** I actually will just use this opportunity just to correct—I actually heard the leader of the national NDP's first name be mispronounced. It's actually Jagmeet, like jug-meet. So I will just say that because it's proper that we get—we pronounce people's names right.

And so, again, I'm not quite convinced that the minister doesn't trust the current process because I don't see why we would need an amendment to that and we why we would need additional people on that judicial hiring board—appointment board, if the minister didn't trust the process as it exists and trust the expertise.

**Mr. Goertzen:** I do appreciate my friend correcting me on the pronunciation. So I will—Jagmeet Singh—and I've learned something new then, in terms of pronounce.

And, of course, I have respect for Mr. Singh, as I do all the national leaders. We don't always agree on lots of things but in the time that I've had opportunity to meet him or to see him on the campaign trail, you know, I have respect for the effort that he makes, as I do with all political leaders.

Again, it's not a matter of trust. It's about making the process better and this makes the process better.

**Ms. Fontaine:** The minister and I will—we agree on something. I have an enormous amount of respect for Jagmeet Singh, as well, and I'm so blessed to call him, you know, like, I can call him a friend. And I think that he's doing—he's one of the few men in my circle that I will actually lift up and praise. I don't do that very, very often but Jagmeet Singh is one of the few men that I will do that for because I love him. I think he's amazing. He's humble. He's genuine.

And at any rate, I would ask the minister why he's removing the short-listing process?

**Mr. Goertzen:** Well, not to end too quickly the Jagmeet Singh love-in here, but I'll certainly move on from that topic.

\* (16:50)

I—again, the process of changing, going to the federal process where there's more contextual understanding of the qualifications of the candidates, I think in a decision as important as this, and it is an important decision, probably one of the more important decisions that ministers and Attorney Generals make—minister of Justice—I do think it's important that as much information from a contextual perspective be provided. And I believe that Jagmeet Singh and Justin Trudeau agree in their coalition government because they have a similar process.

**Ms. Fontaine:** I am curious in respect of who the minister consulted with, and I know that we ask these—this same question in respect of all of the bills that come before the House. But I am curious, like, did the minister sit down with the current, you know, or with current members that sit on this judicial committee, and what was the discussion like? Did they recommend these changes?

**Mr. Goertzen:** I think that there's often discussion in terms of how judicial appointments happen. There have been various discussions with myself, I'm sure the previous minister with others who have sat on various selection committees either provincially or federally. The federal government, under the current coalition government of the NDP and the Liberals, feel that this is a process that works well and, on this particular situation, I'm in agreement with the federal NDP and the federal Liberals.

**Ms. Fontaine:** I know that the minister wants to, as much as possible, every opportunity he has, talk about the NDP and the Liberal right now, so I'll give him another opportunity to do so, as well, but I want to see what the minister thinks. You know, the act proposes that no person shall be appointed a judge unless the person undertakes to participate in education on sexual assault. Why not just state it in the legislation that they must take it?

**Mr. Goertzen:** I do appreciate the question and I want to commend Rona Ambrose for bringing forward this national debate on this issue, and there may have been others before her, but I know she brought it to prominence when she was in Parliament.

This is very close to to the federal system and it preserves the issue of independence, so if there were issues federally and provincially in terms of judicial independence, ensuring that the—that there's an undertaking—and an undertaking means a lot to those in the legal field—there's an undertaking for the training, I think gives the assurance that it'll happen but also preserves independence of the judiciary.

**Ms. Fontaine:** Why did the government not include JJPs in respect of Bill 8 if—the minister will well know that other pieces of legislation that have come, you know, the ones that I have, I think, three times introduced in the House included JJPs. I think Rona Ambrose, as well, included that infrastructure.

Why did the minister not include JJPs as a part of this?

**Mr. Goertzen:** And we may at some point. The member will know that JJPs, which I think previously were called the magistrates, I believe, up until eight or nine years ago—the process for selection is different, the qualifications are different. Obviously, you don't have to be a lawyer for five years to be a JJP, so the actual criteria are different, the job is different. So the selection process is different, but there might come a time when it becomes more similar.

