

**Second Session - Fortieth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**DEBATES**  
**and**  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

*Published under the  
authority of  
The Honourable Daryl Reid  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	NDP
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon	Kirkfield Park	NDP
BRAUN, Erna	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MAGUIRE, Larry	Arthur-Virden	PC
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MELNICK, Christine, Hon.	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim, Hon.	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
WHITEHEAD, Frank	The Pas	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Morris	

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, June 25, 2013**

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

**Mr. Speaker:** Good afternoon, everyone. Please be seated.

**ROUTINE PROCEEDINGS**

**PETITIONS**

**Provincial Sales Tax Increase—Referendum**

**Mr. Kelvin Goertzen (Steinbach):** Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And, Mr. Speaker, this petition is signed by N. Unrau, E. Kis, E. Reimer and many other Manitobans.

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

Further petitions?

**Hydro Capital Development—NFAT Review**

**Mr. Ian Wishart (Portage la Prairie):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

Manitoba Hydro was mandated by the provincial government to commence a \$21-billion capital

development plan to determine uncertain electric-to service uncertain electricity export markets.

In the last five years, competition from alternative energy sources is decreasing the price and demand for Manitoba's hydroelectricity and causing the financial viability of this capital plan to be questioned.

The \$21-billion capital plan requires Manitoba Hydro to increase domestic electricity rates by up to 4 per cent annually for the next 20 years and possibly more if export opportunities fail to materialize.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister responsible for Manitoba Hydro to create a complete and transparent needs-for-and-alternatives-to review of Manitoba Hydro's capital-total capital development plan to ensure the financial viability of Manitoba Hydro.

This petition is signed by C. Remple, T. Tullman and B. Tullman and many, many more fine Manitobans.

**Municipal Amalgamations—Reversal**

**Mr. Wayne Ewasko (Lac du Bonnet):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government recently announced plans to amalgamate any municipalities with fewer than 1,000 constituents.

(2) The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announcement on November 19th, 2012, and has further imposed unrealistic deadlines.

(3) If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements in cost savings.

(4) Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely 'flund'-flood compensation.

(5) Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than a thousand constituents to amalgamate.

This petition is signed by J. Giesbrecht, J. Smith, J. Carlson and many more fine Manitobans, Mr. Speaker.

**Mr. Blaine Pedersen (Midland):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

The provincial government recently announced plans to amalgamate any municipalities with fewer than 1,000 constituents.

The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announcement on November 19th, 2012, and has further imposed unrealistic deadlines.

If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements in cost savings.

Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than 1,000 constituents to amalgamate.

And this petition is signed by T. Sugu, S. Kernaghan, A. McGregor and many more fine Manitobans.

### **Provincial Sales Tax Increase—Referendum**

**Mrs. Myrna Driedger (Charleswood):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this is signed by B. Lavallee, H. Tonet, D.A. Buffie and many others, Mr. Speaker.

**Mr. Cliff Cullen (Spruce Woods):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This petition is signed by J. Kelley, K. Noel, A. Koop and many other fine Manitobans.

**Mr. Ralph Eichler (Lakeside):** Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase to the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This petition is signed on behalf of G. Shedden, C. Gauthier, T. Jackiewicz-Gauthier and many other fine Manitobans.

**Mrs. Heather Stefanson (Tuxedo):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And, Mr. Speaker, this petition is signed by B. Kelly, A. Freig, C. Shore and many, many other Manitobans.

### **Municipal Amalgamations—Reversal**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

\* (13:40)

In fact, the—(1) the provincial government recently announced plans to amalgamate any municipalities with fewer than a thousand constituents.

(2) The provincial government did not consult with or notify the affected municipalities of this decision prior to the Throne Speech announcement on November the 19th, 2012, and has further imposed unrealistic deadlines.

(3) If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements in cost savings.

(4) Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

(5) Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse his decision to force municipalities with fewer than a thousand constituents to amalgamate.

Mr. Speaker, this petition is signed by V. Ritchie, D. Ritchie, A. Wicker and many, many other Manitobans.

### **Provincial Trunk Highways 16 and 5 North—Traffic Signals**

**Mr. Stuart Briese (Agassiz):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The junction of PTH 16 and PTH 5 north is an increasingly busy intersection which is used by motorists and pedestrians alike.

The Town of Neepawa has raised concerns with the Highway Traffic Board about safety levels at this intersection.

The Town of Neepawa has also passed a resolution requesting that Manitoba Infrastructure and Transportation install traffic lights at this intersection in order to increase safety.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Infrastructure and Transportation to consider making the installation of traffic lights at the intersection of PTH 16, PTH 5 north a priority project in order to help protect the safety of the motorists and pedestrians who use it.

This petition is signed by D. Kasprick, L. McKay, R. Monkman and many, many other fine Manitobans.

#### **Provincial Sales Tax Increase—Referendum**

**Mrs. Bonnie Mitchelson (River East):** I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

The provincial government promised not to raise taxes in the last election.

Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

An increase in the PST is excessive taxation that will harm Manitoba families.

Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this petition is signed by T. Gulka, E. Clark, L. Wiens and thousands of other Manitobans.

**Mr. Reg Helwer (Brandon West):** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

Signed by R. Bell, G. Gelmych and H. Gelmych and many other Manitobans.

**Mr. Ron Schuler (St. Paul):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

And these are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

This is signed by M. Penner, D. Harris, R. Penner and many, many other Manitobans.

**Mr. Dennis Smook (La Verendrye):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the

PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government not to raise the PST without holding a provincial referendum.

This petition is signed by L. Lyng, V. Bender, F. Faucher and many more fine Manitobans.

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

And these are the reasons for this petition:

(1) The provincial government promised not to raise taxes in the last election.

(2) Through Bill 20, the provincial government wants to increase the retail sales tax, known as the PST, by one point without the legally required referendum.

(3) An increase to the PST is excessive taxation that will harm Manitoba families.

(4) Bill 20 strips Manitobans of their democratic right to determine when major tax increases are necessary.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to not raise the PST without holding a provincial referendum.

And this petition is signed by P. Hiebert, S. Beattle, J. Mulligan and many, many others.

#### **Municipal Amalgamations—Reversal**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

And this is the background to this petition:

The provincial government recently announced plans to amalgamate any municipalities with fewer than a thousand constituents.

(2) The provincial government did not consult with or notify the affected municipalities of this

decision prior to the Throne Speech announced on November 19th, 2012, and has further imposed unrealistic deadlines.

(3) If the provincial government imposes amalgamations, local democratic representation will be drastically limited while not providing any real improvements or cost savings.

(4) Local governments are further concerned that amalgamation will fail to address the serious issues currently facing municipalities, including an absence of reliable infrastructure funding and timely flood compensation.

(5) Municipalities deserve to be treated with respect. Any amalgamations should be voluntary in nature and led by the municipalities themselves.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Local Government afford local governments the respect they deserve and reverse this—his decision to force municipalities with fewer than a thousand constituents to amalgamate.

And this petition is signed by M. Magee, B. Sudermann, D. Peck and many, many more fine Manitobans.

#### **TABLING OF REPORTS**

**Hon. Christine Melnick (Minister of Immigration and Multiculturalism):** I am pleased to table the 2013-14 Estimates for the Department of Immigration and Multiculturalism.

**Hon. Kevin Chief (Minister of Children and Youth Opportunities):** Mr. Speaker, I'd like to table the Supplementary Information for Legislative Review, 2013-2014 Departmental Expenditure Estimates for the Department of Children and Youth Opportunities.

\* (13:50)

**Mr. Speaker:** And I also have a report to table. In compliance with section 4 of the Members' Salaries, Allowances and Retirement Plans Disclosure Regulation, I am pleased to table the reports of amounts claimed and paid for members for the 2012-2013 fiscal year.

#### **Introduction of Guests**

**Mr. Speaker:** Prior to oral questions, I'd like to draw the attention of honourable members to the public gallery where we have with us from Winnipeg Beach

School 26 grade 7 students under the direction of Jason Gibson. This group is located in the constituency of the honourable Minister of Entrepreneurship, Training and Trade (Mr. Bjornson).

And also seated in the public gallery, we have with us today Maclean Boyd, Laura Boyd, who are the brother and sister of our page Connor Boyd and also the guests of the honourable Minister of Health (Ms. Oswald).

On behalf of all honourable members, we welcome you here this afternoon.

## ORAL QUESTIONS

### Morris By-Election Government Timeline

**Mr. Brian Pallister (Leader of the Official Opposition):** And how about that Jonathan Toews, Mr. Speaker?

Webster's defines self-serving as serving one's own interests while disregarding the truth or the interests of others.

In the last several months we—and we expect for months to come—the government has paraded around doing ribbon cuttings while Manitobans have watched. This self-promotional tour is being funded by Manitoba families, and it's a billion-dollar self-serving exercise, Mr. Speaker, designed to create the false impression that the government actually has a plan. But it doesn't, apart from just the self-promotional tour itself.

Will the Premier admit that the real reason that he won't call the Morris by-election is simply that it will interrupt his ribbon-cutting tour?

**Hon. Greg Selinger (Premier):** Mr. Speaker, when we were building the one-in-700-year protection for the floodway around Winnipeg, the Leader of the Opposition said it should be halted in its tracks. That floodway has served us extremely well in the 2011 flood. It has protected all of Winnipeggers. It's protecting Winnipeggers again this year.

What we are doing is we are making long-term investments to have safer communities in Manitoba, better educated young people, schools, personal care homes, the kinds of things that will grow the economy, ensure Manitobans live safely and securely. That's what we're announcing, Mr. Speaker, a good vision for the future of Manitoba.

**Mr. Pallister:** Just a self-serving promotional tour, Mr. Speaker, while disregarding the interests of others. The constituents of Morris, the Premier says, can wait so that he can continue with his self-promotional tour at their expense.

The Election Financing Act says that during by-elections the government must not advertise any info about its programs or activities. So the Premier had a choice to make and he's had that choice to make for some time: respect the democratic rights of Manitobans or promote the spenDP agenda; respect Morris voters or advertise Hydro expansion; respect Morris voters or announce old projects again; or respect Morris voters or do promotional advertisements for the budget which fail to mention the broken-promise PST hike at all, Mr. Speaker.

When will the Premier set aside his self-serving agenda, show some respect for the voters of Morris and call a by-election?

**Mr. Selinger:** Mr. Speaker, we showed respect for the people of Morris when we challenged the members opposite to get out of the diversion so that the waters would not flood the people in the Morris constituency and Cartier and in Headingley, and we had to get an injunction to ensure that that was done. The greatest risk to the people of Morris are the Progressive Conservative members sitting on this side of the House. They were willing to put the people in that area at risk of their community flooding to make a protest point in the diversion. That's unacceptable.

**Mr. Pallister:** I'll just explain to the Premier that Morris is in the Red River basin and the diversion's in the Assiniboine River basin.

This Premier is not about serving the people of Manitoba. He's about serving himself.

The Finance Minister ignores the laws of the Province, and the Premier says, oh, let's draft a retroactive exemption and get you off the hook. The government ignores flood prevention for 13 years, and then the Premier says, let's sell Manitobans on jacking up the PST and say it's for flood prevention.

This spenDP Premier criss-crosses the city and the province in the 2011 election, promising everyone he won't raise taxes and then lowers the boom in the last two budgets, and now he says Manitobans don't have the right to vote because he's got a mandate. Well, it's a counterfeit mandate, Mr. Speaker, gotten under false pretences, gotten by a



self-serving candidate and a self-serving member of the Legislature.

Will the Premier finally admit that the real reason the people of Morris and the people of Manitoba don't get to vote is because he's too busy on a self-promotional tour to call a by-election?

**Mr. Selinger:** Mr. Speaker, the member opposite needs to know that the constituency of Morris includes the communities of Cartier and Headingley which were put at risk by his lack of leadership and his desire to have his MLAs in the diversion channel, which would not have allowed the diversion to operate safely, which puts the communities of Cartier and Headingley at risk.

There's probably another reason why we should take more time to call the by-election, so the Leader of Opposition could inspect the map and understands which communities are at risk by his horrible decision making, Mr. Speaker.

#### **Greenhouse Gas Emissions Government Targets**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, the NDP have failed again to meet their own promise to reduce greenhouse gas emissions to 6 per cent below 1990 levels. In 2008 their own former leader, Gary Doer, spoke up and said that his NDP government didn't deserve to be re-elected if they didn't meet the target. He even said it should be 18 per cent below 1990 levels, not just 6.

Now, the minister of greenhouse gas emissions confirms that his government, his own NDP government, failure to meet their own emission targets and blames the federal government for his government not being able to do enough.

Why is he blaming others for breaking his NDP government's own promise to Manitobans, Mr. Speaker?

**Hon. Gord Mackintosh (Minister of Conservation and Water Stewardship):** Mr. Speaker, historically, it's been recognized that greenhouse gas emissions are tied to population plus economic growth. And it's my duty to report to the House that from 2000 to 2011 the population of Manitoba grew almost 10 per cent, the economy grew 78 per cent and I'm pleased to report that greenhouse gas emissions are down 7 per cent.

**Mr. Maguire:** Well, Mr. Speaker, I guess he wasn't judging in 1990 that he'd have any economic growth in the province because he made the rules.

Mr. Speaker, this government, this NDP government, was so confident they could meet their Kyoto targets, they enshrined them into law in The Climate Change and Emissions Reductions Act in 2008. However, Manitobans now know that they will not meet their NDP target. This is just another promise and another law that this government has broken.

The NDP government was mandated by their own law to bring greenhouse gas emissions down to 17,200 kilotonnes by 2012, and they failed. In fact, they're still 14 per cent higher than those 1990 levels, Mr. Speaker.

Can the minister explain why he's chosen to break his own NDP government's law?

**Mr. Mackintosh:** Well, Mr. Speaker, somebody in this House was in office in 1990 and it wasn't this side.

Greenhouse gas emissions were going up, Mr. Speaker. When the new administration came in, they went down by 7 per cent. And, in fact, the legislated targets for 2010 were met. They were met by this government, no thanks—no thanks—to what we thought was a friend in Ottawa that was going to work with the provinces to make sure that we had a national approach for reducing greenhouse gas emissions.

Manitoba, since 2000, has reduced greenhouse gas emissions more than any other province in the West. Ours are going down 7 per cent. Members opposite love Saskatchewan; it went up 11 per cent.

**Mr. Maguire:** Well, Mr. Speaker, he's still blaming others, and his greenhouse gas emissions have gone up 15 per cent.

Mr. Speaker, in April 2008 the member for Assiniboia (Mr. Rondeau) stated, Manitoba's overall greenhouse gas emissions are low but could be lower still. We're committed to working with all Manitobans to meet our emission targets and to build a greener economy. But, in June of that same year, the same member said, we're committed to meet and exceed Kyoto, but he's 15 per cent higher today.

The NDP have now thrown aside their own targets, announced last week, and the laws of Manitoba, where they were enshrined, and replaced them with nothing, Mr. Speaker.

Why should Manitobans believe that this minister and—is at all credible in regards to this environmental file?

**Mr. Mackintosh:** So, Mr. Speaker, Manitoba now has Canada's lowest energy emissions of all the provinces, I understand. And we've seen some very aggressive action by the Province which, of course, results in a 7 per cent reduction in greenhouse gas emissions since we came into office.

\* (14:00)

Now, I know the members opposite—you know, I don't know. They're shameless. They get up—imagine that, Conservatives concerned—profess to be concerned about climate change. This is good. I'm really glad there's Hansard. I want to keep this and take it home because I know the members opposite, they're also going to get up soon and they're going to say, we love coal. We love the word clinker. We love the 'worl'—the word coalbin. We love a coal chute. Let's keep the clinkers going in Manitoba. That's what their refrain's going to be.

We say, let's keep growing the—

**Mr. Speaker:** Order, please. Minister's time has expired.

### **Domestic Violence Prevention**

**Mr. Reg Helwer (Brandon West):** Well, at—that's pretty rich, Mr. Speaker, coming from a government that has one of the worst records on the environment in Canada.

Now, Manitoba does continue to be a leader in a dubious area—and that reported family violence continues to be a large problem under this NDP government, almost 20 per cent of all police-reported violent crime. The minister continues to make announcements and have press conferences, but Manitobans, especially children and women, continue to be at risk.

When will this Minister of Justice (Mr. Swan) concede that there is a problem and protect Manitoba women and children?

**Hon. Jennifer Howard (Minister of Family Services and Labour):** I want to thank the member for the question. Certainly, violence against women is something that we are all concerned about. Recently, we put out a long-term strategy, the first ever in Manitoba. We put out a five-year strategy to address issues like prevention of violence, issues like better ways to deal with offenders and supports for victims. A big part of that effort is to talk to and engage men and young men and boys in the effort to combat violence against women. We know,

long term, the only way that we're going to end violence against women is if we have men of good conscience standing up to men who abuse women and telling them enough is enough.

**Mr. Helwer:** Well, Mr. Speaker, yet another announcement, yet another strategy to try to deal with domestic violence, and yet they have yet to find a solution.

Mr. Speaker, why is this 'minner'—minister in Justice unable to provide protection from domestic violence for Manitoba women and children?

**Ms. Howard:** Well, Mr. Speaker, I will never apologize for continuing to try to prevent violence against women. I won't apologize for that.

When we look at the report that the member is referencing—and it is true that Manitoba continues to have too many incidents of violence against women and children—but when you look at many of the indicators, the overview of family violence, we see that Manitoba's rate has gone down since 2010. Violence against intimate partners, we see that Manitoba has gone down since 2010. Violence against children and youth, you see that Manitoba's rate has gone down since 2010. Family violence against seniors, you see that Manitoba has gone down since 2010.

But we don't take comfort from those numbers. We know that we have much more work to do. That's why, in this budget alone, we have put another half a million dollars in place to support the domestic violence strategy, a budget that members have already voted against, Mr. Speaker—

**Mr. Speaker:** Order.

**Mr. Helwer:** Well, Mr. Speaker, this NDP government is big on promises but short on delivery. They promise they will not raise taxes, and then what happens? They bring in the PST increase. More NDP broken promises and lies.

Mr. Speaker, Manitobans can't trust this government: Why should they believe anything they say when it comes to domestic violence prevention?

**Ms. Howard:** Well, Mr. Speaker, you know, in my past life I worked with women, especially women who are coming out of abusive situations and rebuilding their lives, and a big barrier for a lot of those women was having an adequate income.

And those years when I was working with those women, the Leader of the Opposition was sitting

around the Cabinet table, and what was he doing to support those women? He was cutting their welfare payments. He was putting in place a welfare snitch line, and he was clawing back the Universal Child Care Benefit, Mr. Speaker.

We know that women can't leave abusive situations if they don't have money to build their own lives. And that is the policy of the members opposite.

### **Food Bank Usage Government Policy**

**Mr. Ian Wishart (Portage la Prairie):** Mr. Speaker, yesterday, Winnipeg Harvest issued their annual report card on Goal 2020, a plan to reduce the number of people using food banks by half. We know that the number of people needing to use food banks is increasing, and we know that the No. 1 determinate of food bank usage is income level.

I will give the minister the same opportunity I did yesterday: Will she admit that the policies of her—of this government have forced more Manitobans to resort to using food banks?

**Hon. Kerri Irvin-Ross (Minister of Housing and Community Development):** I hope the member listens this time to the answer that I'm going to provide about our policies and about what we're doing to support Manitoba families.

I have a story to tell, and maybe that will get through to him. Two hundred people come and work at Manitoba Housing, people that haven't been employed before. Over the last two years they have rebuilt our housing units, and guess what? They're employed full time, supporting their families, supporting their communities. Forty-five of those individuals, those men and women, have been hired by the private sector or in apprenticeship program. That is success.

We have some more work to do and we are committed to doing that with all of our policies regarding employment and education.

**Mr. Wishart:** Mr. Speaker, the facts actually speak for themselves. Nearly three times the number of people in Manitoba use a food bank compared to our neighbours in Saskatchewan. People on employment and income assistance comprise 52 per cent of the food bank users; 25 per cent of the households assisted by food banks are single-parent families. The minister cannot deny the numbers.

When will she admit that the policies of this government are forcing more Manitobans to the food bank?

**Ms. Irvin-Ross:** I can assure you, since 1999 this government has taken the issue of poverty very seriously. That's why we rolled back the National Child Benefit, for when they took it away from families, we put \$48 million back in their pockets. We've continued to increase minimum wage up to 71 per cent; that is making a difference.

But we're not stopping there. We are continuing to provide employment opportunities, education opportunities and those family supports that need to happen for families such as child care. With our policies we're making a difference. We're seeing a reduction in poverty. We have more work to do, and we're committed to that.

**Mr. Wishart:** Maybe that's why they haven't changed the housing allowance since 1992.

Mr. Speaker, we know that the spirit of Manitobans is inalienable and the work of the volunteers of Winnipeg Harvest is no exception, as the report card notes. The report card noted four out of four on the area of volunteerism. Perhaps this is an area that the government could attempt to emulate.

Mr. Speaker, improving income levels leads to better health, better economic participation, lower health and social services costs.

I ask the minister again: When will this government take action to support Manitobans who need the support the most?

**Ms. Irvin-Ross:** We have take act—we have taken action every day since 1999, not alone, with our partners in the community, the non-profit organizations which are the heartbeat of this province. We continue to work with them to support families. We are, by improving policies such as minimum wage increasement every year to support—better support families, making sure that we're roll—we rolled back the National Child Benefit, make sure that we are building more housing units.

We made a commitment in Budget 2013 for 500 more affordable—500 more social housing units, and we're taking it one step further. We're hiring people locally, supporting local businesses and we're making a difference every day. We have more work to do and we are committed to that.

### Physician Shortage Rural Manitoba Communities

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, physician shortages are reaching a crisis point in rural Manitoba communities. There are more and more doctor shortages in places like Vita and Lac du Bonnet and Teulon and Altona. In the Southern RHA region right now there are between 15 and 20 physician shortages. There are communities threatening to go it alone and get their own doctors because this minister's recruitment strategies have been so ineffective.

Mr. Speaker, how long and how much longer is this minister content to sit back and watch the situation deteriorate?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question because I know that it is our goal to provide a family doctor for all Manitobans with a very aggressive target of 2015. I certainly can inform the member—we had some discussion about this in Estimates. I can inform the member that for some communities in Manitoba—in the year 2000 in Brandon there were 97 doctors, in 2012 there were 135. In the community of Winkler in 2000 there were 21 doctors, Mr. Speaker, today there are 39; Thompson, 32 then, 39 now; Morden, 10 then, 18 now.

Do we have more work to do? Sure. Are we going to cut the spaces in medical school? No, we aren't.

\*(14:10)

### Rural Medical Residencies International Graduates

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, the minister knows that 1,800 doctors have left Manitoba since 2000. Does she have more work to do? You bet.

Mr. Speaker, today, Laureen-Lorraine Dooley joins us in the public gallery. Lorraine is a rural Manitoban who went to medical school in Ireland. She graduated this spring. She returned home in hopes of doing a medical residency in rural Manitoba where she wants to practise. But Lorraine was not given a residency.

What does this minister have to say to international medical grads like Lorraine who come from Manitoba, are trying to return to Manitoba, want to set up rural practice in Manitoba, but they can't get their foot in the door?

**Hon. Theresa Oswald (Minister of Health):** Certainly, I can tell the member that we know that bringing more doctors to the front line involves being sure that we can educate more at home, not cutting 15 medical spaces but, indeed, increasing to 110. We also know, Mr. Speaker, that we want to provide as many grants as possible for internationally educated graduates to do bridge training and, indeed, to gain employment to have conditional licensure to full licensure. We know we are increasing our medical residencies just announced in this budget that they voted against. We're going to work to increase even more, and we know that our medical professionals, the Canadian residency matching service, the faculty of medicine, make decisions about who should get a residency and who should not. I'm sure the member isn't suggesting that politicians should interfere with that.

**Mr. Friesen:** Mr. Speaker, the minister is so quick to say she doesn't have a role in this and yet she knows she has a role; she admitted it. Only a few weeks ago she said she'd have the faculty take a second look at a similar situation, and in a 2009 news release, she cites \$90,000 in funding to repatriate Manitoba medical students studying abroad. Clearly, the minister is in a position to play a role to help repatriate Manitoba international medical graduates. What's clear is that she's just playing her role very poorly.

Mr. Speaker, we can all understand that Manitoba doctors are far more likely than anyone else to put down roots in Manitoba no matter where they graduated. Will the minister admit today that she has to do far more to ensure that international medical graduates like Lorraine Dooley get a fair shot at available resident spots here in Manitoba?

**Ms. Oswald:** I would humbly submit that the member opposite is making my point: more money for residencies, more money to encourage international graduates, more money to repatriate our Canadian-born students training abroad. But, Mr. Speaker—and I must be explicitly clear for the member—the evaluation of competencies, of appropriateness for assigning most residencies must lay with medical professionals. Certainly, the member opposite is not suggesting that I should pull somebody out of the hat and say they can have a residency over somebody else, because that would be wholly inappropriate and it would be medically inappropriate, and the member opposite still doesn't get it, despite my repeated efforts to explain this to him.

### **Emergency Room (Vita) Reopening**

**Mr. Dennis Smook (La Verendrye):** On June 5th in this House, in response to a question I asked about the closure of the emergency room in Vita, the Minister of Health said, and I quote: the regional health authority is working hard to recruit and retain doctors in Vita. The problem is that the emergency room in Vita is still closed.

Again, I would give this minister the opportunity to tell this House: When will the emergency room in Vita reopen?

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question. We had an opportunity to speak on this subject just a couple of days ago in Estimates, but I will refresh the member's memory and let him know that the regional health authority is very aggressively and actively working to recruit doctors to go to the Vita community. Certainly, I was able to inform him that the regional health authority has been fortunate in working to secure a nurse practitioner. They're working with the community to develop innovative models, to develop more care.

But, Mr. Speaker, that work is ongoing. One of the things we do know is, in fact, that you don't acquire more doctors by cutting spaces in medical school, which are the policies of members opposite.

**Mr. Smook:** The CEO of the Southern RHA, Kathy McPhail, was quoted as saying: Unfortunately, the RHA isn't making any progress in trying to fill the ER vacancies. To date, we know that there's a critical shortage

The reeve of the rural municipality of Stuartburn is with us in the gallery today.

Can the Minister of Health tell the reeve and the citizens of southeastern Manitoba when the emergency room in Vita will reopen?

**Ms. Oswald:** And again I will reiterate for the member and for individuals in the gallery, that the Southern Regional Health Authority is working very aggressively to recruit doctors. They have not yet secured licensed doctors to work in that community, but that work is going to continue, Mr. Speaker—that work is going to continue in partnership with the community, to acquire more.

We know that in Manitoba, Mr. Speaker, that we have, net, 500 more doctors than when members were in opposite. They like to be cheeky and talk

about doctors who have left. They never speak about the number of doctors who have come. We're net increased over 500.

We want to get more of those to Vita, absolutely. And to answer the member's question, the ER will open when a doctor is available, Mr. Speaker.

**Mr. Smook:** On June 5th in the House, in response to another question, I asked the minister about the closure of emergency room in Vita. The Minister of Health said, and I quote: The regional health authority, of course, is working with the facility of medicine in establishing opportunities for doctors to go there and train there.

The Minister of Health says there are 471 new doctors in Manitoba since they came to power. Where are these new doctors? They are clearly not in southeastern Manitoba.

**Ms. Oswald:** Indeed, we are working with the faculty of medicine. We are working with our regional health authority and communities to bring more doctors.

I'll continue, Mr. Speaker—in 2000 there were seven physicians in Swan River; today there are 10 physicians in Swan River. In Portage, when we started in 2000, there were 16 doctors; today there are 26 doctors. Across Manitoba we are seeing net increases of doctors.

We do know that there are communities where we haven't got the full complement of doctors for emergency room reopening. We are working hard on that, Mr. Speaker.

But I would suggest to you, that complement isn't going to get any better under two-tier, American-style health care that the Leader of the Opposition wants.

### **Assiniboine River Dike System Maintenance**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, on this sixth day of our emergency sitting, the recent flooding in Alberta and Manitoba has highlighted the need for better flood preparedness.

The—during the 2011 flood, it was apparent that the Assiniboine River dikes from Portage to Elie had been mismanaged by this government, as, indeed, the Lake Manitoba Lake St. Martin Regulation Review Committee said, and I quote: More water had to be diverted to Lake Manitoba in 2011 than would have been required if the dikes had been maintained.

I ask the Premier: Why did this government fail to maintain the Assiniboine River dikes between 1999 and 2010?

**Hon. Greg Selinger (Premier):** There were very significant investments made in the dikes in the—starting in January of 2011, and in run up to the spring. There was very significant investments made there, as well as additional work done in the—as well as the additional work done in the community of Brandon, Mr. Speaker.

And that commitment is actually continuing today. These dikes are being reinforced as we speak today. And unlike the members opposite, we are committed to strengthening flood protection throughout the entire Assiniboine valley, up through Lake Manitoba, Lake St. Martin.

We're going to make the emergency channel, that was built in record time in 2011, permanent. We're going to have a new outlet from Lake St. Martin. We've made a \$250-million commitment to do that, and the member from River Heights has voted against that commitment, Mr. Speaker.

**Mr. Gerrard:** In 1996, the provincial government took over full administration and control of the Assiniboine River dike system, and, indeed, received \$4.5 million at the time to ensure that the dikes were kept at at least a 22,500-cubic-feet-per-second level so that that amount could pass down the Assiniboine River.

Because the NDP government failed to do this between '99 and 2010, there was a cost of many millions more to do this in an emergency response in the spring of summer of 2011.

\* (14:20)

It's in the very nature of the Assiniboine River that it changes a lot from year to year.

Will the government commit today that it will never again forgo the annual maintenance along this critical section of the Assiniboine River?

**Mr. Selinger:** Mr. Speaker, not only do we have a commitment to invest in new infrastructure along the Assiniboine valley, Brandon, all the way through the Assiniboine River up through Lake St. Martin and Lake Manitoba, unprecedented commitment. Obviously, that infrastructure needs to be monitored on a regular basis. It needs to be maintained. That's part of an overall commitment to protecting Manitobas, the things that come for Manitoba families.

I know the billion dollars we spent on the Red River during the first decade of this millennium; we spent a billion dollars lifting up homes, putting ring dikes around communities, building the floodway to a one-in-700-year protection around the city of Winnipeg. Those investments made a gigantic difference in 2009. They made a gigantic, even greater difference in 2011. They've made a difference this spring, and we will continue to make those investments to keep Manitobans safe.

In 1950 a hundred thousand people were evacuated from their homes. In the 2009 event in the Red River Valley, about 2,800 people. That's a gigantic improvement, Mr. Speaker.

### **LiDAR Mapping Assiniboine River**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, in order to better manage the water flow and, in particular, the site of any water overflow outlet along this section of the Assiniboine River, LiDAR mapping, using lasers, is essential, and yet to date complete LiDAR mapping of this part of the Assiniboine River has not been done.

I ask the Premier: Since LiDAR mapping is an essential component of good engineering and planning for this part of the Assiniboine River basin, when will it be completed?

**Hon. Greg Selinger (Premier):** It is a good question, Mr. Speaker. One of the things I noticed in 2011 is we would benefit by immediately 'avateable'—available topographical information. LiDAR mapping is a part of that, and that is the kinds of measures that we need to continue to invest in. In order to invest in those things, you need to have adequate resources. Those resources will allow us to protect health care and education while investing in flood infrastructure and flood technology.

We've increased the number of flood forecasters in Manitoba. We've increased the number of monitoring stations in Manitoba. We've done additional LiDAR mapping in areas that are at risk, and we will continue to do those things that allow us to be as prepared as possible to mitigate floods in the future in Manitoba. It will save an enormous amount of expenditure. The billion dollars we spent in the Red River Valley has saved \$30 billion of damage.

I was pleased to see the federal government wanted to enter into a 50-50 disaster mitigation program. We made those investments, and ahead of

that program, we look forward to some recoveries on it now.

### **Northwest Winnipeg Roads Infrastructure Investments**

**Ms. Sharon Blady (Kirkfield Park):** Monsieur le Président, il devient évident que l'été s'établit avec force à Winnipeg, finalement.

#### **Translation**

*Mr. Speaker, it appears that summer is finally arriving in Winnipeg with a vengeance.*

#### **English**

We're seeing among the signs of summer high school grads, lineups at the food trucks downtown, the lights of fair rides in our communities and kids enjoying numerous new splash pads. We're also noticing many orange pylons along the road again, signs that construction season is back in full swing. So, with so much construction going on, being announced, it's sometimes hard for us to make note of all the projects happening in our communities.

And in hopes of a more concrete understanding of how the government is implementing our Building and Renewal Plan as set out in the budget, I'd like to ask the member—the Minister of Local Government if there are any specific projects that he could tell us about happening in the city of Winnipeg.

**Hon. Ron Lemieux (Minister of Local Government):** Why, yes, there is.

Merci à la députée de Kirkfield Park pour la bonne question.

#### **Translation**

*I would like to thank the member for Kirkfield Park for the good question.*

#### **English**

I know as a member of Winnipeg, as an MLA for Winnipeg, she's very concerned about the highways and roads in Winnipeg, and we were pleased to join the Premier (Mr. Selinger) making the \$8.3-million announcement today. I also joined with the MLA for Kirkfield Park; Tyndall Park, St. Johns and Maples were also there, Mr. Speaker.

It's truly—this budget of 2013 doubles the Province's investment in Winnipeg residential streets, Mr. Speaker. And this is something like streets like Allard Avenue, Red Robin avenue and Place, these projects are truly important not only

because of the infrastructure improving the roads, but also the jobs that it creates, the jobs that are really needed in Manitoba. And we know that by virtue of this investment in the city of Winnipeg, this, over a period of time, this budget that we have provided, Budget 2013—

**Mr. Speaker:** Order, please. The minister's time has expired.

### **Farmland Education Tax Election Promise**

**Mr. Ralph Eichler (Lakeside):** During the last election campaign, this NDP government promised to eliminate farmland education taxes if they get re-elected. Well, here we are two years later. This NDP government once again did a flip-flop.

Mr. Speaker, I ask the Minister of Agriculture (Mr. Kostyshyn) why he allowed his NDP government to lie to Manitoba families.

**Hon. Stan Struthers (Minister of Finance):** Well, whether it's farmers in this province, whether it's seniors in this province, whether it's businesses small, medium or large, I'll put our commitment to tax rebates up any time against members opposite. I'll put up against not just our commitment to Manitobans on that, but I'll put up our actions over 14 years of providing tax relief to Manitobans, whether they live on farms, Mr. Speaker, or the seniors or businesses. We have no apologies to make to members opposite on that score.

**Mr. Eichler:** This is the same minister that promised multi-year compensation and renegeed on that commitment as well, Mr. Speaker.

Mr. Speaker, our farm families took this NDP government at their word. Clearly, this government cannot be trusted.

Mr. Speaker, I ask the Minister of Agriculture once again why his government took advantage of Manitoba farm families.

**Mr. Struthers:** Mr. Speaker, it may be that the farm community is most dependent on infrastructure investments of any other sector in Manitoba. Our government has taken on that challenge. We have invested in roads and bridges that benefit the farm communities and benefits our economies.

Mr. Speaker, you know what the member for Fort Whyte (Mr. Pallister) did when he was a member of the Filmon government? They raised gas taxes and dropped their support for infrastructure.

**Mr. Eichler:** This government has no credibility, Mr. Speaker. Obviously, the NDP cannot keep its word. The First Minister promised the removal of education taxes off farmland and promised not to increase the PST. They have no credibility.

Mr. Speaker, I ask the minister from St. Boniface, First Minister, whether he will stand up and apologize to farm families and every person in Manitoba for misleading them just to get re-elected.

**Mr. Struthers:** Mr. Speaker, for a number of years now we have said to the farm families of Manitoba that every nickel from the gas tax, through the gas accountability act, every nickel of that money was going back into infrastructure, roads and bridges in specific, and every year we have come through on that commitment and every year that has benefited the Manitoba farmer. Manitoba farmers know that they can count on us, they can count on this government, that when we say that money to—for gas tax is going to benefit them, it will.

But we do know from the 1990s, when the member for Fort Whyte had his chance, he bumped up gas taxes and he decreased the amount of money going into infrastructure. That says a lot, Mr. Speaker.

#### **PST Increase Impact on Recreational Facilities**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, recreation activities are the backbone of small communities. Volunteers donate time and energy to ensure that these activities continue at a minimal cost.

The communities of Arborg and Bifrost have had their costs skyrocket thanks to the spenDP. A 14 per cent increase in the PST equals almost \$17,000 more in costs this year alone.

Mr. Speaker, why is the spenDP trying to shut down recreation activities in Manitoba with an illegal tax grab? Call a referendum. Let Manitobans decide.

**Hon. Ron Lemieux (Minister of Local Government):** Mr. Speaker, in Budget 2013, which members opposite voted against, an 8.5 per cent increase to municipalities, where across the country you're seeing provinces either being flat with regard to their support to municipalities or cuts. So we're very, very pleased and proud to be able to provide support to municipalities in this province with an 8.5 per cent increase, and the increase has gone over the last number of years by over \$200 million

increase to municipalities throughout the province. And I know those municipalities are very, very appreciative of it. They know that those dollars are investment wisely.

And recreation we're very, very supportive of and have always been supportive of as a government.

**Mr. Graydon:** Mr. Speaker, the communities of Arborg and Bifrost will have to pay almost \$600 more in hydro, almost \$200 more in natural gas and, thanks to the PST being applied to insurance, they will now pay a whopping \$3,453.79 in insurance for the coming year. The spenDP tax grab equals almost \$17,000 that will not go to recreation activities in the communities of Arborg and Bifrost.

When is this spenDP trying to shut down recreation activities while at the same time lining their own political potty-pockets?

**Mr. Lemieux:** Mr. Speaker, not only in rural Manitoba but in, indeed, Winnipeg, we have partnered with the City of Winnipeg on many splash pads, recreation opportunities. And, indeed, throughout Manitoba you've got great athletes, you know, like Jonathan Toews and others who participated in recreation in the city of Winnipeg. We are proud to sponsor many recreation facilities.

Indeed, through Local Government we've provided a \$25,000 amount of money to many, many facilities to do feasibility studies, to look into the recreation possibilities for their communities all throughout Manitoba, not just Winnipeg but throughout rural Manitoba and northern Manitoba, Mr. Speaker.

We as a government care about all Manitoba, not just Arborg and the few communities that they like to cherry-pick, Mr. Speaker, but every single corner of Manitoba. We are working to improve recreation for the citizens of Manitoba.

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

#### **MEMBERS' STATEMENTS**

##### **Marianne Curtis**

**Mr. Dennis Smook (La Verendrye):** I rise today to congratulate Ms. Marianne Curtis, a long-time journalist for The Dawson Trail Dispatch, on her nomination for the 2013 YM-YWCA Women of Distinction Award in the media and communications category. The YWCA Women of Distinction Awards are given out annually to talented and inspirational



women who have made a unique and exemplary contribution to the development of others in Manitoba. Even though Ms. Curtis did not win the award, it was truly an honour for her to be nominated and the evening was enjoyed by all who attended.

For more than a decade, Ms. Curtis has been the head writer for The Dawson Trail Dispatch where she has published more than 7,000 articles, covering news stories in 52 southeastern Manitoban communities.

But it's not only the quantity that counts; it is the quality of Ms. Curtis's freelance work that stands out. Whether covering politics, community events or sports, monthly newspapers distributed across southeastern Manitoba, Ms. Curtis has built a reputation for accuracy and shown a passion for making a difference in people's lives.

Ms. Curtis is also a published author of three books: *moondust madness*, *Behind Whispering Pines* and *Finding Gloria*. Her recently published memoirs, *Finding Gloria*, is a source of hope and inspiration for others as Ms. Curtis reveals honest details about the mental and physical abuse she suffered as a child and teenager and how she found love, healing and peace through writing.

The former ambulance attendant and health-care aide also volunteers countless hours training and mentoring new writers, being a tutor—a reading tutor for elementary school students and speaking to foster parents, students and teachers about bullying, mental health issues, social justice and child abuse.

Mr. Speaker, Ms. Curtis demonstrates an incredible amount of personal determination and commitment to the community. Ms. Curtis's family and friends are all very proud of her recent accolades. And, on behalf of Dawson Trail, we wish her many congratulations for this fine, well-deserved nomination.

Thank you, Mr. Speaker.

#### **Tyndall Park Graduations**

**Mr. Ted Marcelino (Tyndall Park):** Mr. Speaker, I am very proud of the accomplishments of the students in Tyndall Park. In seven schools across my constituency, students are celebrating their achievements as they graduate from elementary and junior high.

The grade 5s of Brooklands School are the youngest kids graduating from elementary school in Tyndall Park. Brooklands families come from many

diverse ethnic backgrounds and take pride in learning from each other in a multicultural environment.

Mr. Speaker, Cecil Rhodes School and École Stanley Knowles School have the oldest students graduating from junior high.

The grade 9s at Cecil Rhodes are celebrating this afternoon at the International Worship Centre. And the graduating grade 8 students at Stanley Knowles will walk across the stage at Tec Voc School on June the 27th. I wish them all the best as they begin high school in this fall.

Weston School and Prairie Rose Elementary schools are our smallest schools in our—in my area with about 200 students each.

Finally, Garden Grove School is celebrating their grade 6 farewell today where the students will be presented with certificates of achievement. I had a special opportunity to get to know some of those students, and I brought them to the Winnipeg Art Gallery, the 100th anniversary exhibit.

The constituency of Tyndall Park is blessed with many bright students. I hope these young people and their families are happily celebrating this week.

Thank you, Mr. Speaker.

#### **Neepawa's Tim Horton Summer Camp**

**Mr. Stuart Briese (Agassiz):** Today I would like to recognize a business in our community that is making a difference in the lives of two children from Neepawa. That business is Tim Hortons, and for the second year in a row, the Neepawa franchise has been selected to send two of our local youth to once-in-a-lifetime camping experience. The Neepawa Tim Hortons supports, promotes and endorses the Tim Horton Children's Foundation Camp.

The foundation was established in '74 to honour Tim Horton's love for children and his desire to help those less fortunate. Tim Hortons restaurant owners ask local community organizations who work with economically disadvantaged children between the age of 9 and 12 to refer children who meet the criteria. All children who attend the camps are specially selected and referred by these local organizations. Unlike most camps, parents don't apply directly to send their children to a Tim Horton Children's Foundation Camp. Funding for the foundation comes primarily from the donations from individual Tim Hortons restaurant owners and from public donations collected year-round. Foundation's largest single fundraiser is Camp Day when Tim

Hortons restaurant owners donate their entire coffee sales from a 24-hour period.

On June 5th, Tim Hortons, Neepawa, had its annual camp fundraiser. Soon after, it was announced that two grade 6 students from Hazel M. Kellington School in Neepawa, Rachelle Lowe and Abbey McLeod, would be heading to Onondaga Farms in St. George, Ontario, from July 15th to July 25th.

Local Tim Hortons owner Anthony Chwaluk stated that this will be a life-changing experience for them. He is quoted as saying, it's nothing but upper scale for these kids and it will definitely affect their outlook on life. The camps are fun, but they're also designed to build confidence, skills and pride for these kids.

Foundation now operates six camps and funds youth from across Canada to enjoy the summer experience. Last year's Camp Day raised a record \$11 million, which helped to send more than 15,000 deserving kids from economically disadvantaged homes on a once-in-a-lifetime camping adventure.

Foundation is a non-profit charitable organization, and they are committed to providing a camp environment for children from economically disadvantaged homes.

Research has shown that children growing up in an economically disadvantaged home are at an increased risk of a wide range of negative outcomes, and for those chosen to experience this camp, they will have access to opportunities that develop life-long skills. The goal for each participating child is to leave camp a more caring, responsible, motivated person.

Mr. Speaker, it gives me great pleasure to recognize the Neepawa Tim Hortons for promoting this worthy cause and congratulate two of our local grade 6 children for being chosen to attend.

Thank you.

#### **NCN Youth Justice Court**

**Mr. Clarence Pettersen (Flin Flon):** Mr. Speaker, on June 18th, 2013, the Nisichawayasihk Cree Nation youth project had a demonstration of the Aboriginal youth justice court in Nelson House. The Premier (Mr. Selinger), Minister Swan and I were at the demonstration, which included members of the community, elders, Chief Jerry Primrose and his band council, amongst many others.

Youth justice court is a restorative alternative justice court which provides for a community-based process that holds offenders accountable. It is directly—involves victims in the resolution of the harm caused by the offence and allows the community as a whole to bring closure by reintegrating the offender and providing a sense of healing to the victim and the community.

The justice committees provide an interaction between the offender, the victim and the community that is difficult to achieve in a traditional court setting. As a result, offenders are able to take responsibility for their action and understand the impact they had on their victims and their communities first-hand.

Mr. Speaker, this form of justice is much closer to the traditional Aboriginal justice model and is being used more and more within First Nations communities of the north. In 1991, the Aboriginal Justice Inquiry report identified alternative approaches, including community justice and important initiatives to address justice and conflict resolution issues within Aboriginal communities. It was a great moment to watch the demonstration and witness how an alternative approach has started to work in Nelson House.

Minister Swan and I also received the opportunity to see the justice system in action—

\* (14:40)

**Mr. Speaker:** Order, please. The first one I let go past with respect to the—using the names of an individual member of the Chamber, so I'm going to ask for the co-operation of the honourable member for Flin Flon. When we're referencing members of the Chamber, we're to address ministers by their portfolio or other members by their constituency names, please.

**Mr. Pettersen:** Thank you, Mr. Speaker.

Here I saw the respect that young offenders have for alternative approach. Our government believes in the importance of enabling the community to play an active role in rebuilding the damage caused by criminal activities and the work of community in re-engaging youth in a positive direction within the community.

The restorative approach allows people to claim some ownership over their actions and understand the responsibility they have to the community. I wish to acknowledge and highlight the work that Nelson

House has done in spearheading the implication of the alternative restorative justice approach.

Thank you, Mr. Speaker.

**Westdale School and Oak Park High School  
Provincial Cheerleading Champions**

**Mrs. Myrna Driedger (Charleswood):** I rise today to congratulate the Westdale Wildcats cheerleaders for winning their 2013 junior cheer provincial championship title and the Oak Park High School cheerleaders for their senior pom provincial championship. This is indeed outstanding, as this is the fourth year in a row that they have earned the title of provincial champions.

In individual competitions, both Westdale stunt teams placed first in their stunt routine. They placed second in the pom routine and third in the cheer routine. Oak Park placed first in pom, first in senior cheer and first and third in senior stunt.

In recent years, cheerleading has evolved into a sport that stands alone from all others. Cheerleaders have to have athletic skills, flexibility and even strength. They have to display courage, character and a strong outlook for the safety and well-being of others. As a former cheerleader myself, I know that they must totally focus on their teammate and execute the spotting skill perfectly. There is no time to be distracted by things happening around them. Cheerleaders have to have confidence in their partners as well as the skills they try to execute.

This record of winning four years in a row is an indication of the discipline, devotion and energy of a group of young people and their coaches and volunteers. A special thank-you to the coaches and other volunteers for all they do for the team. This is such an important age to teach young girls the value of teamwork and dedication to an activity that encourages physical activity. Kudos also to the administrators in the school who support this activity and encourage excellence in its pursuits.

Thank you, Mr. Speaker, and I ask leave to include a list of the players and coaches involved in the two cheerleading teams.

**Mr. Speaker:** Is there leave of the House to include the list of the names of the players and coaches in today's Hansard? *[Agreed]*

*Westdale School—Coaches: Mariell Barratt, Natasha Jenkyns, Jenny Kirkpatrick, Michelle Wherle. Staff Coach/Supervisor: Donna Peterson.*

*Athletes: Chelsea LeDrew, Claire Middleton, Torie Carmichael, Emma Anton, Mya Hamlin, Mhaiya Naharnie, Kayla Major, Sydney Tayfel, Jenna Jarduck, Bailey Peterson, Mishel Kogun, Samantha Antonick, Tori Houston, Kayla Chartrand, Rhiannon Madden, Elizabeth Zajac, Kacy Classen, Ashleigh Williams, Cassidy Fitzhenry, Morgan Reid.*

*Oak Park High School—Coach: Charwin Dahl. Teacher Supervisors: Ainsley McIntyre, Beckey Quinn. Roster for 2012-2013: Jessica A., Arden B., Tierney B., Leah B., Hannah B., Taylor B., Tiana C., Mackenzie D., Lexi D., Katelyn D., Jillian F., Jennifer F., Julia G., Avery G., Katie G., Cristina G., Katarina H., Hannah H., Chelsey H., Hayley H., Tessa J., Danae K., Brooke K., Riley L., Ellen M., Jade M., Taylor M., Emily M., Taylor N., Nicole P., Ashley R., Asiah R., Breanna S., Caryl T., Brooke T., Talia S., Alanda V., Lauren W., Alison Z., Kourtnee Z.*

**ORDERS OF THE DAY**

*(Continued)*

**GOVERNMENT BUSINESS**

**Hon. Jennifer Howard (Government House Leader):** Would you please resolve us into Committee of Supply? And just a reminder for the House, we'll be sitting until 6 p.m. today.

**Mr. Speaker:** As previously agreed, when we resolve into Committee of Supply, we'll be sitting until 6 p.m. this afternoon. And we'll now resolve into a Committee of Supply, as listed in today's Order Paper.

Mr. Deputy Speaker, please take the Chair.

**COMMITTEE OF SUPPLY  
(Concurrent Sections)**

**JUSTICE**

\* (14:50)

**Mr. Chairperson (Mohinder Saran):** Order. Will the Committee of Supply please come to order. This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Justice. As had been previously agreed, questions for the department will proceed in a global manner.

The floor is now open for questions.

**Mr. Reg Helwer (Brandon West):** I think when we closed off, I had asked a question about a target date for when construction might start of the Dauphin

correctional facility there, or—and that—so that question's on the record and was not answered as of the point where you adjourned the committee.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Yes, there is no target date yet. Justice will be working with Manitoba Infrastructure and Transportation and the City of Dauphin, but there is no target date yet.

**Mr. Helwer:** Mr. Chair, has the design process begun for that facility?

**Mr. Swan:** Not yet, no.

**Mr. Helwer:** Mr. Chair, can the minister tell us when the design process might begin?

**Mr. Swan:** Well, first we need to get budgetary approval to move ahead. But it's important to recognize that although Justice will be the tenant and the occupier of the facility, MIT actually is responsible for tendering and for constructing the correctional institution. So I can't give a set date on that.

**Mr. Helwer:** So, is the minister saying that this announcement was made without approval?

**Mr. Swan:** Well, the construction of a correctional centre happens in a number of stages. We had committed both in the last election campaign and also after that time to build a new jail. I think everybody's aware the Dauphin Correctional Centre has fully aged out and needs to be replaced. The usual process, of course, is that you take some time from, from announcement like that, to actually moving ahead with the various steps.

As I said yesterday, one of the advantages we have is that Dauphin has been a very interested partner. They've been prepared to identify some serviced land that we can use, which, I believe, is going to allow the construction to move ahead more quickly than if we were starting from scratch. But it's not unusual for the process to move along with a couple of steps along the way. So, if anything, this is probably moving along—has the potential to move along, probably more efficiently than any new jail that's been built in a long time.

**Mr. Helwer:** I guess—so, going back to my question, then. This was announced. Was—has this been approved?

**Mr. Swan:** Well, there was certainly approval, politically speaking, to move ahead with the announcement of a new jail in Dauphin. But it has to

be understood that building a correctional centre is a complex exercise, and, as is normally the case, there are a number of different steps that have to take place. There has not yet been full consultation with the residents of the City of Dauphin. As you—as I've said, we haven't yet begun the design phase, so there are certainly some steps to be taken along the way.

**Mr. Helwer:** So there is political approval, as the minister said. Who did that political approval come from?

**Mr. Swan:** Well, the general approval comes from, from the Premier and Cabinet. And I would point out that often there are things which are announced and then, obviously, it takes some time. As the member knows, the Brandon general hospital was promised by his party, I believe, seven times without a single shovel going into the ground. Our government, then, took the initiative and actually took the steps to go ahead.

So we have no intention of having to announce the Dauphin jail more than once. We've announced it, and now we'll be moving ahead appropriately with Manitoba Infrastructure and Transportation, who, again, will be the ones tendering and constructing that correctional centre with the goal of getting a good facility up and running in Dauphin. We think that, that a new facility there is not only needed, it can also provide a positive opportunity for our correctional 'offercers' to have a greater chance to work with individuals to try and turn them around. I think we all agree that lowering the recidivism rate is a goal that we can all work on. Part of that is trying to work with, with people in the correctional facility long before they return back to society, to try to get better results.

**Mr. Helwer:** So, the minister said that the site has been selected and agreed to. But there are no criteria yet for this particular prison. How do you know that the particular building is going to fit on this site or that it is an appropriate site?

**Mr. Swan:** I'm advised that the property that Dauphin is prepared to provide to the Province is an 80-acre parcel in a serviced—on serviced land in an industrial park in Dauphin. So we're quite satisfied that 80 acres will be sufficient to build a correctional centre.

**Mr. Helwer:** Does the promise then—Province then enter into a purchase agreement with the City, and at what rate—or what is the price of the property?

**Mr. Swan:** You know, I think it's best that those questions be posed to the Minister responsible for MIT. Again, even though we will have input into the size and the design of the correctional centre, again, we will be an occupier of the facility, but we won't be tendering it, we won't be building it.

**Mr. Helwer:** Who will be responsible for the design criteria?

**Mr. Swan:** Well, that will be a collaboration between MIT and Justice in looking at what our needs are for the facility.

**Mr. Helwer:** So I take it then that the design, the criteria has not yet been written. Is that correct?

**Mr. Swan:** Yes, look, those discussions are yet to happen. As the member knows, there have been a number of expansions that have taken place across the system of correctional centres in Manitoba where Justice and MIT have collaborated. There's been expansions in a number of different centres and some of those techniques and some of those standards may very well be useful for a new facility being built in Dauphin. But we're at a very early stage in moving along with this.

**Mr. Helwer:** Will it be a similar procedure to the Women's Correctional Centre in terms of design and build?

**Mr. Swan:** That hasn't yet been determined, but I can point out that, again, having what appears to be a very suitable parcel of land being effectively donated by the municipality is a big advantage to moving ahead, as the member likely knows. It took some time to assemble the necessary land for the Women's Correctional Centre.

**Mr. Helwer:** Will the design be tendered?

**Mr. Swan:** You'll have to ask the Minister for Infrastructure and Transportation that question, as Justice would not be the one tendering it.

**Mr. Helwer:** So then the next step, will the actual construction be tendered?

**Mr. Swan:** Again, I would suggest that question be put to the MIT Minister.

**Mr. Helwer:** So, at current time, the rate of capacity, as the minister said, for the Dauphin Correctional Centre, is 61, and as of April 30th, we—apparently we had 82 inmates in custody there, and the minister has said this one will be larger, but will it be large enough to hold the 82 inmates that are currently there

or do you anticipate it'll be a hundred? Do you have a goal? Do you have a plan?

\* (15:00)

**Mr. Swan:** Yes, I can point out as—because I know it's important to put the most recent information on the record, the total count at Dauphin Correctional Centre as of this morning was 78, and as we've indicated, the new jail, the new Dauphin Correctional Centre, will be larger than the existing facility, but we haven't finalized other arrangements at this point.

**Mr. Helwer:** Are there any plans over the next year to announce either expansions or construction, new construction in any of the other facilities?

**Mr. Swan:** If we have any further announcements on other expansions to the system, we will certainly let the member know.

**Mr. Helwer:** Okay, well, that kind of leads me into the prison population then, and I do have the report. The last FIPPA we filed—I'm sure the minister has more recent information, and if he could provide me with some numbers here. The Agassiz Youth Centre, the rated capacity is 148 and the numbers I have were 117 of the custody population. Can the minister provide us with updated numbers?

**Mr. Swan:** I do have information as of 7:23 this morning. The total in-house populations for each facility: Agassiz Youth Centre, 118 youth; and the Brandon youth unit, six; youth at the Manitoba Youth Centre, 163; The Pas youth unit, four.

For the adult population, Brandon Correctional Centre, 312; Dauphin Correctional Centre, 78; the Headingley Correctional Centre, 823; Milner Ridge Correctional Centre, 504; The Pas Correctional Centre, 126; the Women's Correctional Centre, 204; and the Winnipeg Remand Centre, 370.

**Mr. Helwer:** Can the minister break down those numbers a little bit more and tell me what the remand population is or/and any other population?