**Ms. Fontaine:** But no doubt the minister would remember a couple of years ago there was, you know, I think it was a piece in the Free Press or CBC that spoke about, you know, the number of applications that come towards JJPs in respect of, like, domestic violence and, you know, cases of sexual assault where those orders are denied, right? And so to kind of include them within the infrastructure that actually ends up protecting women—predominantly women that come before the system or the courts. So, I don't know why we—the government wouldn't have used that as an opportunity to strengthen that infrastructure there and include JJPs.

**Mr. Goertzen:** Well, and there may be ways to do it with JJPs in a way that's different than with justices, and I'd like to explore that a little bit further. But I'm not opposed to the notion of training when it comes to JJPs. It's just that it might operate a little bit differently than it does with justices who have, sort of, national training and opportunities, but this is something I'm willing to explore with my friend from St. Johns. I think we have an agreement in this House that this sort of training is important. It just might fit differently with JJPs than it does with justices.



**Ms. Fontaine:** And I would ask the minister, like, who did the minister consult with in respect of sexual assault awareness training for judges? Because I know that when I introduced those bills several times the premier at the time, Brian Pallister, kept saying that it was, you know, went against, you know, the independence of the judiciary; it went—I think the now-Premier (Mrs. Stefanson) said it went against the constitution, or something like that—I don't remember what that was about. But—and perhaps there was a little bit of pushback, certainly, on that end.

So who did the minister consult with that now all of a sudden the government is saying, yes, let's look at some training.

**Mr. Goertzen:** Well, just for certainty, I think the previous minister of Justice, the premier, were absolutely right. There were issues regarding the independence of the judiciary, and that played out in Ottawa as well with the Trudeau Liberal government.

And so what they did is they came to a solution where a judge, before they take the bench but they are being appointed, take an undertaking that they will take that training while they are a judge. And so the requirement is happening before they are appointed a judge so it preserves the independence; it preserves all those things that the member opposite raised, and we are marrying the same process.

**Ms. Fontaine:** The minister would know that there's actually a federal change that included requiring judges to put their reasons on record or in writing when they rule on sexual assault cases. Why didn't the minister consider those changes here in Bill 8, again, to strengthen that infrastructure?

**Mr. Goertzen:** I think that all of these things, when it comes to whether there's awareness—and I don't just mean for judges—but I mean for society or how the courts operate. You know, we've talked about Gladue reports in the past year with my friend from St. Johns; we talked about victims' rights. There's always an evolution of what's happening in the courts and how we can better ensure that the rights of victims and the voices of those who are victimized are both protected and heard, and this is just one more step along the way. But I'm sure there'll be other steps.

**Madam Speaker:** Any further questions? If not, the time for this question period has ended.

### Debate

**Madam Speaker:** The floor is open for debate.

**Ms. Nahanni Fontaine (St. Johns):** Okay. Well, Madam Speaker, I'm pleased to get up again—once again this afternoon to speak to Bill 8, The Court of Appeal Amendment and Provincial Court Amendment Act.

Let me just start by—and I agree with my, you know, the—my House leader colleague across the way—that, you know, this change in respect of—or even the discussion about ensuring that that there is training for judges in respect of sexual assault, rape culture, consent, the language that is used really came to the forefront in respect of the bill that Rona Ambrose brought forward when she was an MP.

And so I do want to take this opportunity to acknowledge that work and to acknowledge her for starting this conversation, you know, certainly at the highest levels in respect of Parliament and then, you know, ultimately to see some success there. I think that it's important.

You know, most of us in this Chamber should know some pretty grotesque and egregious examples of judgments coming from across, really, the country, not mentioned here in Manitoba from Judge Dewar, who put, you know, these judges—all men—have put really grotesque words on the record in a court case on sexual assault, further victimizing women who came forward.

And, you know, we spoke previously in Bill 32 about how difficult it is for women to come forward to report sexual assault, let alone to go through the system if it even makes it there.

**Madam Speaker:** Order, please.

When this matter is again before the House, the honourable member will have 28 minutes remaining.

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, April 11, 2022**

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