**Mr. Swan:** Yes, I can. Again, in the same order: at the Agassiz Youth Centre, 72 sentenced, 46 remanded; Brandon youth unit, zero sentenced, 6 remanded; Manitoba Youth Centre, 14 sentenced, 149 remanded; The Pas youth unit, zero sentenced, four remanded.

With the adult population, for Brandon Correctional Centre, 163 sentenced, 149 remanded; Dauphin Correctional Centre, 51 sentenced, 27 remanded; for the Headingley Correctional

Centre, 297 sentenced, 526 remanded; Milner Ridge Correctional Centre, 208 sentenced, 296 remanded; The Pas Correctional Centre, 44 sentenced, 82 remanded; the Women's Correctional Centre, 96 sentenced, 108 remanded; and the Winnipeg Remand Centre, 66 sentenced, 304 remanded.

I can point out in the adult population, 38 per cent of the population is sentenced, 62 per cent is remanded, and, actually, the percentage of those on remand is actually just about the lowest; it's certainly the lowest I've seen as the minister and the lowest it appears to have been in a number of years.

**Mr. Helwer:** What would the minister attribute that what he attests is the lowest he's seen in years? To what would he attribute that?

**Mr. Swan:** Well, it's not an easy question to answer, I mean, generally speaking, the way we think of the population of correction centres, I mean, think of it as input, who's being brought in, what's the velocity that they're being taken through the system and what is the eventual output. And my opening comments were focused largely on some of the things we're doing to try and increase the velocity of cases moving through the system which is taking up a lot of effort from individuals across the justice system, not just one area like courts or prosecutions.

I know there's speculation on different reasons why the remand percentage could be going down. We—Manitoba was a province that called for the ending of the two for one credit, the automatic two for one credit for remand. I can't tell you that that's responsible for a piece of this, it is possible. As you know, Manitoba supported many of the provisions of Bill C-10. It's likely too early for any tougher penalties to work their way through the system, but, as you understand, if somebody is sentenced to a penitentiary term in a federal prison, they then move out of the provincial system.

We think court efficiency is a good piece but also I'd point out that, once again, in Winnipeg, which is unfortunately a large driver of the jail population, our crime rate continues to drop which everything else being equal would reduce the number of people coming in on remand and over time, would—you'd expect to see the numbers going down.

So I don't want to pretend that I or anybody else in the department has a magic answer to that. It's likely a combination of a lot of different factors.

**Mr. Helwer:** Well, does the minister have a strategy for reducing the numbers in remand?

**Mr. Swan:** Well, the member has yesterday's Hansard so probably going through, reading my description of a lot of the various things which we're doing to try and improve velocity—that's not something that justice takes lightly as I indicated yesterday. Mr. Brickwood is now tasked with leading up a lot of the innovation projects; we have a director of innovation who is working very hard; I also want to commend people within prosecutions, within corrections, within courts, as well as the judiciary at working together to try to come up with some better ways to move cases ahead more quickly and more effectively for the system.

Look, there are some other things that we're doing that, quite frankly, don't necessarily have a great impact on remand numbers. If we didn't have the Warrant Enforcement Unit, paid for by the Province, which was allowing the Winnipeg Police Service and the RCMP to devote resources to getting people off the street who have missed court appearances, who have refused to follow court orders, I suppose that if those individuals were still out in the street, we'd have fewer people on remand, but we think public safety means that we continue doing that.

\* (15:10)

If we didn't have a Winnipeg Auto Theft Suppression Strategy—it's been part of an incredible process that has brought down auto theft by more than 80 per cent in the city of Winnipeg—I suppose if some of those youth were still out there stealing cars and weren't dealing with consequences, that could have an impact.

If we didn't have the Gang Response and Suppression program working with the Winnipeg Police Service with intensive supervision of those who we think, although not in a correctional centre, deserve some special attention, if we weren't paying that kind of attention to those people and often returning them to a correctional centre, I suppose the remand numbers would be down.

So, if the goal alone is reducing remand numbers, we're not solely focused on that. We're trying to make the system more effective, we're trying to make it more efficient, and we do that by moving ahead on the velocity of the cases moved through the system. There's always challenges in

doing that, but there's a lot of smart people in the department that are doing very good work.

Yesterday I talked about the video linkages, and just between Thompson and The Pas alone, we're seeing a major shift in the way that cases work their way through the system. We're seeing a major shift in the amount of time that our sheriffs have to be driving prisoners to and from The Pas Correctional Centre to Thompson for a court date. We think that's good for everybody. We're seeing a shift in the way that lawyers in Thompson and across the province are able to have contact with their clients to give them advice, to try and move things ahead. Those are some of the things that we're working on to try to move people through the system more appropriately.

And where do they move to? Well, that can be a number of different situations. If it's somebody who's done something serious, who poses a risk to our community, frankly, we want them moving out to a federal penitentiary. If there's somebody who is a danger to our communities, we want them in a correctional centre. If they're individuals that we think can be managed out in the community with support from probation services, then that's something we want to see happen. If they're individuals we can divert from the traditional criminal law system through things like our drug court, through things like our mental health court, well, those are things we want to keep exploring and expanding.

So it's a very big question. Is there a plan? There absolutely is. Everything that the innovation department is doing is part of a plan. Every communication between the courts and the judges and Corrections and prosecutors is part of the plan to make the system more effective.

**Mr. Helwer:** So it is a bit of a piecemeal plan, but I'm looking for how the minister sets criteria for results. How do you measure any success in any of those particular programs?

**Mr. Swan:** Well, let me just say that describing the various things that the various players in the justice system are doing as piecemeal, frankly, I think is a complete misunderstanding of how the justice systems work. There isn't one magical justice system in Manitoba or any other province in Canada that is entirely harmonized, that moves in a smooth way. There are a number of different pieces of the justice system, some of which that are even—I don't want to say in conflict with each other, but have different goals and different measures.

Look, I mean, if you want to look at an example of a very positive situation, I look at the Winnipeg auto theft strategy. And I know that, while the members opposite were running around talking about bait cars for hours in Estimates, we were quietly pulling together a plan that involved prosecutions, that involved the court, that involved Manitoba Public Insurance, that involved probation services and that certainly involved the police on coming up with a comprehensive strategy to try and reduce the number of vehicles being stolen in Manitoba.

We know that in 1992-93, the numbers started spiking up. In the '90s, the government apparently felt powerless to do anything about it. We came into office and got a hold of the situation and since that time, the number of cars being stolen in Manitoba has gone down by more than 80 per cent.

It's not over—the police will tell you and probation services will tell you and prosecutors will tell that car theft remains, but it's one fifth of the problem that it was before. I consider that an example of success. Perfect success would be having no vehicles stolen in Manitoba, and I suppose most Manitobans would want to get there.

But in terms of measures, I'd be interested. I mean, this—as you said at the start of your comments, you want to put forward some ideas. What are you then suggesting as measures?

**Mr. Helwer:** Well, I'm not sure how we got from a discussion of remand into auto theft, but we were on the discussion of remand and trying to figure out what criteria the department uses to determine whether particular programs are a success or not.

**Mr. Swan:** Well, I—again, I don't know if the member sort of understands. I mean, I can give you a logical absurdity just to point out the difficulty in what I think the member for Brandon West is trying to do.

Let's say we had a system where every single person who was in a provincial correctional centre wound up getting a penitentiary term when they were ultimately sentenced. They had done serious enough crimes and the judges sent every single person who's now in remand to a federal penitentiary. The remand numbers would actually go up and they'd be a hundred per cent. I don't think anybody would really be celebrating that.

So I've tried to explain a little bit about how we improve the system by moving ahead on velocity. Frankly, the justice system or systems being courts,

and the prosecutors and Corrections don't really have a lot of control over inputs. The police are the primary drivers of those inputs and as we continue to add more police across the province and invest in public safety, I suppose you could argue that those inputs increase the challenge within our system.

We could go back to how it was in the '90s; we could stop funding all those police officers. I suppose they'd be arresting less people and our remand numbers would be lower. I don't think most Manitobans would think going back to the '90s and the way things were done then would be a good thing for public safety.

There are other choices that can be made. We could—as was done back in the '90s, we could lay off every probation officer for one day a week and make them take a Filmon Friday. You'd have fewer breaches; there'd be less breaches out there. There'd be fewer people coming into custody but I don't think any Manitoban thinking straight would consider that to be an increase or an improvement over the way things work now.

So, you know, I think I've given a lot of evidence about the way we're trying to improve the velocity. We have no intention of stopping the police from doing their work to give inputs. In terms of the outputs, that depends on the state of the law, that depends on various other factors. And I don't mind having a good discussion about those things, but the main thing that's within our control is trying to improve the velocity of cases moving through the system.

**Mr. Helwer:** Well, I think it's unfortunate when the member tends to look back to revisionist history as opposed to answering the question about what he's doing.

\*(15:20)

And the question is very simple, so I'll try to make it a little bit simpler: Can the Minister of Justice give me one concrete example of something the Department of Justice has done to reduce the numbers of remand?

**Mr. Swan:** Well, for the third time, I'll talk about the video conferencing program, which is now fully operational in Thompson, between Thompson and The Pas Correctional Centre, Agassiz Youth Centre, and two other—I believe, two other correctional centres in the province.

And just to help explain how this works, in the absence of having an appropriate video conferencing system, individuals are often required to travel to court for what may turn out to be a very, very minor court attendance. So a sheriff may drive from Thompson to The Pas to pick up somebody, drive them back to Thompson, for what may turn out to be a 10- or 15-second court appearance that doesn't move the case ahead, that doesn't really do anything to advance the case.

We thought a good investment was to have an appropriate safe, secure, video conferencing system that can do a couple of things. First of all, it can allow that individual to remain in The Pas so that the judge can speak to that person in a very efficient way, and find out how the person's going to plead, or if the case is to be remanded, can do that, without having to wait for a prisoner to be moved out of the lockup in Thompson, into the court room, so they can be dealt with, and then moved back out.

That's one good thing because not only does it save sheriffs' time, it always saves the time of the judge, it saves the time of the Crown attorneys, it saves the time of the lawyers, whether legal aid or private defence lawyers, and it saves the time of, of course, the sheriffs.

The other advantage of having a system like that is that it allows lawyers to have the opportunity to speak to their client without the lawyer driving from Thompson to The Pas, and either trying to bill Legal Aid Manitoba for their time, or trying to bill the client for their time. If they have an Internet hookup they can then have a private, privileged and confidential conversation with their client, and give them some advice in an earlier stage in the game.

If the person is guilty and is prepared to take responsibility for that, there is now no longer—to be blunt—an advantage with the old two for one remand—credit for time spent on remand, to simply wait until enough time has gone by. There's less incentives for individuals to remain in remand when maybe it would be better for them to plead guilty and get on with their lives.

So that is a concrete example of how an investment that we made, that has required working with the judges, it's required working with private counsel that's involved dealing with different individuals in the justice system, is actually helping to save money directly, but it's also helping to move cases through the system more quickly. So that is a concrete example of how an investment is making



sense. That's why we're going to keep expanding the video conferencing, to make sure, eventually, that every correctional centre is hooked up, and as much as possible, have more court centres that are connected. We think that makes sense. We don't want needless court appearances. We don't want needless transfers of prisoners.

An example of that—if there's a young person who's in Agassiz, or the youth centre, that has to go to Thompson for an appearance, they're effectively out of that youth facility for about a week. And many times at Agassiz or at Manitoba Youth Centre, this is the most stable that youth has been. They're actually going to school. They may actually be making some progress. It doesn't make any sense to yank them out of that environment to go and stand in front of a judge for 10 or 15 seconds, and then get put back into the lockup, and eventually transferred back to the—to another institution.

So those are the kind of examples—well, that's probably the best example I can give you right now, of things that we're doing to try to speed up the system.

I can certainly provide some other examples. One example of that was last year when we announced a rationalization of some of the circuit courts. It—we became aware from the judges, that judges actually were a little bit frustrated because many court days in some smaller judicial centres or circuit courts, I should say, were only lasting for an hour, an hour and a half, two hours. The way that the courts scheduling happens, a judge is scheduled in for the entire day, and so is the rest of the court party.

If there is a judge and a Crown attorney and a legal aid lawyer, other defence counsel, court clerks, it just doesn't make sense for them to be sitting for an hour or an hour and a half, especially when it's a community that's connected to another circuit court community or a court centre by 30 or 40 or 50 kilometres of highway.

So, in conjunction with the judges, we went ahead to rationalize the circuit courts, the goal being to take an hour or two of hearing time and turn it into a full court day in a busier centre. By doing that, do we save money directly? No, we're still paying the judge; we're still paying the Crown; we're still paying the court clerks the same amount of money. Maybe we're reducing overtime expenses with some of the court staff. We're probably reducing some of the transfers, but we're getting an indirect benefit

because, by dealing with that full day of court, we're able to pull cases through the system more quickly. It frees up more time for dispositions, if people are pleading guilty. It also frees up more time for trials, if people want their day in court. So that's another example of something that we can do.

We continue to work with—between the judges and courts—to come up with more opportunities for assignment courts, for screening courts, for disposition courts, more opportunities for things to happen in the court system more quickly than they happened before, and, as well, in the past year, Legal Aid has made some policy changes to try and prevent some of the delays which were happening if somebody were suddenly cut off of legal aid once a trial date had been set, court time booked and everything ready to go.

So those are some specifics. If you want, I can give you a couple more, but I hope that's helpful for some of the measures that we're taking in Justice.

**Mr. Helwer:** Much more helpful than the previous answers.

I know that the minister may count things differently than I do, but he said for the third time that's the first time we've spoken of the video conferencing today, so you never know. But anyway, for the video conferencing, can the minister then provide us with what the installation cost of that was for that facility?

**Mr. Swan:** Yes, I don't have that today, but I'll do my best with my department to try and pull together the cost of the video conferencing equipment that's being used for this venture.

**Mr. Helwer:** So, I guess the other questions I have to ask on that, then the minister can probably add that information. The one would be whether it's tendered or sole source, the cost of maintenance and operations, and, in terms of the future—as he spoke about future installations—would this be a similar system they would put in elsewhere or would it be a different system, and would it be tendered for each particular location?

**Mr. Swan:** Well, sure, I—yes, the question is whether this new equipment was tendered or sole-sourced. I will undertake to get that. The cost of maintaining it because it's a new system, that cost right now is likely quite modest. We'll provide what we can reasonably find out. I don't want to spend more on finding the answer to the question than the amount we're spending on maintenance, and there are plans

to expand the connections between more court centres and more correctional centres. And through the innovation area we continue to look at other cost-effective ways that we can move ahead.

\* (15:30)

I can tell you that, you know, if you think of—even of the reduction in the number of transfers of prisoners that now aren't necessary because of having this system in place, we think there's some pretty good upside in real cost savings even before we get into the ability to move cases through the system more quickly.

**Mr. Wayne Ewasko (Lac du Bonnet):** Just a quick question. The minister mentioned a few of the locations around the province that has the video conferencing equipment. Can he—he did mention that there were two others. Could he mention where the other two are? And sort of gave him a hint on that one.

**Mr. Swan:** Okay, it's—give you an answer, it's kind of like an aircraft schedule lining up which places go to—where you can get flights from which city to which city. For an example, the Thompson court office now has this new video linkage to The Pas Correctional Centre, to the Women's Correctional Centre, Agassiz Youth Centre, the Winnipeg Remand Centre and also the Law Courts here in Winnipeg. That—the connections will be different for the different correctional centres. There is an older legacy system, to use a very polite term, for example, between Milner Ridge and the Law Courts building. Over time, the plan would be to replace that system with what now exists between Thompson and the other correctional centres.

And I'm going to use Milner Ridge as an example, which I'm sure the member for Lac du Bonnet won't mind. Right now, if I'm a lawyer, and I want to speak to my client in Milner Ridge, I generally have to go to the Law Courts in order to get a video connection with that individual. *[interjection]* Okay, okay. It really—that's just for court purposes. I mean, in a—as we move forward, the hope will be to have a system, as now exists in Thompson, where lawyers can actually speak to their clients at a place like Milner Ridge, really, within reason, at a convenient time for the lawyer. So the lawyer can have their day in court in Winnipeg. They can then, after work, in the evening, as long as there's staff available in Milner Ridge to allow somebody to get to a video location, the lawyer can then have the opportunity to speak to their client.

Again, the advantage of that is that it can allow decisions to be made more quickly. It can allow decisions to be made more effectively and, again, can reduce the need for a number of court appearances. It can allow different steps to happen more quickly and, ultimately, I think, benefit everybody. Benefiting the lawyers is not something most people are too concerned about, but if it reduces a lawyer's billings to Legal Aid, I think people celebrate that. More importantly, though, for inmates at correctional centres as well as the rest of the system in general, that's a really positive advantage.

**Mr. Ewasko:** So—just so that I'm perfectly clear—thank you, Mr. Chair—but so just so that I'm perfectly clear, Minister, right now at Milner Ridge the equipment, the video conferencing equipment is not there. It's not serviced. It's not being used. There's nothing like that there.

**Mr. Swan:** I probably wasn't clear enough in my earlier answer. There is video conferencing capability at Milner Ridge Correctional Centre. It's an old system which is less effective than what we're now installing. It connects the Milner Ridge Correctional Centre with the Winnipeg law courts. So, for example, if somebody wants to make a bail application, they could choose to do that by video. So the lawyer would be in Winnipeg, in front of the judge in Winnipeg and the inmate would then appear by video, because of those limitations it has been underused and I think it underscores the ability to expand the use of video technology to keep getting better results through the system.

**Mr. Helwer:** Well, I'm going back, then, again to numbers here, and the minister gave us numbers of particular areas in remand. It looks like there's around 1,700 total. Would the minister care to give us an exact total today?

**Mr. Swan:** That's just about exactly right. There are 205 youth that are in custody on remand and there are 1,492 adults in custody in remand for a total of 1,697.

**Mr. Helwer:** What is the process of tracking the costs of keeping people in remand? Is there—can you give me a total dollar number for the past year of what that cost would have been, or is there any way to break that out?

**Mr. Swan:** No.

**Mr. Helwer:** Okay, and can you then—thank you, Mr. Chair—can the minister tell us what the average

amount of time over the past year people spent in remand?

\* (15:40)

**Mr. Swan:** You know, we do have that information. The only caveat I would put—and I'll give you the numbers first and then a bit of an explanation.

The average time spent in remand for the last fiscal year for adults was 52 days, for youth it was 29 days. That will be a collection of everybody who comes into a correctional centre on remand. Those could be people who are released within a day or three days or seven days, that could also be people who are at remand for a long time because they're awaiting a trial for a very, very serious offence. But that is the average time spent in remand, as the member has asked for.

**Mr. Helwer:** Thank you—thank you, Mr. Chair—that was what I was looking for.

And I guess, as an extension of that then, what is the maximum time someone has spent in remand over the past year?

**Mr. Swan:** Yes, look, we don't have access to that kind of information. I mean, in the past year it's fair to say there are—there's a substantial number of inmates who were in—on remand for that entire year.

Look, the most serious crimes, if somebody doesn't get bail or they know they're not going to get bail so they don't even apply, they will remain in custody on remand until ultimately their trial is heard.

So we don't—we can't particularly track that number, but, generally speaking, you can kind of appreciate that the profile of those who would likely spend more time on remand.

**Mr. Helwer:** I thank the minister for not taking the easy answer, just saying a year, because that was an obvious out there. But can you give me a bit more of a feel on that type of thing? Would it be a couple years—two, three years that you would have seen for some of those serious cases? Nothing exact, but just a ballpark.

**Mr. Swan:** You know, I can't really answer that. I mean, each case moves ahead on its own, there are various factors that may play into why somebody doesn't get bail or why their lawyer doesn't make an application for bail. There may be factors if it's a particularly complex case. There may be disclosure which takes some time to move a case ahead. If

there's a preliminary inquiry, that could result in longer time in remand.

So I—Justice doesn't really—wouldn't track that kind of information.

**Mr. Helwer:** Our population in Manitoba is fairly similar in the way that it's laid out to Saskatchewan's, other than area, but their remand numbers seem to be considerably lower than ours. And I know each provincial justice 'sishin'—system is particularly different, but can the minister give us an idea of why Manitoba seems to be so high with the 62 per cent in remand, whereas in Saskatchewan we tend to see around 37 per cent?

**Mr. Swan:** Well, I will agree that Saskatchewan has many of the same challenges that Manitoba does, an equally high crime rate and violent crime rate, and as I believe the member saw in the report today, substantially higher domestic assault rates than Manitoba. It's hard to put a finger on the difference. Some of it may be bail policy. I've heard some say, although I don't have anything concrete, that Manitoba is one of the tougher places in Canada to get bail. We do have the Winnipeg Auto Theft Suppression strategy and the gang response and suppression program which could result in more people who might fly under the radar or otherwise be brought in and being a number on remand.

We do actually talk with Saskatchewan. We think some of the things they're doing in Saskatchewan are very positive. I know they think some of the things we're doing in Manitoba are very positive. So there's no formula that we're aware of where you can plug in and say, well, the difference is because of X or Y.

**Mr. Helwer:** I guess, a little over a year ago there was—Bill C-10 was brought in, the safer streets and communities act, and the minister said, you know, we've seen a drop in remand, while prior to this act coming in there was a lot of rhetoric out in the public that we would see significant increases in the prison population which—in which case we've seemed to see the reverse. Can the minister comment on that?

**Mr. Swan:** Well, it's a big question. As you know, Manitoba had called for a number of the provisions that found their way into Bill C-10, which is why we supported the passage of Bill C-10 with some caveats that I'll talk about in just a minute. Bill C-10, of course, was only prospective. It only took effect for crimes which were committed after the law came into effect. So I understand that, really, most of those

cases haven't really worked their way through the justice system yet. There's a number of factors that go in different directions.

Again, if one result of Bill C-10, when it fully works its way through the system, is more people being sentenced to federal prisons. Everything else being equal—and I'm not saying it would—that would actually increase the percentage of people in provincial correctional centres on remand.

If more individuals are prepared to fight their case and have their day in court because they fear a mandatory minimum, everything else being equal, that means more trials. That may actually mean a bigger delay in cases coming to trial. That could actually mean more people on remand for those who are held in custody.

There is a lot of complex issues that go into this. Bill C-10, we think many portions of it were necessary to give people more confidence in the system and to deal with some of what we think are the most serious crimes. Other parts we weren't so crazy about. It's become much, much harder to get a pardon, even for people who have avoided further contact with the law.

\* (15:50)

Delaying getting a pardon, making it more expensive, making it more difficult actually creates a problem that people may have a harder time finding employment and staying on the correct side of the law. So that portion of Bill C-10 may actually result in more people becoming involved with the law again, which would have a negative impact on numbers.

So, generally speaking, it's too early to tell. We think there may be some positives, but also there could be some negatives. And I know the member for Brandon West (Mr. Helwer) mentioned this in his opening comments, and I know what—we'll get on to it—the one thing that we know is happening is it's putting more pressure on Legal Aid, and as more people see that they may be faced with a mandatory minimum penalty, anecdotally, at least, more people are stepping up and saying that they want to have their day in court; they want to try and get an acquittal because they're aware that there will be a mandatory minimum sentence waiting for them. That could put more pressure on the legal aid system. If there are pressures on the legal aid system, that can prevent having a defence lawyer ready to take a case

to court on any given day. So that can also have a—that can also play a role in some of the challenges.

So it's a good thesis, I suppose, for somebody to say what is the impact on Bill C-10. I expect three or four years down the road we still may be trying to decide how much of an impact Bill C-10 has had, both positive and negative, on the justice system.

**Mr. Helwer:** So, then, I'll move into the Estimates books here, and we'll stay with Corrections because that seems to be the flavour we're going with right now. On page 75 we look at subappropriation No. 04-4A for Corporate Services, and the notes are always of interest to me. So I see at the bottom here we have a decrease of one full-time equivalent position due to an extended vacancy, and perhaps the minister could expand on that note a little bit for me, please.

**Mr. Swan:** Well, I promised I'd introduce the new players as they find their way up to the table, so we're joined by Maria Campos; she's the comptroller who has the information on these sorts of things. I'm told that this was a business analyst position, and, as you know, our government made some commitments to do what we could to reduce the number of civil servant positions. Justice decided this was a position that was no longer necessary and so the position was given back, if you will.

**Mr. Helwer:** So, then, going back up toward the top of the page, I see where we have that drop in FTE from 29 to 28. So, yet, when we look at the expenditure dollars, they're up considerably, somewhere around 5 per cent, and then the indirect salary costs as well are up a great deal, as much—overall the total salaries and benefits are up around 7 per cent—higher than the cost of living and—seeing that we've dropped a position here—perhaps a little bit surprising.

So would the minister care to comment on those numbers?

**Mr. Swan:** Right, well, we're talking about page 75 of the yellow Supplementary Information for Legislative Review. My question, I hope, will be helpful across the system.

\* (16:00)

Across the Department of Justice, you'll see that the general salary increase or adjustment was \$15,878,000 within this one area, Corporate Services, for Corrections Division. I guess it's a

microcosm of what's going on across the system; there's a general salary increase of 2.75 per cent.

There—in any division and any area you look at, there may well be individual employees who are getting merit increments because of their service, their good service. They can move by more than just the general salary increase. There could also be—in this division and others, there could be reclassifications that take place. As well, as the government moves towards fully funding pensions on an ongoing basis, the government contribution to the pension fund actually increased in the last fiscal year to go from 6.2 per cent to 7.1 per cent, as well as there's some incremental costs in employee benefits.

So that's the answer for page 75. It will likely—it would likely be the answer if you asked me the same—across the system, where the increase in salary comes from.

**Mr. Helwer:** I think that will probably answer a number of the questions, but there are others on pages as well. But sticking on this section here, the Corporate Services, is this the area that would do internal reviews of Corrections or of any difficulties, or is that another particular area?

**Mr. Swan:** No. When an incident review takes place, Corrections will put together a team of Justice employees using the particular skill sets that they have that would be useful to the incident that's being reviewed.

**Mr. Helwer:** So there was an incident, as I understand, at the Winnipeg Remand Centre that was reviewed by Correctional Services Canada, I believe, and that report has not been released its—in its entirety.

Is there an opportunity coming up where that report would be available for review by the public?

**Mr. Swan:** Yes, the member for Brandon West is correct. There was a—there was what we considered to be a serious incident, and there was a three-tier review. There was an initial review. There was then a more full review conducted within Corrections, and at that point it was decided that it would be appropriate to bring in an outside agency, in this case the Correctional Service of Canada. And the member is right, some basic information was released. We don't release detailed information on incidents of this type.

**Mr. Helwer:** Well, it—when it was first released, the MGEU seemed to have a great deal of information. Of course, they're involved in Corrections and they made some comments on the review in the media that seemed to indicate that they had information that was not public, and I guess we're just looking for access to the same type of information.

**Mr. Swan:** Yes, we don't release detailed information on incidents of this type for a number of very valid reasons.

**Mr. Helwer:** Okay. Obviously, as the minister said, this was a serious incident, and I would imagine that it has caused some changes in the Winnipeg remand system—the Winnipeg Remand Centre. Would the minister explain what some of those changes would have been?

**Mr. Swan:** Well, I can say there was some disciplinary action taken against certain employees, but I'm not going to comment on what that action was. I can also say that there have been court proceedings taken against certain employees, and, obviously, I can't comment on something that's before the courts. So there has been action taken as a result of the investigation.

**Mr. Helwer:** Is there any process changes that have been taking place because of this report?

**Mr. Swan:** Well, I'm advised that the review panel, which was Correctional Service of Canada, found no convincing evidence of widespread misconduct. I'm told that the panel was impressed by the tone of professionalism displayed by both the staff and management at the Winnipeg Remand Centre, which is the facility in question, and, with respect to recommendations, that the department's accepted them and is in the process of addressing them.

**Mr. Helwer:** So from that response, although there have been a few changes, it would seem to be that this was not a systemic problem but an individual or two that were the cause of the problem.

\* (16:10)

**Mr. Swan:** Yes, I think that the summation by the member for Brandon West is not unfair. That's—I think that's a pretty reasonable way to describe it.

**Mr. Helwer:** So, then, I understand the minister has said some of this is before the courts. So from that I would take it that at least one, maybe more people have been released from Corrections?

**Mr. Swan:** Yes. I'm not going to comment on personnel matters.

**Mr. Helwer:** Okay, well, we'll keep delving this a little bit then. I guess there are serious staff implications to something of this nature, obviously, and while the minister may not be able to deal with particular individuals, there has undoubtedly been some implications and ramifications for the Winnipeg Remand Centre. Would the minister care to comment on whether we have seen any new hires, reclassifications, transfers or retirements with or without severance?

**Mr. Swan:** Certainly, the department takes incidents very seriously, and when an incident occurs and discipline is warranted there's a number of different steps or actions that can be taken by management. It could be a reprimand, it could be a suspension, it could be dismissal for cause. And when an incident like this happens, management, its judgment moves ahead and does what has to be done in light of all the evidence that comes forward.

**Mr. Helwer:** The minister made reference to possible court actions. Has—is there anyone at this time in court over this incident?

**Mr. Swan:** I'm advised there is a matter before the courts which, of course, I can't comment on.

**Mr. Helwer:** So an individual has been charged?

**Mr. Swan:** Yes, I can advise that the matter was referred to the Winnipeg Police Service for investigation. And as I said a few minutes ago, it is now before the courts.

**Mr. Helwer:** So we have at least one individual involved. Will there be other charges laid?

**Mr. Swan:** I can't speculate on that, Mr. Chairperson.

**Mr. Helwer:** So I know the—thank you, Mr. Chair, I know minister can't tell me about this particular individual, we have to, I guess, assume that he was, or she was, employed by Corrections.

Were there any outside individuals that were involved in this particular incident?

**Mr. Swan:** Sorry. By outside individual what—who or what position do you mean?

**Mr. Helwer:** Someone that was not employed by Corrections.

**Mr. Swan:** Yes. As the matter is before the courts, I think I've answered pretty much as far as I reasonably can.

**Mr. Helwer:** So I guess the minister then can't comment on any timeline being as it's before the courts; that would be open to conjecture and probably nothing there.

**Mr. Swan:** The member for Brandon West is correct.

**Mr. Helwer:** So in reports of this type, what type of circumstances would dictate going to an external review agency or bringing someone in from the Correctional Service Canada?

\* (16:20)

**Mr. Swan:** Yes, as I'd said earlier, there's generally a three-tier process. I mean, many investigations are completed at the first level, sometimes with—at a second level with, perhaps, other Corrections personnel from other facilities being involved. In this case, the information that Corrections had led management to conclude that it was sufficiently serious that it would be appropriate to have an outside party, in this case, the Correctional Service of Canada, to come in and take an additional look at the situation.

**Mr. Helwer:** Are there any other circumstances over the past couple years where Correctional Service Canada has been brought in to do a review?

**Mr. Swan:** Yes, just—I mean, just to open it up a little bit. I mean, it's not unusual that the various correctional services across the country will be involved in some way in a review of—at another province or at another level. So it's not unusual that a staff member from Correctional Service of Canada would form part of an inquiry team at a lesser level. It's also not unusual that somebody from Manitoba Corrections would then go and assist an inquiry team in another jurisdiction. So it's not that unusual to have some work being done across jurisdictions. And I can say that, generally speaking, Manitoba Corrections has an excellent working relationship with Correctional Service of Canada and as well with the other correctional services in the country.

**Mr. Helwer:** So, from what the minister said, I'm led to believe there's sort of three tiers of reviews—of internal reviews, and if that is correct, can the minister give me some numbers for second and third tier, if that's what you call them. How many have been done over the past year?

**Mr. Swan:** It's a question that's difficult to answer. I mean, every incident which occurs is taken seriously by Manitoba Corrections, but they don't keep a running tally of exactly what steps are taken. They deal with each situation and try to get some answers and then move on. So I can't really give a firm answer to that question.

**Mr. Helwer:** So the minister can't give me a total number for reviews that have been done internally?

**Mr. Swan:** Yes, we don't have a tally that's been compiled.

**Mr. Helwer:** Would it be possible to compile a tally?

**Mr. Swan:** Well, it would be necessary to go through each file. Again, when an incident happens it's taken seriously. Corrections moves quickly to deal with it and then moves on. So the information, I mean, it may exist in each individual file, but we don't intend to go through and spend a lot of time gathering information that I don't really think is going to be helpful.

The key thing to understand is that when an incident occurs, there is a response. Many times Manitoba Corrections will simply use individuals at that facility to try and determine what happened. And if there are things that can—should be changed for the future, sometimes it's considered advisable by management to bring in somebody from another facility within Manitoba Corrections and sometimes it's deemed advisable either to bring in an individual for another jurisdiction or, in certain cases that are sufficiently serious, to really have the investigation managed or the inquiry managed by a different jurisdiction.

**Mr. Helwer:** So, for my information then, can the minister tell me—he made a reference to a first tier or a second tier, is—do you have a specific title for a review, that it's at the first level or the second level, or when you go to an external review, or is it just a level escalation?

**Mr. Swan:** No.

**Mr. Helwer:** This particular instant then—incident that we've been speaking of, was a fairly severe one, I'm given to understand. When would have been the last time that Corrections would have handled an incident of this severity?

**Mr. Swan:** You know, it's really difficult to put a comparison in place. This was a serious incident and, again, Corrections took it, found it sufficiently

serious that they decided the best approach would be to have correctional services come in to do the inquiry.

There may be other incidents that are also considered serious where management of Manitoba Corrections determine that they can still do the inquiry, either with individuals within the facility or perhaps drawing in individuals from across the system, but it'd be very difficult. There's no meat chart, to put it that way, of how serious a particular incident is.

The main thing is that there's a response based on the circumstances, and Manitoba Justice makes sure that the inquiry is conducted by people who have the ability and the skills to allow Corrections to move forward.

**Mr. Helwer:** All right, well, we'll think on those answers for a while and see if there's another direction we can go that we can have the minister make a comment that can be public, and I understand he's in a delicate situation.

Moving on to the Estimates numbers, the supplementary information review, on page 77, I see we've added in the Adult Corrections a couple of positions. I guess, when I look at numbers that kind of stand out here, the other expenditures, administration increase of about 14 per cent is substantial. And can you give me an idea of what that would entail?

\* (16:30)

**Mr. Swan:** Okay, well, part of the answer is the general answer that I gave in response to the question about page 75. Some expenses, of course, were generally—general salary increases, some merit increments, reclassification. Some of it's the cost of pension changes. Some of it's the increased cost of employee benefits.

One of the pieces, though, that really doesn't show up clearly in the book: 2012-13 was actually a banner year for opening beds. We were able to open not only another 160 beds at Milner Ridge Correctional Centre, we were able to open 64 new beds at the Headingley Correctional Centre. So, what happens is when beds are opened in the previous year, they are then staffed up within that year, but the cost of the staff, the cost of all of the other operations—the increased costs of operations of that facility are annualized. I believe that the beds at Milner Ridge Correctional Centre were slated to come online fairly late in the year, so there would've

been a very, very modest increase in 2012-2013 to take that into account, all of which now gets brought into the 2013-2014 Estimates. So it's an increase of 224 beds in the last year, which is a significant chunk of additional capacity, which is why the numbers may—you know, when you look at the overall numbers, why it appears that it's expending faster than simply the amount to the general salary increase and those other expenses.

**Mr. Helwer:** Okay, I'm working to try to understand this. So, when I look at this page that has the salaries and employee benefits at the top, that is where I would presume to see those increases. But I'm looking down in the other expenditures under the custody section, and am I led to understand that there are personnel costs in this area here?

**Mr. Swan:** Yes. Just to explain a bit further, the annualization challenge, if I can call it that, would apply both to salaries and employee benefits but it also applies to other expenditures.

So, for example, at Milner Ridge, where a hundred and sixty beds get added, that has resulted in the year 2012-2013 and a substantial number of correctional officers. So you'll probably recall that in the—if you look at 2012-2013 over 2011-2012, there was actually an addition of some 200 correctional officers, with 200 positions, FTES, within the system.

The actual cost of that was not fully incurred in 2012-2013 because not all those individuals started work on the first day of the fiscal year. A lot of them were hired on, of course, when the new units opened at Headingly and at the Milner Ridge Correctional Centre.

Equally, as we upload other expenditures—of course, that would include food, that would include various services that are provided—there's increased cost for all kinds of medical services, for medication itself, for spiritual care. Again, those really started—a lot of those started to be incurred in the previous fiscal year but because they're annualized, the full effect of them then becomes visible in 2013-2014.

So there'd be an impact to that—both the top half of the page with the salary and employee benefits but also below with other expenditures.

**Mr. Helwer:** Is it possible to get a more detailed breakdown of the other expenditures?

**Mr. Swan:** Not really.

**Mr. Helwer:** Surprising, actually, but anyway. All right, we'll figure out another way to find some information, I guess.

The minister spoke about pensions and increases to what we see the dollar amounts here and the large percentage increases. I'm—be interested in a little more explanation on that.

Are we dealing with an unfunded liability in this regard or why the large increases?

**Mr. Swan:** From Justice's point of view, I can only give you the view that we have of various decisions. The cost to the Department of Justice, you know, that's charged for those, for pensions, has increased from 6.2 per cent to 7.1 per cent. That is, as I understand it, part of the total cost of the government moving ahead to fully funding pensions on an ongoing basis.

I hope the member won't think I'm being too political. It was actually various governments of different political stripes who actually got behind on funding pensions, and for the past several years we've taken some serious steps to try to manage that going forward.

**Mr. Helwer:** Is it possible—probably not, but I'll ask it anyway—to give me what would the unfunded liability amount be for Corrections staff?

**Mr. Swan:** That wouldn't be in the knowledge or control of Justice.

\* (16:40)

**Mr. Helwer:** Would it be possible, for all of Justice staff, then, to tell me what the unfunded liability would be?

**Mr. Swan:** No.

**Mr. Helwer:** All right, thank you.

Mr. Chair, well, we'll move away from, maybe the numbers, to something that can be answered.

Grievances are not just something we see in the Legislature, but also in labour relations. Can the minister tell me how many grievances have been filed by corrections officers last year and the previous year?

**Mr. Swan:** Sure. Well, of course, grievances in this building only last 15 minutes, but—[interjection] I stand corrected. If it's half an hour, that would still be less than a typical grievance.



Listen, grievances are filed by the union on behalf of its member or members. Those go to the human resources division. That would be something within the control of the Civil Service Commission.

**Mr. Helwer:** What is the staff turnover in Corrections?

**Mr. Swan:** You know, the last time we took a look at this, it was a number for those correctional employees actually working in various specific correctional centres—that wouldn't be every employee within the system. What I can do is give you the numbers for each facility and the numbers for the last fiscal year for which this was calculated, which was 2010-2011. These would be individuals whose employment has ended for any reason at all, which could be retirement, it could be resignation, it could be death, could be expiry of a term or a dismissal. So for each of the facilities, those raw numbers for 2011—or 2010-2011: Agassiz Youth Centre, 23; Brandon Correctional Centre, 13; Dauphin Correctional Centre, three; Headingley Correctional Centre, 30; Manitoba Youth Centre, 12; Milner Ridge Correctional Centre, eight; Portage Correctional Centre, which still was in existence at that time, seven; The Pas Correctional Centre, seven; and Winnipeg Remand Centre, 17.

**Mr. Helwer:** So I guess further information there then is how many correctional staff are we looking at at those centres?

**Mr. Swan:** Yes, look, I don't have the—I don't have handy the numbers of the FTEs or the number of employees at any of those facilities. And one of the challenges, too, is that this is raw numbers. You could have two employees sharing an FTE and if each go their separate ways, it would be recorded as two people leaving. So I don't have anything handy that would really help on that front.

I can point out—I just mentioned this to my deputy minister—some of the numbers seem actually very low in terms of turnover. Milner Ridge Correctional Centre, even though it wasn't as big as it is now, only eight people moving on in the course of a year is actually a surprisingly low turnover. However, people may have different reasons, and, of course, this includes people retiring as well as those moving on to other jobs.

**Mr. Helwer:** Well, would it be possible for staff to provide us with numbers of FTE to FTE in terms of staff that have left and staff that are currently employed? And if you have a gross number as well,

that would be great. Doesn't have to happen today, but down the road.

**Mr. Swan:** Well, what I can undertake to do is to try and bring forward the same information for the 2012-2013 fiscal year. So, again, it would be that raw number of employees who leave their employment at one of these centres, again, it being understood that that will be those who retire, those who resign. They may take a job with the Correctional Service of Canada, or they may take a job anywhere. It'd be those who die, could be those who have an expiration of term or those who are dismissed in the course of the year.

The challenge, again, with the FTE piece is that the number of employees who leave would be expected to be—the pool of employees is higher than the number of FTEs because there are some people working part time or casual within the system.

\* (16:50)

The raw number will capture all of them so it doesn't really—there's not really much benefit in trying to compare that to the full-time positions that are authorized because it's actually two different numbers that we're dealing with.

**Mr. Helwer:** I thank the minister for that and I guess the other number that I'm looking for in there is the total number of employees split out by particular institutions and I now understand that it would be raw data not FTE data, if that would be possible.

**Mr. Swan:** I'll take that request under advisement.

**Mr. Helwer:** We'll see how that turns out.

Does workplace health and safety apply to Corrections facilities for staff?

**Mr. Swan:** Yes.

**Mr. Helwer:** All right. We've recently seen an Alberta strike focused around those particular concerns, health—workplace health and safety and overcrowding is a big part of that.

Could the minister reflect on what they might have learned from that strike in order to apply it to the Manitoba experience and how we would endeavor that something like that wouldn't happen here?

**Mr. Swan:** I'm going to try not to speculate on what exactly happened in Alberta with the situation there; although, it is—I think it's appropriate to point out that Manitoba is not the only jurisdiction in Canada that

faces challenging with—challenges with crowded facilities and obviously managing a difficult population.

Generally speaking, what I can say is that Corrections maintains an extensive consultative approach with Justice employees. There are regular workplace health and safety meetings between management and the union involving managers but also front-line staff. There is a provincial labour management committee and Corrections takes its role in that very seriously and I can tell you that Associate Deputy Minister Graceffo and his folks work very hard to try and proactively manage situations, to try and deal with situations before they arise or if things are becoming uncomfortable to try and come up with a quick and proactive solution to prevent situations from escalating.

It's something that Corrections has worked on for a long time and, again, I appreciate the correctional officers deal with a very, very challenging population, sometimes in very challenging workplaces.

**Mr. Helwer:** Current contract with Corrections staff is set to expire when?

**Mr. Swan:** I understand that the existing collective agreement expires at the end of March 2014.

**Mr. Helwer:** How far ahead of a collective agreement expiry date would negotiations tend to begin?

**Mr. Swan:** The negotiations are handled outside of the Department of Justice. There's a labour relations unit that will deal with this. Justice will be kept advised of the progress, but the leader of the MGEU doesn't come to see me to say, okay, let's sit down and negotiate this. There's a process in place that—from which Justice is one step removed.

**Mr. Helwer:** So the March 2014 agreement would take in which staff in particular?

**Mr. Swan:** Okay, the MGEU represents most government employees, and within Justice, as well, they represent almost all civil servants covered by a collective agreement. Of course, there are exemptions from those covered by the collective agreement and, as well, our Crown prosecutors have a separate bargaining agency—and, as well, we have civil lawyers are covered under the MACA agreement as well. But the great majority of employees are covered—within Justice are covered by MGEU by various MGEU agreements.

**Mr. Helwer:** So just to clarify a little bit more, then, is there—there are several different MGEU agreements within the Corrections, or Justice, or there is one agreement that encompasses Justice and other bodies?

\* (17:00)

**Mr. Swan:** Right. Well, just to clarify, there is one master agreement between MGEU and the Province of Manitoba which cover all provincial employees who are members of the MGEU.

**Mr. Helwer:** Thank you to the minister for that response.

The gang response and suppression program, I understand, is internal to Corrections, and how long has this program been running and what type of goals does it have and what activities does it undertake and how would you determine its success rate, if there is a measurement?

**Mr. Swan:** It was back in October of 2009 that the Department of Justice requested and received resources to work with the Winnipeg Police Service to support and extend an earlier program, which had been called Project Restore, and it was intended to be a suppression element of a larger WPS and gang strategy.

So in January 2010, GRASP officially came into effect and it began to supervise 50 high-risk, violent gang offenders who were either on a bail order or a supervision order. So, in other words, they were in the community. And later in 2010, there was authorization to expand GRASP, which was going to be phased in over three years, starting with the establishment of additional five positions, and over time GRASP has been ramped up from monitoring 50 offenders to a hundred offenders.

It's an integrated initiative and it's aimed at gang violence to bring together police, prosecutions and probation services to co-ordinate an intensive community risk management plan. And what the program does, it targets those adult offenders who are on bail or community supervision who are gang associated who have a history of violence and who are assessed as a high risk to reoffend. And the way the program works, the additional resources and the resources allocated towards it, it includes rigorous monitoring of conditions by the Winnipeg Police Service as well as concentrated and focused supervision and interventions by probation officers and community corrections workers.

So what happens when somebody gets brought into the system, they're officially notified by WPS and probations services that they've been placed in GRASP. It's not voluntary. They are 'volun'-told that they are now going to be monitored by GRASP, and—we enrol them, is the right word. And at that time, WPS and probation services sets out the expectations as well as the consequences for non-compliance. And, during this phase, the probation officer also helps the offender to deal with basic needs including safety planning, housing, because they're going to be expected to have an address, food and medication. Once that initial response takes place and the offender gets stabilized, they move to the intervention phase, and the offender's risk to reoffend is assessed and there is an intervention plan developed to assist specific challenges with that individual.

Then the maintenance phase. If an offender sincerely engages in the educational employment component, if they complete those programs and they stay in compliance with all court-imposed conditions for a minimum of three months, they will then have less supervision assigned to them because the idea is if they've taken some steps, they probably don't need quite as intensive supervision.

The key is that GRASP ensures a prompt response to issues of non-compliance. There is zero tolerance for violations. If somebody breaches, if they are somewhere where they're not supposed to be, if they're consuming alcohol when there's an order not to be, if they are associating with the wrong people, if they don't tell their probation worker their new address, an expedited breach process is in place.

So, generally speaking with GRASP, it's based on best practices and the best research. It's clearly targeting—in the view of WPS but also of the prosecutors and Probation Services—it's targeting the right group of offenders, gang-involved adults with a history and propensity for violence in Winnipeg who are in the community. Whether the Crown attorney wanted that to be the case or not, these are individuals who are being closely monitored. So, the level of supervision is, with many of these individuals, pretty, pretty steady.

I had the chance to go out with the Winnipeg Police Service one night. We did a few curfew checks on some of the individuals being monitored by the GRASP program. One of the results of the GRASP program has been that some people have not been able to manage being in the community with all these conditions, because of the GRASP program,

those individuals who can't comply wind up going back into custody. If you've got a bail order and because of this new regime you're sent back to jail, it's likely you're not going to get bail again, which has put pressure in the corrections system which pushes up our remand numbers.

There are other individuals, though, for whom this actually provides at least a measure of control, and there are some individuals who've been—I think it'd be fair to say—ungovernable in terms of complying with orders, in terms of showing up in court, and some of the things that the police will tell me, Probation Services will tell me, is that these individuals now realize they need to be managed. They need to actually get a hold of their issues. They need to tell their probation worker if they're moving. They need to ask permission from their probation worker to do certain things. I don't want to be Pollyanna and suggest that's the end of the story, but it does mean that individuals who are able to manage in the community do so by taking some responsibility for their own actions.

The program is set up for 100 individuals. If somebody winds up back in the Remand Centre or another correctional centre, they then sort of get bumped off the list and somebody else then gets brought in. So there's always a hundred people being managed out in the community. We think it's working well because it's enforcing compliance. It's taking those who are the highest risk who are not compliant back off the streets, and it's giving lesser attention to individuals who've shown that with all this additional attention, they can actually manage things. So it's good in a whole bunch of fronts. It's good for public safety in the short term. It's also a positive step for managing a certain number of offenders for whom maybe there is some hope that they can start to deal with things outside of jail in a reasonable way.

**Mr. Helwer:** Is there an extension of the program or a similar program for individuals who are incarcerated?

**Mr. Swan:** No, the GRASP—the specific GRASP program deals with the management of individuals who are in the community. If they're incarcerated, obviously there aren't the same risk factors for the general population.

**Mr. Helwer:** No, but if they're incarcerated, they still have gang ties, and there's lots of anecdotal information about recruiting in our prison facilities and that type of thing. Is there any type of a strategy that you could take from what you have and apply it

to individuals that are incarcerated in order to move them out of the gang system?

\*(17:10)

**Mr. Swan:** Well, yes, there's—I'll give a longer answer on that. I mean, generally speaking, one of the goals of the GRASP program is to make sure we know where offenders in the community are. I mean, not at all times, but through curfew checks, through enforcement of conditions it's intended to manage those individuals out in the community. Again, if you're successful, if you follow the rules and you don't reoffend, you can stay in the community. If you don't follow those rules, you're back in the correctional centre. Obviously, individuals in correctional centres, we know they're going to show up for court. We know they're going to follow their conditions and, obviously, we know where they are every minute of the day.

You're asking a question about—really more about some of the intelligence that's gathered within the corrections system, which is kind of a different area. And we wouldn't really follow the GRASP model to the way that it's being operated here in Winnipeg.

**Mr. Ian Wishart (Portage la Prairie):** I had a few questions about the announcement some time ago about mental health court system. I would like an update, I guess, on what progress has been made towards establishing that and what your plans are in the future.

**Mr. Swan:** Okay, well, I thank the member for Portage la Prairie for the question, because I think we can probably agree that the problem-solving courts can address the underlying causes of involvement with the criminal justice system.

We have some experience already with the drug-treatment court which, unfortunately, is only in Winnipeg. The mental health court is another advance to try to deal with people who may have come into repeated contact with the law and it becomes apparent it's because of their own mental health issues.

So the court—the mental health court of the Provincial Court in Winnipeg was established in May 2012, so just over a year ago. As of April 2nd, 2013, there were 25 participants involved in the court. There's an oversight committee as well as an operational committee that consists of the various justice and health stakeholders participating in the

court, and I'm told they're continuing to monitor into—adjust processes as we go.

What happens is the mental health court offers pre-sentence intensive services and supports to persons whose criminal involvement is a direct result of their mental illness. The way I describe it—using football analogies that drive my caucus crazy sometimes—is that the judge is kind of the quarterback, but his job is to pass off the ball to somebody who can deal with the situation. So those services are provided by what's called a FACT team, a forensic assertive community treatment team of the Winnipeg Regional Health Authority's community mental health program.

So individuals who find themselves in mental health court may be those diagnosed with a severe and persistent mental disorder, such as schizophrenia or bipolar mood disorder, and they've committed certain criminal offences. What happens is there are certain Crown attorneys who are assigned to—the mental health court and they review cases to see if applicants meet the mental health court criteria. Once they get accepted to the court, that FACT team I talked about can then assess participant criminal medical records to come up with a responsive recovery plan. The FACT team has a psychiatrist, a team leader, a multidisciplinary team of four service co-ordinators, as well as 'administrive' assistant, and they give intensive support to the mental health court participants. They also report to the judge sitting in mental health court each week. And the Crown attorney or attorneys that are involved with the mental health court, Legal Aid and private lawyers also participate in case discussioned as required.

Now, the mental health court process is not a quick one. It requires an individual to—frankly, to do the work, to be committed to this and to also allow time to give the FACT team, the Crown attorney and the judge some satisfaction the person now has their issue under control, that they've taken treatment, the medication, whatever it may be, because of that, it's expected that in most cases the mental health court process will take between 18 and 24 months for each participant to complete. So there's not going to be a big graduating class just yet, although we expect there will be graduates over the year to come. If somebody finishes the FACT recovery plan, what'll happen is either the Crown will stay the charges, meaning that the charges will not be proceeded with, or there will be a sentence which will be community-based—it won't involve incarceration. Custodial sentences are not made in the mental

health court. If somebody has done something that may, in some cases, result in a custodial sentence, if they don't do their work in the mental health court, they find themselves back in the regular court system.

We think that this is a good way to go. We know that with the Winnipeg Drug Treatment Court, the recidivism rate or the reoffence rate is quite low. The last statistics we have is 12 or 13 per cent. We're hoping that we can get something close to that from the mental health court.

**Mr. Wishart:** So—and I appreciate the update—the plan is to expand this service beyond its rather limited introduction here, and how quickly would you be planning to expand it?

**Mr. Swan:** Well, we will want to—we will want to have successes under our belt. I mean, I have every expectation that the reoffence rates will be lower than in the regular system, hopefully at or below the rates in the Winnipeg Drug Treatment Court, but we'll need to get some evidence on that before I can really strongly advocate for expanding the program.

One of the challenges is that the actual costs to Justice of running a court like this are actually only a small piece of the total cost. For Justice, we're very lucky we have the provincial court judges who are quite prepared to take on another court each week, giving up their lunch hour, actually, as it works out. We're able to find a courtroom; we're able to pay the clerk a little bit more money. There are some costs, but they're relatively limited. Because this is a different way of dealing with these matters, it's really all of the other parties that are involved that create the majority of the cost, so health is a big part of this.

We think the FACT teams, as they are set up, seem to be the right way to deal with this. They are quite intensive; there is a lot of hands-on work, and there is the need for someone who's involved in the mental health court, as with the Winnipeg Drug Treatment Court, to re-attend frequently so that the team can tell the court how they're doing.

So, generally speaking, if it was a perfect world, we'd certainly like to see the program expand—not just in numbers, but also in geographic locations. I think it's fair to say that it would be a goal in the years to come to be able to run both a drug treatment court and a mental health court elsewhere in the province. We're shouldering the entire cost of the mental health court. The Drug Treatment Court is a partnership between the provincial government and

the federal government. I have several times told my counterpart, Minister Nicholson, that we would love to have the federal government help us to do more with that court, given the results that we now have in place.

\* (17:20)

I believe Mr. Nichols—Minister Nicholson is fairly sympathetic but I doubt he's been successful in getting any additional money out of his government.

So, just to recap, we still need some more evidence coming forward but we certainly think this is a positive way to go and my hope is that when we get those results it'll allow us then to—what to expand with the mental health court is doing; both in depth in terms of the number of people being assisted but also in breadth of allowing the program to take place elsewhere in the province.

**Mr. Wishart:** Well, thank you, Mr. Chairman, and thank the minister for that. How soon do you anticipate—you mentioned 18-24 and I know this is an indeterminate issue, but how soon do you anticipate having enough information on the success of the program to make a decision?

**Mr. Swan:** Yes, thank you, Mr. Chairperson. All right, all fine.

Mr. Chairperson's taking care of me here.

Because, again, because we're looking at 18 to 24 month period to have graduates of the program because the program has been ramping up, it may be we only have a handful of graduates in the current fiscal year. So I really can't give a date by which we'll have a magic number or we'll have enough experience to commit to anything.

Let's just say that I think we're all interested in seeing those results, we're all hopeful that the results will be positive and it will allow us to make a case to expand these kinds of problem solving courts, which, I think, do have the ability to avoid people being incarcerated but, more importantly, allow people to remain in the community in a safe way so that they don't reoffend.

**Mr. Wishart:** I think it's probably fair to say that it's at least a five-year process to be—to do a fair evaluation; probably realistic.

Do you also track in your regular incarcerated adult population how many are—that are there that are diagnosed with a mental health issue, do you track that?

**Mr. Swan:** I can't provide a number but what I can say is that every individual who's admitted to one of the correctional centres—there is a screening that takes place on the way in at which point corrections officers would try to—try to find if there are particular issues; mental health, addictions, other health issues that would better assist the correctional officers in providing a plan for that person as long as they remain at the correctional centre.

So I can't give you a set number on those actually diagnosed. All I can tell you is that each individual who comes in has some screening on their way in the door.

**Mr. Wishart:** Is it possible the minister could accumulate that data? We keep hearing extremely high numbers are suggested that—of inmates that—with mental health issues. And some real data would be useful, because most of it is second-hand, and it would certainly help indicate how serious the problem is and how important a mental health court may well be as an element in the system in the future.

Now, is it possible to accumulate this data?

**Mr. Swan:** Well, I'll be less than agreeable, but then, I think, more than agreeable.

No, we—again, we don't track those numbers, and I don't think it would be a good use of time and resources to go through each individual file.

But, generally speaking, I agree with the member for Portage la Prairie that there are a substantial number of people that are incarcerated that do have mental health issues, as there are individuals within the federal correctional service as well as other provincial and territorial jail systems. So we expect that the number would be substantial. Like other provinces, we haven't gone and tallied the exact number of people who have been diagnosed with a mental health issue.

If the member's aware of other information coming out of the Correctional Service of Canada or out of other provinces, I'd be happy to discuss it with him.

**Mr. Wishart:** Well, I thank the minister for that. I wasn't asking him to dig through every file; I was asking him to change the policy so that in the future you would begin to accumulate that data, because it is available in other jurisdictions and it is cause for concern. So I would—I think it's important that we would collect data that would put us in a position

where we can understand how we relate to other jurisdictions and the relative importance of this procedural change in terms of developing a mental health court.

So I'd just like to ask one further question, and then I know my colleague would like to jump in here too.

The old women's jail facility and related courthouse in Portage, which has a 'signi'—in my constituency, and has drawn a lot of attention as perhaps having some value for other purposes, do you have a plan for its future use? I know that currently the sheriff's office still operates out of there, and there is the occasional use of the courthouse, I think would be the fair estimate. Is there a plan for its future?

**Mr. Swan:** I know we've discussed this issue before. When the new Women's Correctional Centre opened, I mean, effectively, Justice handed the keys to the old Portage correctional centre back to Infrastructure and Transportation. So, with respect to the women's jail, you'd have to ask the Minister of Infrastructure and Transportation (Mr. Ashton) because it's not really for Justice to make that decision.

The courthouse continues to be used as a courthouse, and the sheriffs have their, as I understand, have their offices in that building, and that continues.

**Mr. Wishart:** Thank you. And that plan is to continue with that location, from your point of view, for those two services in the interim?

**Mr. Swan:** We have no plans to change the use of that building.

**Mr. Wishart:** I appreciate the information, and I will certainly pursue it with MIT.

Have you, during the term that you owned that facility and operated it—you never owned it, you just operated it, right—has anyone done environmental assessments around that site? Because it is a very old site, and there's concern.

**Mr. Swan:** Yes, again, we were the tenant, if you will. You'd have to ask Infrastructure and Transportation those questions.

**Mr. Ewasko:** Minister, I know that you had mentioned the GRASP program, and just for clarification, in the GRASP program, basically,

you've got a limit of a hundred—is that correct?—a hundred people that can be put into the GRASP program?

\*(17:30)

**Mr. Swan:** Yes, it's a hundred people being managed in the community at any given time. So if, as a result of a curfew check, somebody winds up going back into a correctional centre and their bail is revoked or they're otherwise required to stay there, then the next highest risk in the community that fits the profile for the GRASP program would then be monitored. So it's a consistent hundred people. Now, there—obviously, it may take a little bit of time to get the next name in, but the plan is to always be monitoring a hundred people out in the community.

**Mr. Ewasko:** Thanks, Minister, for the answer.

Can the minister outline, then, what currently happens for adults released on bail supervision not within the GRASP program?

**Mr. Swan:** Maybe the member for Lac du Bonnet could just clarify a bit more what he wants. I was—I'm not sure if he means the bail supervision programs that are run outside of probation services or whether it's individuals who are released into the community and have an obligation to report. I'm just wanting to get the right answer, so maybe if the member can just clarify that it would be helpful.

**Mr. Ewasko:** Yes, it's more so the ones that are released into the community unsupervised.

**Mr. Swan:** Okay, it's a big answer.

Generally speaking, a bail order is made by a magistrate or a judge, determining if somebody can return to the community, which may or may not have certain conditions attached to it. Again, if you're enrolled in a specific program like the GRASP program or the WATSS program, there is a more intensive supervision.

There are certain programs that exist out there, where people who are—who get bail, get bail specifically on the term that they will be involved with another program. For example, both the John Howard Society and Elizabeth Fry Society operate bail supervision programs. It may be a term of the bail that they must reside or they must be involved in programming there.

The Behavioural Health Foundation also exists to be a place for people who may have received bail who need some specific assistance with aspects of

life. Teen Challenge also runs a bail program for youths.

Generally speaking, if somebody gets bail, they're given the conditions that they have to follow. They may be required to post cash or they may be required to have somebody act as a surety to guarantee, I suppose—although there's no guarantees in life—that person's conduct. And if you're released on bail, generally speaking, those conditions are explained to you, they're read to you by somebody in the court, and as well, you're given the bail conditions to take with you. There is no automatic supervision unless you're enrolled in one of these other programs. The obligation is on you to make sure you're following the bail conditions that have been issued.

**Mr. Ewasko:** So then when somebody is released on conditional bail, and they've been read the conditions to them, then it's sort of under good faith that they are to be following those conditions, or is somebody actually checking in on them sometimes?

**Mr. Swan:** Yes, if somebody is released on bail, I mean, it's not good faith. They're actually being released subject to the terms of a court order. And if individuals don't comply with the terms of that court order, which can be found at any one of a number of ways.

You know, it is a truth that sometimes when police officers take a walk through a bar, they find a few people who they know are on bail and have conditions that tell them to refrain from using alcohol. If somebody does something that attracts the attention of the police, they may well find themselves being found in violation of the court order.

So there's a number of different ways. If there's an individual who knows that a person has a court order not to contact them, and that person contacts them, that person may be the one who makes the call to the police, which can result in further action.

And again, if you've been released on bail and you now breached—you violated the terms of that—of the bail order, you now have a much higher chance that you're not going to be given another chance to get bail.

**Mr. Ewasko:** Thank you, Minister, for the answers.

Over the last little while here, I've been receiving some phone calls in regards to the prearranged funeral services, in regards to a topic that's been

going on in our community. So, I'm just wondering, where we're at with that, in regards to Russell's Funeral Home for prearranged funeral services? Where are we at with that case? And I know that it basically was opened up either late 2009 or early 2010.

\* (17:40)

**Mr. Swan:** You know, we'll have to take a look and I'll try to get whatever information I'm able to provide to the member for Lac du Bonnet.

**Mr. Ewasko:** So can we by any chance get that to me—what's our timeline? I'm thinking that, you know, could the minister commit to say, you know, by the end of this week or beginning of next week or—?

**Mr. Swan:** I'm expecting we can find out the status within a couple of days. I just—I want to be careful that I may be very limited in what I can say or if I can say anything to the member for Lac du Bonnet, but I expect I can receive the information in the next couple of days, and then I will provide whatever information I'm able to pass on.

**Mr. Ewasko:** And I guess one other question I'd like to throw in there just so that the minister can do some checking on this as well is in a certain case like this, if there are some limitations put on the case, when do those limitations cease? Because this is a case that has been open for a few years, what types of conditions would possibly stall that? And it's just interesting that positively or negatively, one way or another, there's families that have invested some money into these pre-arranged services, and they don't know which way this is going. So if the minister can also include some of that information as well.

**Mr. Swan:** Right. I'll take that under advisement.

**Hon. Jon Gerrard (River Heights):** Let me start with the adult incarceration rates which, in the latest report I have, are about three times, on a per capita basis, higher than most other provinces. Can the minister tell us why that should be?

**Mr. Swan:** I can tell the member for River Heights that every province is different both in terms of conditions in that province but also there's differences in the way that assistance is given to the police in carrying out their jobs. Of course, every person who's in a correctional facility has been charged with an offence at some point. We continue to add more police officers across the province of Manitoba which has meant more police out there

preventing crime but also investigating crime when a crime occurs.

As you know, Manitoba has been very active not just providing direct support to police, but also assisting police in setting up some innovative units. We have a Warrant Enforcement Unit comprised of seven officers, WPS and the RCMP, who have made their priority individuals who have failed to comply with court orders, have failed to show up for court, individuals who in other provinces may just be able to stay beneath the radar are now regularly getting picked up and brought back into a correctional centre in Manitoba.

As you know, Manitoba has among the strictest breach policies because we believe if somebody isn't following their rules there should be some kind of attention paid to that.

So every province is different both in terms of various situations, but also in terms of support for policing in the provinces. And I think that we, if not the leader, must be one of the leaders in terms of the support that we give not just to police, but also to some of the other units such as the Public Safety Investigations unit that enforces The Safer Communities and Neighborhoods Act and The Fortified Buildings Act which is out there investigating and often assisting police, as just happened recently, in making arrests.

So it's not a simple question at all.

**Mr. Gerrard:** Yes, I don't believe that it's because Manitobans are inherently worse than people in other provinces. It sort of points to some systemic issue in the way, you know, maybe the NDP is running the province or maybe some other factor which results in a lot more people ending up, you know, being incarcerated.

Now, it's true not just for adults, it's true for youth and, indeed, the youth incarceration rates from this table from the department's report 2010-11 shows that the youth incarceration rates are not only the highest of any province, but they're roughly five times higher than most provinces.

Can the minister have any explanation as to why we should have such high youth incarceration rates?

**Mr. Swan:** Well, like, I'll say one thing, that virtually every type of crime, the rates were higher back in the 1990s. So, if the member wants to try and politicize that, he's welcome to, but he won't have some very happy people sitting next to him.



Look, with youth, I can—I know the member is aware of how serious an issue car theft was in the province of Manitoba, and even though the numbers have dropped we consider car theft to be a very dangerous crime.

I know that the Liberal government in Ottawa had no interest in dealing with it. I'm pleased, actually, that for Manitoba raising its voice, we did get the Conservative government in Ottawa to take some steps that we think are very helpful at managing individuals, including youth, who repeated car thefts.

The Winnipeg Auto Theft Suppression Strategy is just that; it's a suppression strategy and, even though there was a lot of attention given to assisting youths, at its very heart it was intended to get youths off the street so they couldn't steal cars, potentially kill themselves, potentially kill and injure others and create a lot of loss and damage in our society.

So the WATSS program was a tremendous collaboration between the police with probation services, with Crown attorneys, with Manitoba Public Insurance which was intended to try to prevent this crime from happening. And, frankly, I can't tell you how frustrated police were when they would pick up youths who had been involved in car theft and the youths were returned to the community very quickly, oftentimes even though the Crown had opposed the release, even though the police were quite certain that there would be a negative result. This was happening.

So the Winnipeg Auto Theft Suppression Strategy was intended to stop that from happening, and that did mean, and that still means, that if you're a youth who steals cars there's going to be a consequence and, likely, you're far more likely in Manitoba to spend time in a correctional centre than if you're in another province. We think that's actually what's right to try and not just protect others, but to protect those youths themselves who may be leading extremely dangerous and extremely destructive lifestyle.

\*(17:50)

**Mr. Gerrard:** Yes, I would ask the minister to tell us what capital expenditure plans for the department are this year.

**Mr. Swan:** Sure, generally speaking, I can talk about some of the areas for capital investment in the upcoming year. For Corrections, there will be greater investment in closed-circuit television to provide

greater safety and security for both residents and staff; there will be some equipment and security upgrades; there'll be some improvement in communication systems as well as some other equipment projects including things like perimeter fences and door controls that are obviously very important within corrections.

Outside of Corrections, there will be some capital investment at increasing video conferencing capacity. We had a good discussion earlier this afternoon about some of the things we're doing to improve video conferencing capability within the system.

As well, there are some substantial investments in information technology for courts, corrections and prosecutions. In courts, as I know the member's aware, it was just—it's been about a year and a half since the new Maintenance Enforcement Program computer system went online. There are still some other functions that are going to be brought online in the days to come, so there are some further capital expenditures that relate to that.

**Mr. Gerrard:** Yes, what would the total be?

**Mr. Swan:** All right, I—the net funding for capital will be \$3,326,000, which you'll see at page 116 of the yellow Justice Estimates.

You'll see there are also some costs related to capital assets. They relate to amortization on the cost of government aircraft, amortization of existing asset inventory, but the actual additional spending on capital will be that \$3.3 million.

**Mr. Gerrard:** What—let me move to just ask a question about the relationship between Child and Family Services and crime. A rather high proportion—I believe it—from one study, 88 per cent of the people who are inmates in institutions in Manitoba who are Aboriginal had had a previous history in Child and Family Services in care. And, for non-Aboriginal population, it was somewhat lower, but it was still much, much higher than in the general population. And other jurisdictions have linked, you know, poor approaches to children and children in care to their later involvement in the criminal justice system. And one of the things which is notable—we had a forum and this came up repeatedly from comments—people that—the experience of people who had been in care and had bad experiences and gone from one foster home to another, that they were individuals who tended to get much more involved in care.

I wonder if the minister has looked at this relationship and—to try to understand what the link is and what should be done.

**Mr. Swan:** Well, I think it's probably fair to say that many individuals who turn to crime have had neglectful and abusive parents, and that's why children come into the child and family services system. Many of those children—and I think, frankly, we would agree, the member for River Heights and I, that there are too many people in our society that are afflicted with a fetal alcohol system disorder—syndrome disorder, and that happened long before Child and Family Services ever got involved.

So, again, I will agree with the member for River Heights that a—there's a significant correlation between people who suffered from neglectful and abusive parents and those who get involved in the criminal justice system, and it is unfortunate, but certainly it's a reality.

**Mr. Gerrard:** Yes, other jurisdictions, they have started to make changes so that kids don't—are shuffled around as much and that they are—have attention in care so they're less likely to get involved in the criminal justice system later on. You know, has the minister looked into this relationship?

**Mr. Swan:** I think you have to ask questions of the Family Services Minister, perhaps the Children and Youth Opportunities Minister.

**Mr. Gerrard:** Yes, I just—one last question as the time is closing down.

I've been—put together a bill which looks at some changes to the Human Rights Code to improve the approach to bullying under the Human Rights Code, and I'd be interested, separate from this committee meeting, in getting together with the minister and just talking about that.

**Mr. Swan:** Yes, I saw that bill on the Order Paper. Was it introduced today?

**An Honourable Member:** No, it hasn't been introduced—

**Mr. Chairperson:** Honourable member for River Heights. Let me recognize first, please.

**Mr. Swan:** I'm sure we can get together for coffee sometime and talk about advancing human rights in the province. I'm quite prepared to do that with you, sir.

**Mr. Wishart:** You mentioned earlier when the member for Brandon West (Mr. Helwer) asked a

question about Bill C-10 that you had found some cost savings and some additional costs and you hadn't yet reached a point of determination as to where—whether it was going to cost the Province or not. But you were quoted, I think, on one of your interviews as saying that you thought it would cost the Province four and a half—4 to 5 million dollars. Have you rethought that position, or is that still your position?

**Mr. Swan:** Yes, look, there may be potential costs, there may be potential cost savings, and I think what I was trying to get across to the member for Brandon West is that it's not easy to look at this and to try and come up with a saving or a cost. There are a couple of things, though, that are costs, and I believe my comments were made in connection with trying to work with the federal government on some of these issues. I do know that Bill C-10 is going to continue to be a driver in legal aid costs. Legal aid costs used to be shared equally between the federal and provincial government. Now the federal government pays about 16 per cent—

**Mr. Chairperson:** Order. As was previously agreed in the House, the hour being 6 p.m., committee rise.

## AGRICULTURE, FOOD AND RURAL INITIATIVES

\* (14:50)

**Mr. Chairperson (Rob Altemeyer):** Will the Committee of Supply please come to some semblance of order. This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Agriculture, Food and Rural Initiatives.

Before we get started, just so committee members are all clear and up to speed, I just want to clarify the record with regards to resolutions 27.1, 27.2 and 27.3. Yesterday, dealing with Other Appropriations, these resolutions should have been handled before we concluded the Estimates on the other section, called Enabling and Other Appropriations, rather than during the Estimates of the Employee Pensions and Other Costs.

Now staff at the table have assured me that it is all in order in terms of moving the Estimates process forward, but I did want to offer that clarification to the committee. If there are any questions or concerns around that—[interjection] Hum? It's all good? All right. Thank you for that.

Now, picking up from the end of yesterday, leave was granted to the honourable minister to conclude his opening statement, as his allotted time had expired. There was some discussion of tabling, but I'll leave that for the honourable minister to bring us up to speed on and to conclude his opening remarks.

**Hon. Ron Kostyshyn (Minister of Agriculture, Food and Rural Initiatives):** Mr. Chair, it's definitely a pleasure to be back in discussions in Estimates regarding Agriculture, Food and Rural Initiatives. I was given the opportunity to offer my opening remarks for approximately half an hour yesterday until the time expired. The request had been brought forward for me to possibly to table my report, and at this point and as far as my opening remarks go, and I shall do so if the—as requested and will provide copies as need be.

\* (14:50)

**Mr. Chairperson:** Okay. The minister has requested leave of the committee to be able to simply table the remainder of his opening statement. Is the committee prepared to grant leave in this regard? *[Agreed]*

Thank you very much for that, and thank you, minister, for your opening remarks.

Does the official opposition critic have an opening statement?

**Mr. Ralph Eichler (Lakeside):** Sure. Mine will be very brief. I only have seven hours of Estimates here, so—and we have a lot of questions. Rather than listen to me speak and go on with a rant and tell you about all the good things that we are doing as opposition, we'll certainly save those for questions instead.

And we'll look forward to getting into the question-and-answer period—hopefully, lots of answers.

**Mr. Chairperson:** We thank the honourable member for those opening remarks as well.

Under Manitoba practice, debate on the minister's salary is the last item considered for a department in the Committee of Supply. Accordingly, we shall now defer consideration of line item 3.1(a) contained in resolution 3.1.

Also, at this time, we'd invite the minister's hard-working staff to come join us at the head table, and, perhaps, when they're settled, honourable minister, if you'd be so kind as to introduce them to members of the committee.

**Mr. Kostyshyn:** Obviously, we have a few staff members here, and my sense in the discussion, starting off the questions, is related to MASC department pertaining to flood or water issues. So I do have some of my staff here with me, and definitely if I don't have them sitting around the table, I will call upon the ones additional if we need to.

So I'll start off with my acting deputy minister, Dori Gingera-Beauchemin. The other individual, the CAO for MASC, is Neil Hamilton. And we also have Jim Lewis, who is a vice-president or—with Finance and Administration, and also Craig Thomson with—VP, Insurance. Okay.

**Mr. Eichler:** Were you done, Mr. Minister?

**An Honourable Member:** Yes, as far as the introductions of individuals for here.

**Mr. Chairperson:** On a point of order, or—

**An Honourable Member:** No.

**Mr. Chairperson:** We just have one other question to do through procedurally.

Does the committee wish to proceed with these Estimates globally or chronologically? Open to suggestions.

**Mr. Eichler:** In order to accommodate staff and their time schedule, a global question and answer probably the fairest to try and get through.

**Mr. Chairperson:** That you for that. Global discussion has been proposed. Is that acceptable to the committee? *[Agreed]*

Thank you very much. Estimates for this department will proceed globally.

And wouldn't you know it? The floor is now open for questions.

**Mr. Eichler:** In regards to the Shoal Lake buyout and the practice that was used there, we know that there's been an ongoing issue since 2002 when it was first brought forward to the attention of the government. And, of course, the previous Agriculture Minister made a trip out to the Shoal Lake area and decided to offer a buyout to a number of producers.

And I did send in a request last week, I believe, in regards to the buyouts, the number of claims, how many claims have been pie—paid out, a dollar amount of those claims submitted and the dollar value of the

claims that are still outstanding. So maybe we could just start with that update.

**Mr. Kostyshyn:** I'd like to introduce Leloni Scott, staff person also involved in flood claims and flood issues as well.

But my secondary question or commentary to the member opposite: Were you referring to—your question's referring to Shoal Lake watershed, or were you referring to the whole aspect of it?

**Mr. Eichler:** Let's start with Shoal Lake.

**Mr. Kostyshyn:** Obviously, you know, I think members opposite are quite familiar with the Shoal lakes situation. It just seems to be a reoccurring problem when we're in a kind of a trapped watershed scenario, and I know there's been a number of discussions with other departments how to alleviate the water problems, and I guess it's an ongoing situation.

So, given the question brought forward by the member opposite, I know that there's been a number of discussions with the local individuals, and I'd like to compliment the staff who've been involved with working with the producers and individuals that were affected by the Shoal Lakes Agricultural Flooding Assistance Program.

So I do have a total for you, member opposite. As of June 14th, 2013, part A payments have accumulated to \$5,261,296. This includes \$4,291,598 for lost income due to flooded land, and \$195,399 for transportation assistance for feed and animals, and also \$774,299 for transitional assistance for those clients participating in a buyout. And so, basically, to give you a total of buyout, we're looking at \$12,998,774.

**Mr. Eichler:** I missed the feed and freight assistance number, Mr. Chair, if it could be repeated.

**Mr. Kostyshyn:** Mr. Chair, \$195,399 for transportation assistance for feed and animals. I may have missed your question, members.

**Mr. Eichler:** How many claims for each of those departments—number of claims?

**Mr. Kostyshyn:** Farm assistance, as I indicated earlier, there was a total of \$5,261,296. So, to put it in perspective, there was a number of claims paid out; out of that amount was 212. And number of outstanding claims: there's still seven being dealt with there.

\* (15:00)

Also, in the total payout of claims, the dollar figure of \$12,998,774; there was a payout to 69 individuals and seven still outstanding claims.

**Mr. Eichler:** The seven outstanding claims, what status are they at? Are we still in negotiation stages? Are we to—close to finalizing those? Or whereabouts are we in getting those wrapped up and settled?

**Mr. Kostyshyn:** Obviously, you know, these are challenging times for the circumstances that are—the producers are faced with.

So we do have a total of seven, as I indicated earlier, and I have to compliment again my staff. They continued to work forward with the individual clientele, or the individuals affected by the decision making of moving forward. I would have to say that we are working very diligently. Obviously, we don't have a secret date when this is going to be resolved, but I want to assure you that our staff is working as hard as they can to come to a common understanding with the affected people.

**Mr. Eichler:** Mr. Chair, could the minister outline the timelines in order to meet the seven outstanding claims in order to get some type of settlement?

**Mr. Kostyshyn:** I hope the member opposite would appreciate because of the sensitivity and information that, you know, we can't supposedly share on individual basis of the clients or the claim that's of the process.

I do want to assure you that there are things as far as somewhat of a re-appeal of the land values; that's kind of one an example that there's discussion with the appropriate people.

But, at this point and time, I do want to assure you that we don't want to put any kind of a deadline to the individuals. We respect an understanding that a decision's got to be made by them, hopefully, in the near future. I think a majority of the individuals that we're talking to are probably in the last leg of discussions obtaining information from various components. But I do want to assure you that we are trying to put this to rest in—and—for both parties to be comfortable where we're at.

**Mr. Eichler:** In regards to the seven outstanding, the last thing I want to do is get involved in negotiations or to where that's at with those individuals. I'm simply wanting to determine whether or not there's a deadline in line for these settlements to be made, whether that be a month, whether it be fall and, if not, then what is the process of which those seven

outstanding claims will be dealt with? Whether that's through arbitration, whether that'd be through the form of mediator or negotiator, what is the process for those seven outstanding claims?

**Mr. Kostyshyn:** Just in elaborate discussions, basically, what the process is is that we are in discussions. We are anticipating by early fall at the latest, according to our positive conversations with the people that are affected by the moving forward, but I also want to make the member opposite know that there also is an appeal process. You know, at the end of the day, if the individual's not totally happy with the process there is an appeal process to deal forward on this.

**Mr. Eichler:** How many are at the appeal process now?

**Mr. Kostyshyn:** It's—presently, we just have one appeal process right now.

**Mr. Eichler:** I'm not asking the details of that particular appeal, but how long has that been in the appeal process?

**Mr. Kostyshyn:** To my understanding, the process, the formal process of the appeal is approximately just over a month or in a month, 30 days.

\* (15:10)

**Mr. Eichler:** On the buyouts, what criteria did the department use for establishing values for farmland, residential and hobby farms? Was there a guideline or a format that you followed on a buyout process, or was it based upon current numbers or past numbers? If the minister would care to on that, Mr. Chair.

**Mr. Kostyshyn:** Pertaining to the question brought forward, I'll go through a number of components. And this is general public knowledge, so we won't have to worry about The Privacy Act.

In order to be eligible for a voluntary buyout, the applicant must be an owner of eligible land in the Shoal lakes complex at the date of application and continue to be the owner of that eligible land until the sale to Manitoba has been completed.

The following land and buildings within the Shoal lakes complex will be eligible under the following voluntary buyout: Complete parcels of land, particularly part—partially or fully 'inundated' land—complete parcels of 'unundated' land must be eligible to landowners as inundated land in the Shoal lakes complex, and one of the following examples: being the nun—inundated land is no longer reasonable

accessible to the eligible landowner due to flooding of the Shoal lakes complex, or the farm unit as a whole is deemed to be a nonviable farm due to flooding.

Now, also, farm buildings and residencies situated in the un—inundated land, or in the case where the land—farm unit is no longer deemed to be viable, or un—inundated land within the Shoal lakes complex, in the case of determination that the farm unit is no longer viable due to flooding and the producer agrees to sell all parcels of farmland in the Shoal lakes complex to Manitoba.

**Applications:** Eligible landowners are required to submit a complete application form as prescribed by the programmer adviser—administrator, pardon me. Application forms are to be completed and signed by the eligible landowner. Also to be completed and signed, application forms must be received by the program administrator on or before the closing of business of November the 15th, 2011.

**Signatures:** Eligible landowners must sign declarations confirming that they have met the conditions of the program, and in the cases of corporations, partnerships, co-operatives, commutes and First Nations, program documentation must be signed by the property authorize persons. If the person who signed is not properly authorized to do so, the individual must—who also signs, will be held personally liable. Proof of authorization must be required by the program administrator. Eligible landowners are not permitted to sign the program documentation unless they have full authorized power authority—attorney or executive to proof of which it to be provided with a signed document.

**Land value determination:** Offers to be purchased—offers to purchase eligible land and buildings under program will be made by the program administrator based on fair market value of the land and the buildings as of May 24th, 2011.

In the case of the inundated land, appraisals will be conducted on eligible land and buildings as though these lands and buildings were not in a state that was not inundated at the validation date.

In the case of eligible land that was purchased by the eligible applicant in 2010 or 2011 and the offer for sale under the voluntary buyout, the maximum purchase price shall be the lesser of the price paid for the complete parcel of the eligible applicant to acquire that land or the fair market value.

After the agreement of the purchased eligible land and buildings have been signed by each party to the agreement, then Manitoba shall submit the purchase agreement to the Land Value Appraisal Commission to certify that the value of the land and buildings reflects a fair market value.

The decision of the LVAC as to be the fair market value is appealed by a program administrator or eligible applicant. Where the program administrator or eligible land owner cannot reach an agreement on the sale price of the eligible land, the land owner may ask for the Land Value Appraisal Commission to review the offer made by the Manitoba and adjust the price if the offer did not reflect a fair market value.

If an applicant is not satisfied with the LVAC review, he/she may withdraw his/her application for a voluntary buyout, cease negotiations with the program administrator, and withdraw application to sell eligible land under the program.

I think that should answer some of your questions.

**Mr. Eichler:** The term farm use value that's been referred to a few times in regards to assessing the criteria for buyouts, where did that 'methodology' come from in regards to buyouts?

**Mr. Kostyshyn:** When we refer to farm use assessment, it takes out the non-farming influence on the market value. Okay? Fair market value is a result of property highest and best used, which is a reasonable probability, and legal use of property that is physically possible, appropriately supported, and financially feasible that will result in the highest use.

**Mr. Eichler:** How many parcels was this process used on to buy settlement—make a settlement with the people in the Shoal Lake area?

\* (15:20)

**Mr. Kostyshyn:** Referring to the question, you know, it's always challenging when you're dealing with flooded situations, but referring to the question brought forward by the member opposite, I think the question—my answer to the question was buyouts are on fair market value.

**Mr. Eichler:** When fair market value's established by the guidelines that you rattled out earlier and the producer, or the farmer, feels those values have not reflected what they deem to be a fair buyout and they have an independent appraisal come in, is that

information taken into account during the appeal process?

**Mr. Kostyshyn:** I guess, just reading from the policy as I indicated earlier, Mr. Chair, is the decision of the LVA as to the fair market value is not an appealable by the program advisor to be the eligible applicant. So what it's saying today is is that the land value appraisal commission is the agency where the landowner, along with the government representative, have a discussion about where the differences lie and is there—and have an understanding why the landowner or the producer's asking for a higher value based on the land value appraisal. So there is a mechanism of discussions with the land appraisal commission.

**Mr. Eichler:** On those—as we know, the number of cattle that was grown in that area was a substantial number and of course, the flood of 2011 and those farmers are impacted around Lake Manitoba. What is the decision been made in regards to leasing some of that land back? What is the guidelines for the criteria to what the government's plan on doing with that land and what is the criteria going to be laid out for those producers to make application for that land?

**Mr. Kostyshyn:** And, you know, staff and the government realizes the importance and—of the hay and whatever else and the importance—and without a doubt, the water table has somewhat receded in appropriate locations in the Shoal lakes area.

So our—the staff has been working with the producers and have been providing opportunities if there's a chance to lease some of the land back. Whether it be pasture or hay productions, the opportunity is in place for that to happen on an add-need basis or whenever it's appropriate to do, and there's also some consideration given, you know, to the previous owner as well. But it will be treated much like you would have to treat Crown land. It's going to be on the same template of use of Crown land or the land purchased.

**Mr. Eichler:** How many agreements are in place now?

**Mr. Kostyshyn:** I'd like to note it in the record, we don't have an exact number of individuals that have been issued permits for the use of the property. But I do want to share some information with you—is that MAFRI staff have identified approximately or contacted 93 producers who operated within the Shoal lakes area, and this kind of translates into about 200 individual parcels of land which will

encompass about 30,000 acres. So 30,000 acres could be, you know, marginal as far as wetlands, but I think appropriate pasture land or hay land that has some, I would suspect, some native grass that could be harvested for hay production. So we are working with the producers in a localized area and we will continue to work, and we can definitely share that information with you of signed contracts. If you wish to have that brought forward, we'll gladly share that with you. But I do want to ensure that we—our staff is doing their utmost to work with the producers in that area to accomplish this situation that we face.

You know, the unfortunate thing is that when you have a watershed such as the Shoal lakes and there is concern about the cost of an alternative solution, this is why we've decided to move forward with the Shoal lakes and the buyout and use it on a need basis being a retentionary, for lack of a better word.

So I think that's my commentary to the question posed.

**Mr. Eichler:** On the 93 producers that you've contacted, you said it's from the area. Now, the farmers around Lake Manitoba, in particular up by the narrows there, a lot of those producers have leased land unfortunately now down in the Pipestone area who is under water again. You know, it's a huge transport issue in order to get those cattle down there. A lot of those are going to be coming back after this past week in rain.

Has there been any contact with those producers in the narrows area in particular to see if that's—some of that land in Shoal lakes area could be used as rental land for them rather than have them transport the cattle to the southern part of the province?

**Mr. Kostyshyn:** I think the member opposite will agree with me, is that Mother Nature is throwing curve balls at us all the time and you can never predict what to do. And I want to assure you that—what I'll go in saying is that we have offices, GO offices. Our staff are accessible at any time to have that discussion, whether it's through Crown lands or our MAFRI offices or GO offices. So, you know, I would anticipate the producers would be contacting the appropriate office—government office to see if land's available or check the website to see if any land is up for hay production or for pasture production.

\* (15:30)

So I do want to say that I'm sure the majority of producers will do that. I don't think we've taken a position to advertise it in the newspaper, by no means, but I would hope that producers would move forward and do some investigations through the necessary government offices.

And, yes, it's one of those things, members opposite, I'm sure you can relate to. Who in the heck ever thought that Calgary would be in the situation they are today, and, you know, the Calgary Stampede being eight days away that they're moving forward with the floods? So they—Mother Nature is throwing curveballs at all the time. Like today, it could be Vita, and tomorrow it could be Swan River as far as the amount of rain we've got.

So there's challenges, but I do want to assure the members opposite that that's why we have staff at areas offices to contact them or contact Crown Lands offices that will work with the people, the producers, on as-we-need basis, whether they're from the Narrows or from the Reston area. That's what we're there for.

**Mr. Eichler:** A number of the buyout parcels have been advertised for sale by the Province. How many of those parcels have been sold, including buildings and smaller parcels? And what is the criteria used to determine what lands will be sold and what buildings and yard sites will be sold?

**Mr. Kostyshyn:** Just to—a point of clarification, as members opposite might be well aware, is that Manitoba Agriculture, Food and Rural Initiatives staff are working closely with Crown land property agency, CLPA, and they are the agency that's going to be in charge of, you know, the asset purchases. And, basically, they're the administrator of the getting the appropriate people to come in and inspect the homes, for an example, if we talk about wood structures.

And, as you can anticipate, where you've got a residence that's been lived in and has been subject to water for a number of years or months or weeks, is that, you know, mould becomes an issue. And I think once it becomes a property of the Province is that, you know, the least we need to be concerned about is selling a piece of property that has some health issues. So that's why there's appropriate agency to do the necessary test.

And, unfortunately, some of the residents being in the conditions they're in, the best solution is basically the demolition of the buildings.

So we've—there's about 26 on file that had buildings purchased through Shoal lakes program and therefore we will be required to dispose of the assets. Out of the 26 files that require buildings disposals, two files have non-residents, just outbuildings, and 24 files have residencies and outbuildings.

So we're still, you know, working on the destruction or removal of the property, member opposite. And we're being very cautious that, if the property buildings, for an example, go for sale that we're not in a situation jeopardizing someone's health.

So, hopefully, that answers your question.

**Mr. Eichler:** Just so I'm clear, then, I know the area very well. I used to—it used to be part of my riding; some of it still is. There's a number of buildings and homes out of the 26th that are certainly livable. There's two of them that are fairly expensive homes that could be worth a fair amount of money.

Is the minister implying, then, that no properties have been sold of any type?

**Mr. Kostyshyn:** We've been in consultation with CLPA and, obviously, I want to assure you that if there's some property or buildings that, you know, have a value to it that's the least we want to do is not take advantage of the opportunity to see the property sold.

Because it's—we haven't had discussion with CLPA or the staff hasn't had a discussion with CLPA as of late, but I will assure that we'll get an update from CLPA department and get back to you or share the information as we move forward with the investigations.

**Mr. Eichler:** I certainly would appreciate that. The minister also offered earlier to share some information on the contracts. I would like that as well—that we had referred to.

In regards to those properties that, you know, I'd like to see the, you know—I'm not having any of the specifics just for the same reason the minister don't want to, but I can assure you there's a number of homes and outbuildings that are pretty good buildings, and it would be a shame to see them—as we all know, anybody that's left a building for any amount of time it deteriorates in a pretty quick hurry in regards to not having anybody around. So I would encourage the department, encourage the minister to take a look at those fairly soon. As you know, a

number of those have been vacated since last fall. I know—which is going to lead me to my next question on the residences and the costs to protect those homes that are still viable homes or at least were lived up until that time.

How much money was spent on security and protection of those homes that were vacated through the buyout process?

\* (15:40)

**Mr. Kostyshyn:** We've made a strong effort in providing, you know, supervision through our staff of the designated vacant residencies, obviously, and, you know, the hydro being left on, you know, for the adverse winter conditions which would accelerate the deterioration if it wasn't on. So I want to ensure that we've done everything that we felt was necessary to retain value of the piece of property or the real estate, the house itself. And it becomes challenging, but we've made a—according to staff, we've made a strong effort to sustain the existing value of the property in the best shape it is as it is—was years ago and is today.

So, obviously, our intent is to move the piece of property in the best shape that it was when we took it over.

**Mr. Eichler:** In regards of those parcels there'll be redeemed for some type of compensation, what value are you going to use to advertise those at in order for them to be disposed of, and what practices are you going to use in regards to the land allocation?

As you know, a number of yard sites have been sold off in rural Manitoba. Does the government have a policy that they're going to be using in regards to yard sites? There's three or four in particular I know of that are worth a fair amount of money if you just use the, you know, five- or ten-acre yard site type thing. And, of course, the land surrounding them—you know, there's three or four of them that have anywhere from a thousand to 1,500 acres of land which they're no longer viable because of the amount of land that was taken out of production because of the Shoal lake water rise.

But having said that, what will the government use for a criteria to dispose of those assets, be it home or be it land?

**Mr. Kostyshyn:** And obviously to, as I said earlier, the member opposite, you know, Crown Lands and Property Agency is—will tender all residencies and buildings for sale and, you know, removal where



there is access to the infrastructure buildings that are not flooded and there's no presence of mould.

So I guess if I could sum it up, you know, what we're—the intent here is not to have a reoccurrence. And probably in the visionary thinking ahead, if we were to have a reoccurrence, it's probably in the best interest to have the buildings removed from those designated sites and relocate them to another site.

So I think that it'd be fair to say that the wishes—or the stipulation is that the building will be sold if it's appropriate to live in and be relocated or moved providing there's, you know, infrastructure accessed into the property and move it out of that designated area. But, obviously, you know, we don't want to have people purchasing the property and then five years from now, we go through the same reoccurrence of the Shoal lakes flood that was in it today. So a decision was made to move the property if it's accessible [*inaudible*].

**Mr. Eichler:** I would suggest that, you know, the department have a look at some of those properties that they did purchase, as few of them are quite high and dry. They're a long ways from the Shoal Lake; however, it was part of their operation whereby they did use a lot of the land around the Shoal lakes, and, as a result, those individuals were bought out because they were no longer viable. So, I would suggest that those homes maybe be looked at in a different light rather than worry about future floods. I don't know how in the world they would ever flood. I think the city of Winnipeg would be under water in a case of a few of them whereby they'll be high and dry a long time.

So I'd hate to see a home be removed for just logistics reasons or a policy, or a bad policy, for that matter rather than making sure that, in fact, that property—and we have the statistics out there that we'll be able to rely on in order to determine whether or not those parcels, in fact, would be dry long term. I hundred per cent agree with the decision that, you know, we want to protect, and that was the whole idea of buying out the Shoal lakes and those producers, as a result of that. But some of those parcels were certainly feasible for a smaller operator, you know, a smaller producer that maybe has 50 to a hundred head, whereas some of those other operators were in the neighbourhood of three to four hundred, so certainly not viable in that case. So, I would suggest that the department look at that.

Still on the numbers that—of acres that are still there. I know I've been contacted by a number of the

producers that didn't take the buyout, that would like to have that opportunity, and I know the minister said there was 93 producers that been contacted by his department.

In regards to those producers that are left, in order to sustain themselves, what policy has the government come up with in regards to anyone else coming in and utilizing that land other than for pasture land or farmland? Has there been any consultation in regards to other groups wanting to access that land for conservative type use, or is it determined now that, in fact, this land will all be deemed to stay agricultural?

**Mr. Kostyshyn:** Just a point of clarification, you know, that the land that's been purchased has been deemed agriculture Crown lands. At this point in time, there's, to my knowledge, there's no other agenda to deem it any other type of appropriations. I think the agriculture land is a necessity in that geographical area, and it will remain that unless we, you know, have a reoccurrence of flooding, you know. It becomes somewhat questionable even agriculture Crown lands, and maybe Ducks Unlimited, Delta Waterfowl would be interested. But I definitely don't think, as I said, it's classified as agriculture Crown lands and stuff. So it will remain that, to my knowledge.

\* (15:50)

**Mr. Eichler:** If you go back and look at the history books in that particular area, yes, it's been known to be a bit wet over time. In fact, the trains—and Erinview was the first school in line there in that area, and there was actually deemed at one time to be next Winnipeg. It was—there was a large amount of fishing going on. There was wagon trails that went through there, and the railway actually came and followed because it was deemed a site that would be future for growth. And in fact, there's been a few programs brought forward from different developers wanting to see it grow and prosper so we'll just stay tuned.

But we do know that what the problem was in regards to Shoal lakes. It is a Devils Lake, as the minister may or may not know. There's no outlet on it. Unfortunately, what has happened, there's been draining licences granted, and I guess my question now is we can't retract those licences unless we go through some awful serious changes and flood some more land as a result of that. So what consultation's gone with his department in regards to ensuring no

future drains will be allowed to go into the Shoal Lake area?

**Mr. Kostyshyn:** Well, as the member opposite knows, you know, that my fellow partner in Conservation is sitting across from me, and we do have our discussions regarding, you know, surface water management, if I can use that terminology, and no doubt that surface water management, man-made drains, retention pond areas.

I guess I'll go back to my earlier comments here is that nobody can predict, but weather phenomena we've been having, and I think the reality is that we need to start thinking of areas where they've become holding basins. I'm not disagreeing with the commentary brought forward by the member opposite that we need to get a better handle on the surface water, man-made drainage, agriculture drains. And I think it's a true testament of what we went through in 2011 in the province of Manitoba where we're somewhat blessed being the bathtub of water that comes from the Albertas and Saskatchewan of the world and then we've got the Dakota water coming through the necessary tributaries. So we do have about three or four more taps coming into the bathtub, and as I indicated, we've only got one outlet in the original bathtub. And that's why our government is being proactive of designing a secondary outlet so we don't have a reoccurrence on Lake Manitoba flood.

So we have a controlled structure and invest the additional tax dollars that we're going to be bringing back in, or bringing into the treasury department because I think the members opposite, you know, soon realize the fact that not only do we need it towards our highways and bridges and stuff, but it's—Mother Nature is making it very challenging for us, and what we used to rely on as far as the tributaries taking the excess flow, we've almost got to build a second tributary to handle the excess flow, because simply it's drains that used to be a natural occurrence no longer exist. We've got a straight drain and the acceleration and the siltation and sediment that takes place in a lot of these channels basically reduces the channel capacity probably up to 25-30 per cent historically what they used to be able to handle.

So I know the member opposite—my fellow minister in Conservation and I've had numerous discussions regarding the drainage licensing, and I know that we have municipal governments that need to, you know, to work with us and they have without a doubt.

Myself being involved in municipal politics for 20 years and being involved in conservation districts as the member opposite would know, I really think conservation districts is our messaging box in our transmission box towards the benefit of surface water management in an appropriate manner, and hopefully we work with the conservation districts. So I notice the Minister of Conservation (Mr. Mackintosh) definitely is doing a heck of a job with that.

And I want to assure him, from our department, from MAFRI's department, that we're all working the betterment, but there's a lot of education that needs to take place of where it's at. And whether it's a Shoal lakes or if it's the Devils Lake. I think that Devils Lake has got a lot of history to it, and we know what's caused that, and let that not be a reoccurrence in the province of Manitoba. So that would be my commentary.

**Mr. Eichler:** Just to take that to the next step in regards to the Shoal lakes, and talking about possible future events, last year about this time we were very close to the Shoal lakes expanding and going over their banks. We know there's two natural outlets. They both head to Winnipeg. One is the Sturgeon Creek, and the other one is the—I can't think of it right now—but it goes into West St. Paul—Grassmere. So, as a result of that, both those communities were put at risk.

So what is the department's consideration in regards to building an outlet to drain some of that water off, prior to that event coming, if there is some mitigation that's going to be spent there?

**Mr. Kostyshyn:** So I guess that's where I bring in the third minister, from MIT and Water Stewardship.

You know, as we talk about this on a regular basis, and not to be repetitious, you know, weather patterns have changed, also has the drainages changed. And those are the challenges that Conservation, MIT and Water Stewardship face. And I'm sure that the member opposite has brought that question forward to the minister from MIT or Water Stewardship.

So I do appreciate the commentary, and I want to make it known that the minister from MIT and the minister from Conservation do continue to talk about those situations.

**Mr. Eichler:** We'll leave that for now.

I want to move on to the AgriRecovery programs: the Manitoba Excess Moisture Assistance

Program, Manitoba Forage Restoration Assistance Program, Manitoba Greenfeed Assistance Program, the Manitoba transportation assistance program, the Manitoba Forage Shortfall Assistance Program, and the individual assessment program.

My first question would be on the number of private sector claims to date. If we could have that number.

**Mr. Kostyshyn:** My apologies, Mr. Chair, I didn't quite get the question, or staff didn't quite get the question. So could you repeat the question.

**Mr. Eichler:** The number of private sector claims to date in regards to Manitoba Excess Moisture Assistance Program, or the other programs I mentioned earlier, the Forage Restoration Assistance Program.

\* (16:00)

**Mr. Kostyshyn:** I'm just going to make a point of clarification, when we talk about the ag recovery programs to the member opposite, there was a number of them listed off and I'm assuming we're on the same page on this one.

Excess Moisture Assistance: number of claims paid out were 10,120, and the value of the claims paid out was \$107,720,451; Forage Restoration: number of claims paid out was 225, a total payout of \$904,100; Greenfeed Assistance: total number of claims paid out were 1,154, to a grand total of \$2.8 million, and there would be—well, two point eight, four, zero, five hundred—if you wanted to bring out. In the transportation component of that program, number of claims paid out was 406, for a grand total of \$2,043,129. Forage Shortfall: 884 of claims paid out, for a grand total of \$14,310,990. And infrastructure and individual assessments, there was a total of claims paid out, was 67, to a grand total of \$2,692,916.

So—I'm sorry.

**Mr. Chairperson:** No, go ahead.

**Mr. Kostyshyn:** Sorry. So a total of Ag recovery dollars adds up to \$130,512,086.

**Mr. Eichler:** Do you have a total for the number of claims, as well?

**Mr. Kostyshyn:** Total number of claims paid out was 12,856.

**Mr. Eichler:** Does this include feedlots?

**Mr. Kostyshyn:** Yes, that does. That's in the infrastructure individual assessments.

**Mr. Eichler:** Could we have a breakdown on that particular sector, the feedlot sector?

**Mr. Kostyshyn:** Just for the record I want to kind of give a bit of a background description on the Manitoba Infrastructure and Individual Assessment Program through Ag recovery 2011. And let me just read this paragraph, if I may.

The purpose of the program is to assist agriculture, crop and livestock producers recover from flood losses related to mitigation, agriculture property and inventory that are not eligible for assistance under disaster financial assistance or the 2011 flood the building and recovery action plan.

So I just wanted to clarify that. So the feedlots were part of this, along with other agencies, but, unfortunately, my staff does not have a breakdown of things besides crop that, you know, was, as I indicated in my description.

But we're more than willing to share that information at a later date because the staff doesn't have it with them as far as a feedlot, if you wanted it broke down in that respective. Okay.

**Mr. Eichler:** Yes, we'd like to receive that information at a—you know, as soon as possible type thing, whenever the staff can get it back to us.

How many of those claims was denied?

\* (16:10)

**Mr. Kostyshyn:** And I apologize. When you get all those figures jumping around at you, I just wanted to make sure we got some clarification. So my apologies.

But what we had—total of number of applicants received, basically, 122; number of claims paid out, as I indicated earlier, were 67; and 55 were outstanding claims that are still, you know, in the system. But I also want to add to the fact that there was also additional 83 applicants that were ineligible based on the criteria.

**Mr. Eichler:** Based on the criteria on the 83, were they from a particular area?

**Mr. Kostyshyn:** I think that would be somewhat challenging for us to answer that question. I don't think we have that kind of information in front of us, member opposite, but definitely if it's a situation that's of importance, I guess we could definitely

provide that to you without—with respect to the, you know, confidentiality act and stuff like that, I think we need to be very careful of moving forward on that [inaudible].

**Mr. Eichler:** Out of the \$130 million paid out, how much of that came back through the ag recovery program from the federal government?

**Mr. Kostyshyn:** Just as a suggestion, the staff is trying to compile that information. If you want to bring forward another question, unless you have—but otherwise I don't mind giving the staff time to look for the appropriate answer.

**Mr. Eichler:** Mr. Chair, no, I think I'll wait for the answer. I've tried this in the past and certainly I respect the offer, but I find it just confuses staff, and we certainly don't want to add to that any more than we have to. So my questions are going to be back on the same thing as follow-up questions to that, so we'll just be patient and give the staff the time they need.

**Mr. Chairperson:** We'll have a brief five-minute recess.

*The committee recessed at 4:19 p.m.*

*The committee resumed at 4:26 p.m.*

**Mr. Chairperson:** We'll now resume after our recess.

Minister, do you have an answer to the last question that was posed?

**Mr. Kostyshyn:** Before we get into answering the question, I'd like to introduce two staff members that joined us at the table here: Ann Leibfried, who is executive financial officer; and Mike Lesiuk, who is acting assistant deputy minister, policy and agri innovation, as well. So I welcome my two additional staff members.

Now, going back to the question that was brought forward by the member opposite, when we break it down in the Manitoba ag recovery assistance program, excess moisture assistance, unseeded acres, 60 per cent was accepted, except for 5 per cent of the deductible which was paid by the feds, okay?

The Greenfeed Assistance Program: 60 per cent—oh, I'm sorry. Oh, okay. So my mistake—apologize for that. So under the Greenfeed Assistance Program, the federal government did not pay any at all. That was strictly a provincial.

When we talked about the Forage Restoration Assistance Program, we had recovery of 60 per cent of the forage restoration up to \$30. Then the provincial government covered the top-up, which I believe was 50—which was another \$20. So theoretically, if I can re-explain or be repetitious here to the member opposite, 60 per cent is what we received back up to \$30, but our—but the provincial government anted up additional \$20 on top of the \$30. The forage shortfall was 60 per cent based on market value—except market value—except market animals. And the transportation assistance: 60 per cent, except for market animals.

So the grand total—and then just a point of clarification, infrastructure and individual assessments, there was no federal contribution whatsoever in that program.

So we have a grand total of Ag recovery assistance program of \$69,932,887.

\* (16:30)

**Mr. Eichler:** So the total, then, left for the Province to pick up, roughly, is around \$60 million according to my quick calculations there. What department does that come out of? Is that out of the risk management program that's been allocated, and what percentage of that money is out of a different program?

**Mr. Kostyshyn:** Basically, we—the department received supplementary funding in 2011 and 2012 for the provincial's share of the ag recovery ballots.

**Mr. Eichler:** So how much money was that then?

**Mr. Kostyshyn:** What we have—I don't have my calculator in front of me, member opposite, but basically the total federal-provincial contribution was \$130.5 million and we recovered \$69 million from the federal government, so the difference is what the provincial contribution was into the program.

**Mr. Eichler:** Yes, that—I've got that part. The part I'm concerned about is the \$60 million, roughly. What department—what category in the Department of Agriculture and Rural Initiatives did that come out of, the \$60 million?

**Mr. Kostyshyn:** The category I think that you're looking for it fell under agriculture income stabilization under 3(b). And that's where the source of funding would come from.

**Mr. Eichler:** According to the numbers, the old numbers, I guess we're looking at 2012-2013. There's

quite a reduction in that for 2013-2014 from 44 to 28. Obviously, the budget line has been decreased for a reason.

Are you expecting less of a decline in claims for this coming year based on your past experiences?

**Mr. Kostyshyn:** Basically, the question posed when we look at 3(b) the difference between 44,216 through—to 28,771, the majority of the drop in that is because of the change in the ag stability component and the ag investment component when talk about the anticipated, I guess, stabilization in dollars. Just to the half per cent reduction in ag invest or ag stability also with the reduction of percentage is the anticipated, you know, less dollars being spent and I guess the grain prices maybe has something to do with it as well. But that's basically the rationale.

**Mr. Eichler:** Still sticking with the ag recovery programs. The number of claims that have not been paid out a hundred per cent, how many claims is that?

**Mr. Kostyshyn:** Basically, to sum it up, under through ag recovery programs, the only unpaid or outstanding claims is a number of 55, and that would be in the category of the infrastructure and individual assessments.

\* (16:40)

**Mr. Eichler:** Could you repeat the number of claims again?

**Mr. Kostyshyn:** Fifty-five.

**Mr. Eichler:** And the dollar amount for those outstanding claims?

**Mr. Kostyshyn:** The estimated amount is just around the \$3-million price tag.

**Mr. Eichler:** Would that include the federal contribution if they were approved?

**Mr. Kostyshyn:** That program was not supported through the federal government. It was a totally provincial program, as, I think, was indicated earlier.

**Mr. Eichler:** The process for settling these outstanding claims, there's—as the minister had outlined, Mr. Chair, there's 55 outstanding claims. What is the process for the appeal mechanism?

**Mr. Kostyshyn:** Just for the record, presently the 55 applicants are working with the necessary agencies to move forward on the claim that's been brought forward. They are somewhat complex as far

as investigations or settlement of the claimants. So the appraisers have been working with them.

To my knowledge, I understand that there is not any appeals or any disagreements at this point in time, but I understand that the staff are working. And, you know, at the end of the day, if there seems to be some issues, the appeal process is in place if they choose to appeal once they've come to the close of the decision.

**Mr. Eichler:** Out of the 55, how many of those claims are over six months of age?

**Mr. Kostyshyn:** What we do know, member opposite, is that they're ongoing investigations, as I said earlier, and to my understanding is the terms and conditions of the programs were announced in June 30, 2011, and posted in July 4th, 2011. So the application deadline for the program was September 30th, 2011, and if the application was made prior to that—of September the 30, 2011—it's an ongoing work in progress; there is no designated deadline for the claim to be processed. So it's ongoing. And then I want to reinstate my earlier commentary is that the staff or the appraisers are working with the feedlot or the individuals on this claim, and to my understanding, you know, it's progressing slow, but simply because it's somewhat complicating of a process that they're working on. So, hopefully, that answers your question in moving forward.

But I do also want to revert back to an earlier question you may have had. You referred to how many feedlots were involved in the number of claimants—number of claims paid out. And there was a total—in the infrastructure and individual assessment, and I was going to get back to you on that, but originally I had given you a number of 67, I believe. So 11 of those are feedlots, out of the 67.

**Mr. Eichler:** Thank the minister for that, Mr. Chair.

So, basically, all the—all 55 outstanding claims, then, of \$3 million are all over six months of age.

**Mr. Kostyshyn:** Basically, as you know, as the work is being done to repair the situations in the various locations and it's receipt based, it seems like it's an ongoing rebuilding of this, and to my knowledge, it's—some of the work hasn't been done because it's just not appropriate to be doing at this point in time. So it—to my knowledge, it seems like until the work is done and there's some actual receipts and then we could process some of those bills that are coming forward, it becomes a challenge not to move forward

without any kind of receipts or inspections of the work being done.

**Mr. Eichler:** Well, moving on to the number of municipal claims that have been appealed.

**Mr. Kostyshyn:** I—just a point of clarification, did you refer to municipal governments, because if it is, I think it's—it falls under the jurisdiction of MIT, I believe, when it comes to municipal governments.

**Mr. Eichler:** Yes, I did refer to municipal claims that have been appealed, in particular, through the AgriRecovery program of 2011, though. Some of those were still under the AgriRecovery program, at least was my understanding that there was, and if so, how many have been appealed through your department?

\* (16:50)

**Mr. Kostyshyn:** Through the AgriRecovery program, basically it's an agriculture-based program to recover dollars. So it, yes, AgriRecovery just deals strictly with agriculture.

**Mr. Eichler:** In regards to the, you know, thinking along those same guidelines, and so there's no municipal dollars for—through that program for drainage of those farmlands or other outstanding issues as a result of the 2011 program the way it was laid out at that time, even though I know there's, you know, changes to that program since under the new Growing Forward 2. But I just want to be clear that there's nothing outstanding for municipalities that may make application or that they may be appealed in regards to that drainage issue.

**Mr. Kostyshyn:** And through—under AgriRecovery there is no municipal support programs, as I indicated earlier.

**Mr. Eichler:** In 2011, the then-minister of Agriculture committed to multi-year levels of funding, and since that time that has not happened. Out of the AgriRecovery program, those claims that were processed under the understanding that there would be multi-year, what programs have the department set up for those folks that was promised multi-year programs?

**Mr. Kostyshyn:** And the question brought forward, I guess, as the member opposite alluded to, that was a commitment made by the previous Ag minister in 2011. I know that we have ongoing programs regarding fruits and stuff like that, but I'm not quite sure—if the member opposite could be a little bit

more specific as what you might be referring to in the commentary that was made in the spring of 2011.

**Mr. Eichler:** Yes, the then-minister of Agriculture committed that these programs would be ongoing as far as compensation, loss of income, loss for transportation of livestock out of the flooded area, and feed compensation. So those are just two small examples of the programs that were to be multi-year.

**Mr. Kostyshyn:** Well, now, let me just show you or share some thoughts I have on that particular subject. As the 2011 flood occurred in the designated Lake Manitoba, if we can refer to that area, and, you know, the majority of the programs, I believe, have been paid out relatively well to the clientele numbers that have brought forward, and the commentary that was made. And I guess, you know, when we refer to a partnership between the federal and provincial government as the 2011 program was brought forward and, obviously, I think with the premise being that a continuation of flood events of 2012 and the repercussions of 2012.

In my position now of being Agriculture Minister, and I've had fairly lengthy discussions with Minister Ritz regarding the issue of the continuing circumstances that evolved around the 2011 flood and, I think, it was pretty evident in some of the media release that Minister Ritz referred to that the federal government was not prepared in 2012 to pay for a flood that occurred in 2011, a continuation of a flood event that occurred in 2011.

Now, I would assume, and I guess that would be more of a question for minister—the previous Agriculture minister to be asked the question, but I would assume when he made that commentary much like it was in 2011, there was a partnership that if the provincial government was on side as they were in 2011, so would the federal government be, and I think that's probably where there's a bit of a misunderstanding is that, you know, there might have been a verbal commitment but with the premise of an understanding that there would be also a partnership that existed in 2011.

**Mr. Eichler:** I won't get into the debate about whether the federal government should or should not be at the table in that respect. I mean we all know that to have that land, whether it be hay land, pasture land, to be restored is a multi-year challenge for, whether it's the provincial government or the federal government. Those producers that were promised compensation by the then-minister took him at their word and made financial commitments to their

bankers and their folks that they made commitments to. It left them in a very dire situation without the coming through of the program, so as a result of that, you know, that's why we're still asking questions in regards to the flood of 2011. I realize the minister inherited that commitment and my heart goes out to the department, but the realization of the whole thing is that those folks were banking on those programs; unfortunately, it hasn't come through.

You know, and as a result of that we're going to lose some producers that through no fault of their own, but those commitments were made by your government and, you know, whether or not the feds—the guidelines are very clear about what's predictable and what's not. Those are agreed to by all provinces, you know, and by the first ministers, you know, right across Canada. Those changes can be brought forward. As a result of that, then, if that is the case, then what is the department's position in regards to bringing forward suggested amendments so that, you know, and your comments earlier were bang on. We're into a disaster era where we have flash floods—we talked about Calgary earlier—and it could be another event tomorrow. We don't know.

But we need to be prepared so that these mistakes don't happen again. So with that, I'd like to know the department's position in moving forward on any multi-year programs or, in that case, what we're going to be doing to restore those lands in the flooded area around Lake Manitoba and the Assiniboia valley, in particular.

**Mr. Kostyshyn:** Well, I just want to assure that I haven't surrendered the red flag of talking to Minister Ritz and asking for financial assistance, and let me assure the member opposite, I cattle-ranched for 28 years of my life and I know what it's like to go through some troubling times.

\* (17:00)

And I just want to say this. I experienced the snow blizzard of the century in 2000—May the 1st, 2011, where I lost a lot of cows and calves simply because when you get two and a half feet of snow overnight and you can't find your livestock. It's pretty devastating to experience something like that and let me—let it be known on the record where—the Province of Manitoba at that time became very supportive of supporting the livestock industry when there was an estimated budgetary figure of—I believe it was about one and a half million to pay for loss of livestock, and that was strictly provincial dollars that

went into that. The total was over \$6 million was paid out to the livestock industry.

So I guess it should be known for the record, the provincial government has really gone outside the scope of their commitment to the livestock industry, even when we talked about the previous [*inaudible*] when they anted up additional dollars in a greenfeed program. They anted up a excess moisture program and it—I'm proud to say that our government brought that in in the early 2000s, and it's been a great program ever since it's been brought in through crop insurance. And now we've got—we're working on some forage insurance programs. We're working on a number of things, so it is challenging times to the member opposite when we talk about what this government has done and we're working with it.

I do want to make note of the fact that our government is talking to the federal government. We realize the rehab of the program—or the situation in the Lake Manitoba, the flood 'indation' zone. It's not unique to 2011. The flood occurred there in the '50s, and just talking to—I believe it was the '50s—where some of the producers out there said it takes five years for some of that land that's been inundated, and so by harvesting of the bulrushes or the cattails, duly respected.

And I think our—the government is working forward, but there is the understanding we need to have a partnership. If the partnership is fined for one year and you have the federal and provincial government working on that, why is it that we seem to shy away if the provincial minister is bringing forward a commitment? If the marriage is going to continue in one year, why doesn't it come in in another year?

So I think I—I think our government is committed to work with the livestock producers. We are moving forward with trying to be innovative and, hopefully, become some way we can enhance the development of the areas that's been 'unindated' by the flood zone in the appropriate land base. And I want to share: our staff in the geographical locations have worked very hard to work with the producers, and maybe some of the areas we just have to accept the fact that maybe it's just not destined to be. You know, someplace where you'd—every year, you get natural harvesting of the wild hay or something, or the pasture.

I know I've—in my geographical area, I have a neighbour that's five miles north of me and there's years that you cannot—not able to harvest some of

that wild hay because just lake levels have some—but without a doubt, 2011 was really a flood of 300 years, and I want to assure members opposite that we've written numerous letters to the appropriate staff and the federal government, and we are trying to work with producers, maybe with conservation districts, to be influential of accelerating the restoration of the flood zone area. So that's my commentary on that aspect. Thank you.

**Mr. Eichler:** We'll come back to that debate tomorrow if we have time.

In regards to the building and action recovery program, how many claims have been paid out to date?

**Mr. Kostyshyn:** The number of claims paid out—individuals—in the BRAP program is 4,755 claims.

**Mr. Eichler:** What is the dollar figure of those claims?

**Mr. Kostyshyn:** The total payout was \$117,307,177.

**Mr. Eichler:** And what portion of that has been recovered from the federal government?

**Mr. Kostyshyn:** It's basically a combination of two programs when we talk about the question you brought up. It's a DFA and ag recovery. So it's somewhat difficult at this point in time for us to break it down of what potential payback on that amount, at this point in time.

**Mr. Eichler:** I'll be able to ask the DFO when I get into those Estimates.

Sure to the goodness, that there's some type of a calculation out the \$117 million about how much they're going to be coming back in the—in a claim. If you want to take that question as notice, we're certainly prepared to do that. But it would make sense to me, we should be able to calculate some type of a estimated recovery from the federal government on that amount of money. That's a large amount of money to be coming back.

**Mr. Kostyshyn:** I just had to double check with my staff. Yes, we'll definitely have some consultation with the department, you know, MIT, I believe, has the DFA claims. So we'll be able to break down the actual dollar amount. So we'll definitely provide that for you in the very near future.

\* (17:10)

**Mr. Eichler:** How many claims to date that have not been paid out?

**Mr. Kostyshyn:** Total outstanding claims is 287.

**Mr. Eichler:** And the estimated amount of those claims?

**Mr. Kostyshyn:** The total amount on the 287 outstanding claims, the estimated value of outstanding claims is anticipated about \$4.5 million.

**Mr. Eichler:** Then how many of them claims are in the appeal process?

**Mr. Kostyshyn:** Mr. Chair, just for the record, the 287 individuals—at this point in time, none of them are even in the process of appealing any kind of a decision. It's basically just a lack of receipts being provided or work being completed. It's an ongoing process so there's—if I could put it in a different language, there's no negativity in the 287. It's just an ongoing completion of the flood claims that need to be finalized.

**Mr. Eichler:** Is there a portion of the claim that is—that will be paid out, so they are able to carry on with their day-to-day operations, or do they have to wait until the entire claim is processed?

*Mr. Matt Wiebe, Acting Chairperson, in the Chair*

**Mr. Kostyshyn:** Out of the 287, it's fair to say that majority of them, if not all of them, have received some financial dollars. It's just an ongoing kind of advancement. But it's safe to say that a majority have received some form of funding.

**Mr. Eichler:** If you do the math, that works out to roughly about \$115 million per claimant—or thousand, which is a substantial amount of money. In—since none of them are in the appeal process and they're waiting for receipts and for the work to be done, what has the department done to ensure that these folks gets timely compensation in order to move forward with their claims?

**Mr. Kostyshyn:** Basically, I think it's safe to say that individuals are not being shortchanged at any time if the money—the job is complete, and I'll give you some examples. Some of them, you know, like fence lines that have been somewhat flooded and we need to go out there and do an assessment, when it's under 3 feet of water it's pretty hard to do that, so they had to wait for the water table to drop. There's been also continuous work by the producer, an example being debris cleanup, and where you've got trees that floated into hay fields and forage fields, the producer has taken on the initiative to clean that up on his own and put it on a pile. So those are maybe some small examples of the ongoing process.



But I'm—I want to repeat the fact that, at this point in time, we're not aware of anybody that's somewhat not been advanced dollars. Once the receipts have been provided and the job is complete, they will get paid out accordingly.

**Mr. Eichler:** Just so we're clear, then, the 4.5 million that is outstanding on the 287, is that the outstanding amount, or is there any amount that—of that has been paid to the 287?

**Mr. Kostyshyn:** That's correct, that's the outstanding estimated dollar amount.

**Mr. Eichler:** We've also heard from a number of flood victims that there's been some repayments demanded. How many of those is there and how much money has been refunded to the Province?

\* (17:20)

**Mr. Kostyshyn:** Just for the record, in that—the \$5,000 advance program, I think, as the member was asking about what's outstanding. The \$5,000 was advanced through an application process, \$5,000 for people that were affected by the flood. The total amount that was advanced was close to \$7 million, which—you know, we had over 1,400 applicants, if I do the calculation right. And to us so far we've—and part of the terms and conditions—it basically was a \$5,000 advance in the program, correct? So, in order for people to sustain, you know, the benefits of the \$5,000 they received—it was not a grant. It was basically just an advance payment. So once the individuals chose not to provide receipts, it became somewhat challenging. So we've been somewhat investigated.

*Mr. Chairperson in the Chair*

But as of today, as I said earlier, there was 1,400 applicants. Thirteen obviously have complied, and so we've got less than a hundred that are still—we're still requesting some receipts for the \$5,000 that was advanced for the individuals.

**Mr. Eichler:** How many claims was there for reimbursement to the Province over the \$5,000 amount?

**Mr. Kostyshyn:** And sorry for the delay, but I just wanted to get the figures accurate.

Before I get into the numbers identification, member opposite, I do want to recognize the fact if our assessors and the staff people that were involved in this.

And, when you refer to the accountability, we as a government are moving forward. When the government decided to advance the \$5,000, that was truly a kind of a goodwill gesture that we're prepared to work with the affected people in the designated area regardless where the flood occurred in their geographical area as far as residency, cottages or—and I think we, you know, we're now somewhat being very accountable because obviously that was taxpayers dollars that went into that program.

And I want to commend my staff and the individuals that were out there doing the due diligence and unfortunately in today's society there's maybe some people that like to take advantage of the circumstances like that. And I want to assure that we, our staff, was very conscientious, very proud and worked very hard for the people that were affected by the flood in given the circumstances.

So, when we're answering questions like this that how much money's been brought back and how much has been done, it's just a—I think, it's a true testament to our government and to the staff that been out there in the circumstances, that we are very much accountable and we are working towards for the betterment of, you know, the tax dollars being wisely—but also for the betterment of rebuilding the disaster situation that we were faced with.

So I just had to make this commentary because I know that I've—I got involved with a number of the staff members when they were kind of in the dragging out stages of the flood and visiting the people and talking to people up in Lake Manitoba as well and up in the Arborg and the Fisher Branch area when—and met with some of fishermen—not fishermen, pardon me, with the ranchers.

And it's definitely a sign of frustration and I really respect that. And a lot of them also respected the government's commitment towards advancing the \$5,000.

And in fact to the credit of a number of individuals, they actually weren't even sent an invoice, they repaid the dollars that they didn't use. So a true testament to the Manitobans that are very honest and straightforward about returning some money that they never spent and they were very diligent about providing the necessary receipts as we move forward.

So I just had to make those commentaries about our flood claims and may that never ever happen

again in the province of Manitoba or anywhere as far as we're concerned.

But to refer to the question that was brought forward by the member opposite, the average payout when we refer to the additional \$5,000, the average payout was 5,470 and the number of claimants or claims were 1,690.

**Mr. Eichler:** The issue that I'm trying to drill down is the claims that were processed and payments were made, how many refunded money back to the province to Manitoba as a result of the flood of 2011?

I know I've had two people contact me that's refunded an excess of 25 to a range of \$75,000, so obviously there's more than one or two out there that's refunded money back to the province of Manitoba through either an overpayment or a claim that was processed inaccurately.

My question is: How many of those, over the \$5,000 mark, have refunded money back to the Province of Manitoba and how many?

\*(17:30)

**Mr. Kostyshyn:** I guess the interpretation of the question brought forward and, I guess, you know, certain times there are situations that 'arn', you know, meet—guidelines got to be met and move forward with that. And I guess unless we can really talk about individual people or in circumstances, I guess it's pretty hard to, for me sitting here, kind of, trying to surmise the direct question they're posing to me as a minister or to my staff.

But I do want to reinforce the fact that circumstances sometimes, maybe accountability sometimes has the relevancy to maybe the circumstances that you may be referring to, and maybe sometimes there's circumstances where certain compliances have not been met. And I guess we—you and I can sit here for some time and play the anticipation or understanding game, but I think it would be appropriate, if you feel like there's some circumstances that are not being fairly treated, I think we would be more than willing to maybe address some of the issues.

If you want to refer to a client number or a person's number, then—but often said, you know, society or sometimes, today, that there are circumstances that maybe aren't—the truth aren't being told. And I want to assure you that I'm leaving it open to the member opposite. If you need to bring

forward a concern, I think we're more than prepared to share some of that [*inaudible*] if we can. You know, and The Privacy Act plays a big component in this. And often there's two sides to every story, as well. So I'll leave it at that.

**Mr. Eichler:** Yes, I won't get into 'pacifics' on that, either, nor do I wish to. You know, we can do a letter on that a bit later if need be.

But my question still is—so I want to be perfectly clear, there has been no money come back to the Province of Manitoba as result of a claim for an individual as far as a reimbursement of a claim that was put—paid out by the—by your department? So there's been no refunds asked for or claimed to be refunded to your department?

**Mr. Kostyshyn:** I just want to make this commentary very strongly. You know, when you're dealing with a dollar amount of about \$117 million-plus, and you have total claimants of about 4,755 that were involved in that dollar amount, when you average that out—and I'm assuming that the accountability really becomes really 'scrutant' here when we talk about the big dollars and the amount of people that have been paid out—and I want to go back to my earlier comment when we have to—the taxpayers' dollars are accountable through my department, any department in this—in the government, and we are very 'scrutant' on that.

There are certain times, maybe circumstances, that there are certain compliance issues that aren't followed through, and I think we're probably safe to say if it was based on the 4,700—or 4,755 applicants, if there was maybe two or three applicants that are maybe in that same scenario, there might be a reason why there might be that scenario. So, if there's some area of concern brought forward—but I just want to assure our government, the accountability is our due diligence, and if there is issues that don't seem to sit well as far as asking for the money back, if the money's been paid and if there was circumstances that maybe a certain compliance hasn't been met, then I think it's our due diligence in accountability to ask for some of that money to be paid back.

**Mr. Eichler:** Totally agree. I'm just asking how many and what the dollar amount was.

**Mr. Kostyshyn:** We'll gladly share that information, but I want to assure you if you want to know a number, I think we're talking less than a handful of individuals at this stage of the game right now, so.

**Mr. Eichler:** So, Mr. Chair, I take it that you'll provide that to me at a later date?

**Mr. Kostyshyn:** I'll gladly share that information with you, but I just want to reinforce the fact that we need to have an understanding that there is a certain amount of privacy that needs to be indulged with in that perspective.

**Mr. Eichler:** We're certainly not asking for names; we're not asking for the dollar amount on any particular individual nor do we want to know those individuals, but I think it would be well worth the information as far as the number and the total dollar amount, simple as that.

**Mr. Kostyshyn:** Yes, we will provide that with you in the near future.

\* (17:40)

**Mr. Eichler:** How many staff is dedicated to processing and completing the flood claims? How many people are dedicated to that?

**Mr. Kostyshyn:** Presently we have 16 staff that are working on the processing of the flood claims as of right now. Obviously the numbers were a lot greater when we were in the peak of the flood, but right now—and that's not taking account of some of the staff sitting around here in the kind of—the supervision or the assistance, as far as maybe some of the technical investigations, so—and some of our staff members have put a lot of long hours, that are sitting around this table here, in the flood claims, as well.

**Mr. Eichler:** Out of that 16, how many is coming from your department?

**Mr. Kostyshyn:** The 16 individuals are specifically hired to deal with the flood claims—it's a term position. They are, I think—refer to your question, are they staff of MAFRI? Yes and no; they're just basically employed to deal with the flood claims.

**Mr. Eichler:** How many flood claims are still to be processed?

**Mr. Kostyshyn:** The number of outstanding claims—and they're still work-in-progress—were, you know—these aren't any—by no means competition, I don't think, but ongoing, processing. We have a number of 287.

**Mr. Eichler:** Because these are term positions, is there anticipated date when these flood claims will entirely be processed and then those staff would

return to either retirement or whatever their next step is?

**Mr. Kostyshyn:** And just, if I have the opportunity to add to the fact is that when I refer to the number of outstanding claims and I refer to the number of the previous question to the member opposite, was 287, and I was looking for a percentage. Basically what that number signifies, that's 96 per cent of the claims have been processed. So we've got 4 per cent of outstanding claims, so I think that's pretty, pretty amazing numbers, given the magnitude of the flood that we had to put up with and basically never experiencing the circumstances before and organizing an army of people and staff to work forward on that, so—but I want to also address the question that's been brought forward. As we process the claims, and the claims get lesser, and also keeping in mind that, you know, appeals—someone will have additional staff time as we refer to the 16 individuals. But we definitely want to maintain efficient number—efficiency at processing the claims for the people that have still outstanding claims so we can lessen the anxiety of people anticipating the flood claims being processed.

So, as we move through and the numbers get less, so will be the staff appropriately as we move into the future. And we be talking possibly months, so—

**Mr. Eichler:** I have met with a number of these 287 people. I don't know if their claim has been settled since I met with them, but 4 per cent is still a large number two years later for a lot of those folks, their families to be impacted. We know the devastation they've been through; there's no doubt about that. And, of course, we want to see them processed as quickly as possible in order they can get on with their lives, and certainly I know from meeting with them there's always the understanding that what they think something needs to be done, and of course then there's those adjustors that feel it needs to be done a different way.

So certainly we understand and respect the process that has to be followed, but still 287 is a large number and anything we can do to—well, I meet with them, you know, not on a regular basis, but on an individual basis. We certainly encourage them to work with your department in order to ensure that they get a speedy process on their claim.

I guess that brings me to a bit of a close on that particular issue and on to the number of employees

and that. On the 16, how many of those are people that came out of retirement?

**Mr. Kostyshyn:** Now, before I forget I'd like to introduce Jared Munro, who's joined us at the table. He is the acting manager for Flood Recovery Office, and he's not one of the retired employees.

\* (17:50)

But we—basically to ask—answer your question there was two that were—I guess the terminology previous employed—they chose to retire and they come back, but they were not affiliated with the department historically.

**Mr. Eichler:** But, also, before I leave I have a question in regards to the—my understanding was there was some folks brought in from Québec to help with assessment of claims. What cost was that and how were they paid?

**Mr. Kostyshyn:** The assessors, you know, they're kind of a unique individual. We had been working with some local assessors or appraisers at one time, but because they were affiliated with the private insurance company it—we were finding that the timelines of having the investigation continue on in a speedy manner—and I think the member opposite can really appreciate when you have people that are—have gone through a flood and they're very frustrated and they want to get it appraised so they can make a claim or—and then move forward with some renovations or repair. So at—that was the point in time where we decided that we needed to outsource some expertise of individuals that had been quite familiar with the situation such as this, and it's a company that has obviously been working in other parts of the province or in Canada and possibly internationally. And I'm sure they're probably down in Calgary right now doing some contract work given the sincerity of the work that they are faced with.

So, yes, we did have an agency outside the province come in and assist us except they—because there was a lot of frustration when the people were coming and it was on their repair side of it, and the assessors come and they estimated the repair cost of what it's going to cost to move forward with that. So the total cost, estimated cost—well, it's not really estimated, but I'll give you an estimated cost. It was about \$1.2 million for these appraisers to come in and do the necessary quickness and efficiency of the repair damage, estimated damage.

**Mr. Eichler:** And the name of that company?

**Mr. Kostyshyn:** The name of the company is called Bourret Appraisals Inc. and the name is spelled B-o-u-r-r-e-t Appraisals Incorporated—n-i-c.

**Mr. Eichler:** And, for the record, this company is out of Québec. Is that correct?

**Mr. Kostyshyn:** Yes, Mr. Chair—it's—for the record, what they are, is their office is located in Québec, but they have appraisers throughout western Canada, Ontario, so their—I guess their hub or their central headquarters is there, but that doesn't mean all the appraisers come from that geographical location. They're fairly well-known across Canada, this appraisal company.

**Mr. Eichler:** The contract—how was that tendered, then? Was it a tendered project or was it a contract that was untendered?

**Mr. Kostyshyn:** Mr. Chair, the—it was—basically, the staff had a—appropriate timeline to investigate—did a bit of a reference check on the agency and, given the urgency of the circumstances, it was a—after doing a very diligent investigation of the credibility of the company—it was decided they were going to deal strictly with this company because of their professionalism.

But, at the end of the day, the staff were quite challenged. We don't have time to go through the tendering process. If we do our due diligence of the professionalism, references that were asked for, we could 'expediate' the—and as it turned out, I believe the company—done very well in the MASC or our staff have indicated they were very well respected as a good appraiser company.

**Mr. Eichler:** We're getting very close to our allotted time for today. I do want to put on the record that I want to congratulate the acting deputy minister. She's just doing an outstanding job and my congratulations to you and your commitment to your position—certainly well appreciated. And I know that when we were asking these questions and the first time around, it's always difficult, but thank you for your patience and working with us. So we certainly hope that you stay around for a while yet. I know there's not a permanent position posted yet, but we're certainly looking forward to that and, of course, the rest of the staff.

I do have a number of MASC questions left, so I would like to call them back tomorrow, with your permission, Mr. Minister, and Mr. Chair, through

you. But, in regards to that, I still wanted to come back to this: How many employees did the contract company bring forward into Manitoba to assist us with that appraisal?

**Mr. Kostyshyn:** Mr. Chair, I'd like to introduce Stephen Van Diens [*phonetic*]; he's the manager of the claims centre.

The number of individuals that were brought in to help out in the assessment or appraisal was 12 individuals.

**Mr. Eichler:** How many was from Manitoba, out of the 12?

**Mr. Kostyshyn:** Mr. Chair, we don't have an exact number, but I want to assure that majority were Manitoba residents that were hired to do the work. No, sorry—okay. Pardon, I sit corrected. The majority were not Manitoba residents.

**Mr. Chairperson:** The hour being 6 p.m., committee rise.

#### FAMILY SERVICES AND LABOUR

\*(14:50)

**Mr. Chairperson (Tom Nevakshonoff):** This section of the Committee of Supply has been dealing with the Estimates of the Department of Family Services and Labour.

Would the minister's staff and opposition staff please enter the Chamber.

I see the minister has some additional staff with her today. Would she care to introduce them.

**An Honourable Member:** Certainly. I'm joined today again by Jeff Parr, deputy minister—

**Mr. Chairperson:** Sorry. The honourable Minister of Family Services and Labour. Excuse me.

**Hon. Jennifer Howard (Minister of Family Services and Labour):** Thank you very much, Mr. Chair. I'm joined today again by the inimitable Jeff Parr, the deputy minister; the fabulous Charlene Paquin, the assistant deputy minister for Community Service Delivery; the astute Aurel Tess, from finance, the ADM for finance; and the captivating Carolyn Loeppky, the ADM for Child and Family Services.

**Mr. Chairperson:** We're on page 86 of the main Estimates book. As previously agreed, questioning for this department will proceed in a global manner.

The floor is now open for questions.

**Mr. Stuart Briese (Agassiz):** Continuing on from where we were yesterday, could you tell me the number of staff currently employed in the department?

**Ms. Howard:** Yes, we have 2,283.69 FTEs in the department.

**Mr. Briese:** What's your vacancy rate at the present time?

**Ms. Howard:** Our vacancy rate is around 10 to 11 per cent, but it's not distributed evenly throughout the department. Services like those within Winnipeg child and family services for example, those are exempt from the vacancy expectation.

**Mr. Briese:** When you gave me a number on staff currently employed, you were covering what I choose to call both sides of your department, the Family Services and the Labour side, I presume.

**Ms. Howard:** That's correct. That's total for the entire department, everything under my realm.

**Mr. Briese:** So the vacancy rate is running 10 to 11 per cent. Do you expect that to stay stable at that number or are those positions—are you trying to fill various of those positions or what's the status? Will we continue forward with a 10 or 11 per cent vacancy rate?

**Ms. Howard:** Well, when we look at how we manage vacancies, we try very much to ensure that those positions, especially those positions that provide front line or core services, that we are filling those positions. And then other positions, we look for how we can manage as efficiently and effectively as possible. We look for ways to continue to do the work.

For example, in my office, we've had one administrative staff, we've held that position vacant for about a year. We intend to continue to hold that position vacant. We're finding that we're able to manage the workload with fewer administrative staff, and we think that that is an important thing to do, especially in times when we're trying to continue to manage the budget.

So it depends very much where the vacancy is occurring. There are some positions where a vacancy occurs, we fill that vacancy in as timely a manner as possible. Other times, when a vacancy occurs, it presents an opportunity to see if we can do things more efficiently, and we're trying to take those opportunities.

**Mr. Briese:** I'm—most of these, I would expect I know the answer but I'm not sure—are most of these vacancy—vacant positions, are most of them arrived at through attrition, retirements, that type of thing?

**Ms. Howard:** I think a large part of them are just a result of the natural turnover in any large organization. People leave for a variety of reasons. Some people retire. Some people move on to other jobs, and there is also just a natural time period that it takes to do a competition and to fill a position. So, I think when you're talking about an organization of over 2,200 staff, you can just expect some turnover.

As I've said, I think, throughout government, we're going through an exercise where we continue to try to make sure that we are putting our resources into those services that matter most to Manitobans, and that means that we look for ways to manage as efficiently as possible, and so when a vacancy occurs, we do ask ourselves the question, is this an opportunity to see if we can do this work more efficiently with fewer people? And that will allow us to make sure that we're getting resources more towards the services that Manitobans are depending on.

**Mr. Briese:** I presume, and I don't know for sure, but I presume that throughout a year there are some positions that are reclassified or renamed. Have there been a number in your department, and, if so, is there a possibility of getting a list of any that have been reclassified?

**Ms. Howard:** I don't have that information right here, but would be pleased to provide the member with that information.

**Mr. Briese:** So, I think you partially answered previously with that—you try to handle the vacancy rate so it's not having any impacts on depart—on the department as a result of that vacancy rate. But are there any areas where you think the vacancy rate's too high in your department, any sectors?

**Ms. Howard:** I think the way that our managers, our directors, our administrators, manage the workload, they do a good job of making sure that the work gets done even when there are vacancies occurring, and even when it takes some time to fill those vacancies. I think it is a time, and perhaps it's always a time, and maybe it takes time when the economy is less certain, for us to do this, but I think it's always a good time to check in with the way you deliver public services and ask yourself, are we delivering these as efficiently as we can? Are we delivering

them in a way that Manitobans are getting the things that they need, but also that Manitobans are getting value for the money that they spend on getting these services? And that's what we continue to do.

But I would say, in my experience, the managers, the directors that are responsible for distributing workload, do a good job of doing that and they good—do a good job of letting us know when we really need to move more quickly to fill a certain vacancy. So, I think that the folks that work in the department do that job well and it's a job that they have to do every day to make sure that the work gets done with the resources that we have.

**Mr. Briese:** Could you—I don't expect you to have it right in front of you, but could you provide us also with a list of staff who retired from the department in 2010-11 fiscal year and the 2011-12 fiscal year?

**Ms. Howard:** I could read all those names for you; it may take the rest of the afternoon. But I will make sure that we get you that list.

**Mr. Briese:** That's why I asked the question the way I did.

Do you hire any—anything on a contract basis in the department during the last fiscal year? If so, would you give me a little information on it if you did?

\* (15:00)

**Ms. Howard:** A lot of the contracts we have, have to do with delivering training, particularly, to child and family services workers and other workers, delivering all types of training—some core competency training, some more specialized training.

We also, from time to time, have people help us develop the public communication tools that we use to let people know about the kinds of services that are available. But I would say the vast majority of contracts that we have would be for training.

**Mr. Briese:** Could you provide us with a list of the individuals that have been hired on a contractual basis?

**Ms. Howard:** You know, I can endeavour to do that. I think those lists are made public when the Public Accounts are published annually. I think that every amount—I think it's over \$5,000 or \$2,500—that there's a contractor listed in those documents. But if they're not made public, I can certainly make them available.

**Mr. Briese:** I was just wondering if the actual list of the individuals that did have contracts—I'm not sure whether that's there or not, and—I'm not actually the critic for this department so I haven't dug as deep as maybe I should have.

I'm going to turn the mike over to the member from River Heights for a few questions right now.

**Hon. Jon Gerrard (River Heights):** My question—first question to the minister deals with The Adoption Act. And I know the minister has been engaged in some changes as was reported very recently in the Free Press. And Penny Treflin, for example, has been asking about this.

And I would like to know what the minister's plans are with respect to The Adoption Act, and when changes can be expected?

**Ms. Howard:** I know the member opposite will appreciate this, that when we're looking at opening up adoption records pre-1999, it's a very complex situation. We want to be able to do that. I think there is a tremendous interest also in my department, with the people who work with those adoptees who are looking for their information, to be able to provide them as much information as possible.

So what we're endeavouring to do right now, is certainly learn from those jurisdictions that have gone down this road. A big part of that learning is the need to provide for birth parents to know that this information is going to be made public. I think what they learned in Ontario when they did this, that they needed to provide a veto for those parents. That can involve a lot of information, public communication, to let those parents know, who may now be living all over the world. So we have to make sure that we are balancing the need to communicate to birth parents their right to veto with, frankly, the cost of doing all of that public communication.

We also know that in Manitoba, when we look at who was adopted in that time period, the vast majority of those adoptees were Aboriginal kids, that were part of the, what is known as the '60s scoop, that really went through the '60s and the '70s and part of the '80s. A lot of those records are held in Manitoba. A lot of them are held outside the province too, in the jurisdictions to which they were adopted. So it does require a discussion with other provinces. It requires some discussion with other states, international states. And so that work is ongoing. We have found in many of those provinces

and states, very willing partners, so that we can do what we need to do.

And finally, we want to make sure as we proceed, that we are endeavouring to discuss and consult with certainly, Aboriginal leadership, other organizations that represent adoptees, and we want to make sure that as the records do become opened up, that there is in place for people who are going to be getting that information, the right kind of social and emotional support. For many, many adoptees, it is something they've waited their whole lives to get to find out that information. But it also can be a very emotional time, and we all wish for happy reunions, but that isn't always the case. Sometimes the birth parents don't wish to be reunited. Sometimes those birth parents have passed away, and sometimes the information that the adoptee finds out is that there were very, very difficult circumstances surrounding their birth and their adoption.

So it's a complicated area, not only legally, but ethically, but I think the right thing to do. As I've said publicly, I do believe that people who have been adopted have a right to that information, and we're going to be moving to make sure that they can get that information.

**Mr. Gerrard:** I know that the department, apparently, and the ministers before her have been working on this for quite a number of years. When would the minister expect to have some legislation prepared to bring forward?

**Ms. Howard:** Well, I don't want to pre-empt the discussions we're going to have with some of those organizations that I've mentioned. My time frame is to ensure that we're in a position to have legislation for the next legislative session, so whether that be in the fall part of the session or this next spring part of the session. But right now my goal is to have legislation prepared for the next legislative session.

**Mr. Larry Maguire (Arthur-Virden):** I thank the member from River Heights for allowing me to ask a question here as well.

Just a quick question to the minister: Do you require legislation for this kind of a change?

**Ms. Howard:** If I didn't, I wouldn't bring it in because I think that—and I've really, I think, tested the boundaries of my officials trying to find ways to do this without legislation, but I think, really, we do need legislation to be able to do that. I commend the folks that work in the post-adoption registry office. They go the extra mile to get information to people

to find all kinds of creative ways. They work closely with officials in other states, in other provinces, to get information. They're really committed to getting that information to people. They have told me—and I respect their opinion, and I think it's true—that doing this legislatively is going to make it easier for them to do their job, and we want to be able to do that.

I also think, you know, that we do need to have a period of time where we let birth parents know, who perhaps never thought that their information would be made public to their birth child. We need a period of time where they know it is going to be made public and they have an option, if they wish to, to veto that. That was, I think, one of the learnings in Ontario. They proceeded without having done that. It went to—through the courts and the courts ruled that it was an invasion of the privacy of those birth parents not to give them that option.

So we want to proceed in a good way. We want to proceed in an ethical way, and we want to proceed in a legislatively sound way. And it has taken some time and probably too much time. I would accept that criticism, but we are prepared to move, and I hope that we'll be able to do it as quickly as we can.

**Mr. Gerrard:** One of the issues that has been discussed from time to time over the last 10 years and where there's some commitments made by the minister and her predecessors was in the area of purchase service agreements with organizations which are funded. Are all those purchase service agreements in place currently?

\* (15:10)

**Ms. Howard:** There's about 187 service purchase agreements within the department in various areas. That is a dramatic improvement over the last decade, about a 340 per cent improvement. It certainly feels to me like there are at least that many, since I sign most of them in triplicate.

I would say when I talk to my officials there are always service purchase agreements being negotiated, being updated. We probably have about a 10–under 10 per cent that are currently being negotiated and updated that we kind of run with constantly, but I think the service—the number of service purchase agreements, the currency of it has improved dramatically over the last number of years.

**Mr. Gerrard:** And I ask the minister which major service purchase agreements are not—are still outstanding.

**Ms. Howard:** I can try to provide a full list, but the information I have right now, we are in the process of negotiating or renegotiating service purchase agreement with B & L Homes and we're also currently negotiating a new service purchase agreement with Child and Family Services Westman, and if there are others we'll endeavor to get you that information.

**Mr. Gerrard:** I wonder if the minister can provide the latest number in terms of number of children who are in care in Manitoba.

**Ms. Howard:** A number that I have here is, as March—the end of March 2012—we should have an updated number within the next month or so—is 9,730 children in care. That's about a 3 per cent increase over the previous year. When I look back over the numbers sort of since 2004, that is the slowest rate of increase since 2004, but it is still an increasing number.

**Mr. Gerrard:** In the pretty carefully researched article which was published in *The Lancet* and included Marni Brownell, who's a very talented researcher for the Manitoba Centre for Health Policy, they compared rates of placement in out-of-home care in Manitoba with that in other countries and they came to the conclusion that placement in out-of-home care was 10 times higher in Manitoba than in other countries and that was including England, New Zealand, USA, western Australia and Sweden.

I wonder if the minister can provide some reasons for why the number of children in care is so high in Manitoba compared with other jurisdictions.

**Ms. Howard:** Yes, thank you for that question.

I know we had a bit of discussion about this at the Legislative Affairs Committee meeting with the Children's Advocate, and I know some of the discussion there was around how the numbers are counted. I know in Manitoba when you compare even Manitoba's numbers with other provinces' numbers, there's different methods of counting in Manitoba. Our children-in-care statistics include children who are in some kind of kinship care, so children who are staying with a relative in other provinces, those children wouldn't be counted in that number.

I know that number also counts children who are on extensions of care, so children who are past the age of 18 but who continue to be considered to be in the care of the child welfare system because they're



continuing to receive support from that system. That number is now around 500.

And I think if you were to analyze the increase over time, you would see the most dramatic increase in the number of children past the age of 18 who are remaining to be considered in care because that's how they can maintain some of the financial benefits of the child welfare system but also some of those supports.

I know today we were able to be part of a just terrific initiative that the general authority is engaged in called Building Futures, and that is an initiative, they're looking at even more ways to strengthen the supports to kids who are between the ages of 18 and 25 who are in child welfare who are transitioning out of that system into adulthood. And part of that is maintaining a link with those children.

But I would also say whenever I go to talk to people who work in the field, one of the things they tell me is that, you know, absolutely they go into the field, they apprehend children and place them into care when they think that they are at risk. Not all jurisdictions have the same definition of what that means, that's another thing. And I don't know the definitions in all of the jurisdictions that the member cites, but I have heard, I think it's the Australian jurisdiction that has a different definition. Not all jurisdictions would define a case of neglect as something that may require apprehension.

And we do know that when we spend time working with families, developing links with parents, we can deal with situations of neglect in a way that doesn't always require apprehension.

I think it's also more true in recent years that we've seen a greater awareness of sexual abuse, a greater willingness to report that kind of abuse; that often ends up in an apprehension because that's the way to assure that child's safety.

So I can't give you a lot of more causal answers than that. Some jurisdictions would only count children in care up to the age of 16, wouldn't count them beyond 16.

So I think there is a lot of worthy discussion about what contributes to family breakdown, what contributes to the abuse and neglect of children. I think that's important discussion to have. I don't think all of that discussion should be focused on the numbers because I think he won't get a worthy answer to what we can do to make sure that families

can remain intact and provide loving homes for their kids.

**Mr. Gerrard:** Yes, you know, some of these changes in definitions, the extension of care, if that's 500 kids that's about 5 per cent. We're talking about a difference between Manitoba and these other jurisdictions of tenfold higher here. And I think the minister might do well to look more into the reasons for this.

I wonder if the minister is going to not only look into this but what sort of action would she take given that we have such a high number of children in care.

\* (15:20)

**Ms. Howard:** I'm certainly willing to—I know the member has tabled the document in question, and I'm certainly willing to take a closer look and I'll ask my officials to provide some analysis of that.

I think when we look at where there are strong programs in place to prevent a family breakdown, they have some commonalities. Some of that is making sure that there is a strong connection to the child, that there is at least one constant, loving adult in the life of the child—we know that that makes a big difference. We know that there are lots of families and children in this system who are being supported safely in their home. One of the things that we don't always hear a lot about in the child welfare system that many agencies do, is they will have people who function as in-home supports to families. These are people who not only provide very practical supports—sometimes it's helping a parent, who may be overwhelmed, find the time to make sure that the house is clean and tidy and that there's food in the cupboards, but it's also often somebody who can model positive parenting techniques.

We know that for many of the families who find themselves involved in child welfare, we know that those are parents who have never seen a positive parenting model. They are children who perhaps didn't have a very positive experience in their own home life, and they want to be good parents to their children. They want to be positive role models but they don't always know how, and so what one of the things that we are seeing more and more is that—being able to provide that kind of support, those kind of links in the homes.

The other thing that I think we're seeing is—as agencies and organizations outside the traditional child welfare system doing some of that work. I know, for example, in the conversations that I've

been able to have with the Voices network—it's a network of children in care, former youth in care. One of the things they do, it's pretty informal, is that they have support groups for former kids in care who are now parents and they celebrate their success at being parents and they provide support to each other and they provide some antidote, I think, to the prevailing view that seems to be that if you grew up in child welfare, then you're destined to not ever be able to be a good parent yourself. And I think there are lots of programs that are also working to do that.

So we know that there are many organizations within and outside of the child welfare system who are doing their best to keep families intact to prevent children from coming into care. But we also know that that system is motivated by the safety of the child, the best interests of the child, and sometimes, tragically, that means that that child has to come into care. Not every child that comes into care, not every child that's in that statistics is a child that no longer has connection or contact with their families. Many, many of these kids have regular contact with their families. In many situations with foster families that I've been able to talk with, the foster parents are not only helping to care for the children but they're also working with the birth parents to strengthen that bond to model positive parenting.

I think I've spoken in this House about an opportunity I had to go and attend the age-of-majority celebration. I think it was the Winnipeg Child and Family Services—this is a celebration of kids who are turning 18. There's a celebration, it's almost like a graduation kind of party. And one of those young women, she had both her social worker with her, her foster mom and her birth mom. And her birth mom spoke very movingly about how she wouldn't be able to still be in her child's life if it weren't for the social worker and the foster mother that was attached.

So we can debate the numbers and that's fine, but I think if you only look at the numbers, you don't look at all of the stories and all of the positive outcomes that are happening for many children in care. We also have to know there are very negative outcomes for some children in care and we have to do a better job for those kids. But getting caught up in this debate about the numbers, I think, ignores the reality of a system that is endeavouring to change, endeavouring to be more accountable and endeavouring to keep families together, wherever possible.

**Mr. Gerrard:** You know, one of the concerns that has been raised is the number of children who've been in the care of Child and Family Services that—who are—later enter the youth custody population of the justice system. I wonder if the minister has information or statistics relative to this and what she is doing to make a change in this area.

**Ms. Howard:** I think there is a significant overlap between children who are involved in the child welfare system and children who are involved in the justice system. I think it is certainly an area for improvement for us to better track—especially when kids leave care—where they are going. But we do know that, especially kids with some of the most complex needs, some of the highest needs—these are often children who have challenges in the education system, they have challenges in the child welfare system and they have contact with the justice system. And when that happens, I know that all of those agencies do work very hard together to try to find interventions that are going to work for that child.

One of the things that we are working on and I mentioned today—the announcement that we made—and I'll talk a little bit more about that program with the general authority—this is a program—it's designed as a pilot program for a couple of years, involving 200 youth, and really what it is is to try to give those young people who are leaving the child welfare system the same kind of supports, the same kind of mentorship that we would give our own children as they grow and age and strike out on their own.

None of us would expect, as our own child turns 18, that they would leave home and never look back and everything would be fine. Those of us who remember our own first fledgling steps into adulthood could probably cite many times we made the wrong choices and went the wrong direction and ended up in a difficult situation. And for most of us, thankfully, we knew that we had a safe place to land. We might hear about it a little bit from our parents, but we knew that if we were in trouble, we had people who were going to help us out and we had people who were going to help us learn from those experiences.

For a lot of children in care, they haven't always had that, and so this program we announced today is to put together a mentorship for those kids, to make sure that they have access to emotional support, mental health counselling through the Canadian Mental Health Association; they have support to employment services to help connect them with jobs;

they have support from community financial services to help them learn about managing money.

I think all of us can probably think back to the—our first time living on our own and trying to make sure that we could pay all the bills and make the rent and all of the rest of that. That's not a skill that comes naturally. That's something that has to be learned and something that has to be taught.

My hope for that program is—as we see it roll out over the next couple of years—that we'll see the kids who are involved in that make a transition to employment, make a transition to education, be successful. And that will mean that they aren't in the justice system, that they have a positive future, that they're able to become positive, well-functioning and hopeful adults.

And I think, you know, it's through the leadership of people like Jay Rodgers, who's the CEO at the general authority and his vision that we can start to do some of those things and provide better support to kids as they're leaving the care of the child welfare system.

**Mr. Gerrard:** I had, in the committee session, raised the issue of concerns by a number of Aboriginal leaders that the act does specifically provides for input from Aboriginal leadership into, for example, the board of the Southern First Nations Authority—wonder if the minister can provide some insight into where things stand at the moment and what she's doing.

\* (15:30)

**Ms. Howard:** Well, I think it is an everyday job, an everyday quest, to improve communication, to improve input with and from Aboriginal communities and Aboriginal leadership into child welfare services. I think, certainly, this is true part of history, the child welfare system has a lot to be accountable for in terms of the way that Aboriginal people have experienced that system. I think that we have been able to make progress through the Aboriginal Justice Inquiry Child Welfare Initiative, but I wouldn't say that that progress is fast, and I wouldn't say that it's without bumps in the road. I think that's true.

I meet regularly with Aboriginal leaders. I meet regularly with Aboriginal communities. I recently returned from a trip up north where we met with First Nations, both OCN and Norway House. I met with representatives of the child welfare agencies there, had very good and very frank discussions with

the people there, and I think that I was certainly extremely appreciative of them sharing their time with me. And I think that they were also happy to see that we were willing to come out of this building and come and experience the beauty and the reality of what it is to live in the north, to sometimes live in an area that is more isolated. We have some formal mechanisms set up to communicate, but we have a lot of informal mechanisms that we also use through phone calls.

The member asked about the Southern First Nations Network of Care. We had a situation there, for lots of reasons, that we weren't able to maintain the governance structure, and it became clear that we were going to need to appoint an administrator to make sure that that organization could continue to function and do what it needed to do. We've done that. We've done a lot of work with the First Nations involved to try to improve the communication, and we continue to do that work, and our goal there is to be able to return the southern authority to a board-governed system, but we need to be able to do it in a way that we all agree on how that board gets appointed, that we all understand that we share an accountability.

First Nations leaders are accountable to their communities because the vast majority of kids who are in care come from their communities. I am also accountable for the child welfare system, as members opposite remind me on an almost daily basis. And so we share that accountability. We have to make sure there's a governance structure in place that can be accountable not only to the First Nations people, not only to those communities, but where we also know that the standards of care for those agencies, that the authority has the ability to ensure that those standards of care are realized, in culturally appropriate ways, absolutely.

So the work continues. I think that we have improved communication when it comes to the southern authority, but I think we've got a ways to go.

**Mr. Gerrard:** Thank you. I'm going to pass it back to the member for Agassiz, and thank him for the time.

**Mr. Briese:** I'm going to move on to some things that get a little more in depth in the child and family services end of things.

According to what I've been provided with, there's, in the last year, I believe, there's been 12

children die in care. There's been a lot more than that, but some of them were natural causes or accidental, but can the minister comment a little bit on—I believe the—in all those cases, the Child Advocate's office investigates the deaths and probably makes recommendations to the minister. Have there been some changes in the practices in CFS based on reviews of those deaths, and what services have been changed as a reflection of what's happened?

**Ms. Howard:** I would say, I think as I've said before, that certainly the—bar none, the most difficult part of this job, the most difficult, often, part of my life is reading the reports that come from the Children's Advocate, and, of course, she reports on every death of a child in care or a child who's had some contact with the child welfare system.

*Mr. Dave Gaudreau, Acting Chairperson, in the Chair*

I think within the last year, I think as the member has stated, the majority of those deaths are due to natural causes. They're no less tragic because of that. You know, it still is heart-rending to read about the deaths of, you know, small babies who are born prematurely and aren't expected to survive but are still loved by their parents and cherished by their parents.

Of those—so not every report results in recommendations. Those that do result in recommendations, I'd say some of the places where we have seen progress, certainly around the ability of the system to do risk and safety assessments, I think this was especially one of the learnings from the murder of Phoenix Sinclair was the need to use better tools—better tools to assess the risk of a child—and more standard tools.

Often in my reading of different kinds of reports—you know, much is up to the judgment of individual social workers, and that will continue to be the case. But I think in bringing together some of the structured decision-making tools, what that does is it helps those workers ask better questions and it helps them, I think, sometimes check some of the biases that we all have, that we're all born with.

And one of those that I've read a lot about is that oftentimes there has been in the past—and not just in child welfare but within law enforcement and within education—where people will think that because a child appears clean and tidy and has clean clothes that that means that that child is well cared for and

couldn't possibly be abused. Well, things like the structured decision-making tool help workers ensure that they're not overly relying on what a child looks like, how they appear or even how the home in which that child is appears. That's another thing that I think we have heard sometimes, often by anyone involved in child welfare, that you'll go into a home, the home is in order, everything looks good, so there's a conclusion, maybe, that therefore the child must be safe, and that's not always the right conclusion.

So, certainly, how we make safety assessments, how we make decisions about when children should be in care, when families need to have some service, I think we have much better tools to help workers do that and that those tools also help them develop better case plans. And that has been, I think, probably a—ongoing theme in many of these reviews, is how those cases are planned for and managed.

\* (15:40)

I think another area that we've made a lot of progress in is with training, being able to provide high-quality training to people who are working in the field and to people who work in the city and in northern areas and remote areas, and that's often a key recommendation. In some situations, it has been adding additional staff to make sure that children in care have adequate supervision and that social workers who are providing that care have adequate supervision. Some of those things can sometimes be around the development of standards and protocols. Protocols—particularly important when kids are moving between jurisdictions and between agencies. And then sometimes you get recommendations which are—go to multiple, multiple jurisdictions, organizations. We can get, sometimes, a recommendation that comes to us, that goes to the federal government, that goes to an agency, that goes to an authority, that goes to multiple departments. Those take more time because they take more co-ordination.

But I think I have seen, generally speaking, that the recommendations are taken seriously by the agencies and authorities, and they're followed up on. I think one of the things that I have discussed with both the Children's Advocate and the Ombudsman and my officials is I would like to see us start to develop a thematic way of dealing with those recommendations. If we're getting similar recommendations in multiple cases, then that should tell us that we need to develop an action plan around

whatever that theme is. Sometimes recommendations are very specific to an agency—is one particular issue that they need to work on, but sometimes those recommendations are wider than that, and they point to a systemic issue that we need to work on. And I think we need to, and I hope that one of the things we have been doing and will continue to do, is strengthen our ability to look at those recommendations in a thematic way and a systemic way and develop action plans across the system.

**Mr. Briese:** Thank you, Minister. I—just thoughts that are occurring to me here that there's reviews by the Child Advocate's office, but there's also, in some cases, a review by the chief medical officer—or I don't know whether review's the right word, but there's a—the chief medical officer becomes involved. Now, is that a dual process, or does the chief medical officer make recommendations to the minister in those cases, along with the Child Advocate, or how does that work?

**Ms. Howard:** So some of the changes that were made, I think, in 2008, if I'm recalling the right year—the responsibility for the review of child deaths was moved from the Chief Medical Examiner to the Children's Advocate. So I would say the vast, vast majority of work in terms of reviewing and making recommendations is with the office of the Children's Advocate. The Chief Medical Examiner will still carry out some work to help determine the cause of death, the manner of death, and the Chief Medical Examiner still has the ability to call an inquest when they believe that that is warranted and do that from time to time.

But—and so wherever the recommendations come from, we take them seriously. We ensure that they're communicated to the agencies and authorities who have responsibility for following up on those recommendations. And then we work closely with those authorities and also with the office of the Ombudsman who has a role to play in that accountability loop, to track how the recommendations are being addressed and see where there are some issues that we need to ensure that people are taking recommendations seriously and moving forward.

**Mr. Briese:** Does—so then, does the chief medical officer, when they play a role in these deaths, do they report to the Child Advocate or do they report to the minister?

**Ms. Howard:** So, often the way that it will work—always, probably, the way that it will work, is the

Chief Medical Examiner's office will be the ones that become aware of a death and they will report that death to the Children's Advocate office as well as to us, and then the Children's Advocate will take on an investigation.

As I said, the Chief Medical Examiner also has a role to play if they decide to call an inquest. If they call an inquest and their recommendations that come from that inquest—and the Chief Medical Examiner's role is to make sure that the organization that's responsible for implementing those recommendations are aware of that. So that may well be the Child Protection branch, the department, other departments of government from time to time, as well as authorities and agencies.

**Mr. Briese:** Well—and I know it was prior to the Child Advocate having that responsibility, but in the Phoenix Sinclair case, then, the chief medical officer would have ordered the inquest, I presume.

**Ms. Howard:** So in the murder of Phoenix Sinclair—and it was before the new system of special investigation reviews—in that time, a child death review was commonly called a section 10 review and the Chief Medical Examiner would have carried that out. And there were also a number of other reviews, I think, carried out at the time, including a review of the agency and many other reviews that have now, of course, formed part of the Hughes inquiry.

So, in this situation, the calling of the inquiry is what took place, but I know—I think there were—I don't know how many, four or five—six separate reviews and reports into the situation surrounding the murder of Phoenix Sinclair, the situation surrounding the services that were provided to her family through—from Child and Family Services and from others, not to mention the extensive police investigation that occurred.

**Mr. Briese:** So I'm not sure that I got a number here or not, but could you tell me how many cases are actually under review right at the present time? How many cases are actually under review right now?

**Ms. Howard:** So, I would refer the member to the Children's Advocate annual report—2011-2012, I think, is the latest one which is available. And in that report, on page 6, she reports on the special investigation reviews, and one of the things she notes is that the numbers may be higher because with it some of the numbers are deaths that occurred the previous year but the investigation carried into the current year. So in this report she notes there are 163

total child deaths in Manitoba. So that would be, I think, of all children in care and out of care, 61 of those children met the criteria for review. So those would be children who were either in the care of Child and Family Services or whose family had received some service.

\*(15:50)

And then, I believe, later on in the report, she gives more information. I'm going to flip through the pages here. Am I going to find—there we go.

On page 21, she goes into more discussion about child deaths in Manitoba. She says the office of the Chief Medical Examiner notified the office of the Children's Advocate of 163 child deaths occurring in 2011-12. Fifteen deaths involved non-resident children, which results in a total of 148 Manitoba child deaths. And that's, of course, again, of all children, not just children in care.

If you look at the cause of death, certainly over half of those would relate to natural causes, children who die because they're medically fragile, because they're born prematurely, from other kind of disease. Accidental deaths would account for another 30 total deaths. Then other causes: suicide, 13; homicide, two; and undetermined, 23.

If you look at deaths that were just of children in care, she's reporting 12. Of those, five would be considered natural incidents, three would be considered accidental, one would be considered suicide, one would be considered homicide, and two would be undetermined.

So probably the best source of that information for the member opposite would be to look in the office of the Children's Advocate annual report.

**Mr. Briese:** Thank you, Minister, and I do apologize. I do have a copy of that and I was at the committee hearing, and I—sometimes my memory isn't as long as it should be, but I do recall some of those numbers.

What—I'm not sure how to phrase this—but what's the current capacity of the child welfare system? I heard you say to the member from River Heights that there were 9,730 children in care. Do we have more capacity than that? Like, have we got room if that number grows, to handle more children in care?

**Ms. Howard:** I think the child welfare system—I often compare when I'm talking to people—and everybody may not feel it's a fair comparison—but I often compare it to, really, the emergency room of a

hospital, and you ensure that the child welfare system can meet the needs that are placed upon it.

And so, I believe that the agencies and the authorities do have the capacity to meet the needs of kids coming into care. And some of the ways that we do that is through developing foster care placements, developing emergency placements so kids have a place to go.

Some of the ways that we have done that is to put, as part of the funding agreements, the ability of authorities and agencies to ensure that they have staff who have caseloads that while many people may feel are still challenging, but they have caseloads where they can manage new cases that are coming into the system. We try to make sure that we have intake services that are also well staffed and where people are well trained.

And one of the things that we continue to do is try to work with families who are in crisis, who are in need, to try to keep the family intact, to try to keep the child from being apprehended and coming into care, as long as that child can be safely cared for at home.

I think when you look at some of the numbers over time; although the number is still increasing, it is increasing at a slower rate. We hope that that is a trend. From what we see we believe that is a trend and we think that that is because some of those initiatives that are now—have now been in place for a few years, some of which are just getting going that focus on how we work with families. And also how we take kids when we have a situation that comes to the attention of child welfare, we don't put every family into an apprehension stream, that if this family and this child isn't eligible to be apprehended, then they're not eligible for any service.

We have different streams in place now, we have a differential response, a family enhancement stream and I've had the opportunity to visit with some agencies and talk to them about how they're developing that. So you may get a call for service and maybe that child doesn't meet the threshold for being apprehended, but you know that if there's not some work with this family that the next call they may meet the threshold for apprehension. And so we're able to do that.

But the reality is the child welfare system has a legislative—a legislated responsibility to respond when children are in danger. And I believe we have the capacity to do that. But that capacity is there, I

think, partially because we've tried to put in place stable funding and even when budgets are challenging, we've maintained that funding.

But we also have in place, I think, people who work in agencies and authorities at the leadership level who are innovative, who are creative and who are able to make sure that the system can respond. Sometimes that response is an emergency placement and you want to get a child into a foster home as quickly as possible. But when a child is in danger, the first responsibility is to make sure that child is safe and so that may be in an emergency placement with staff before you can find a foster home.

But I think that we have developed enough capacity within the child welfare system to meet the need. We continue to develop that capacity, we continue to look for ways we can improve, but we've also been working on and continue to work on changing the culture of child welfare so that even families who may not meet the threshold for apprehension, but are in need of support, get the supports they need so that they can be intact families and so that their kids can stay in the home.

**Mr. Briese:** There was a recent report, and I don't know how much you can talk about the Phoenix Sinclair case, but there's a recent report that she had 17 different social workers over her short life. And that's alarming to me at least, probably alarming to a lot of people.

Now I think the minister indicated that they were going to implement a better system to track children in those cases, so is this tracking in place? Are we tracking how many social workers a child actually deals with over a short period of time, because I think there has to be a continuity through the system in handling the children and I think it makes a far better base to build on where there's a continuity with the social worker with a particular child. And I'm just wondering how that's being tracked.

\*(16:00)

**Ms. Howard:** So I am going to be very wary of commenting directly on things that are in evidence before the inquiry. The inquiry is still in process, is still holding hearings, so I want to be cautious about that.

I will say, of course, that the issue that the member has identified is a real issue, and I think we will get some—I hope we will get some good recommendations from the inquiry about what more we can do on that issue. And I think it is an issue,

because everything we know about children is that having that constancy in their lives, having some constant connection to a caring adult can make a huge difference in how they do. Even kids who have experienced horrific trauma and abuse but who had a constant caring adult—and that doesn't have to be a social worker; it could be a foster connection, it could be an auntie, it could be a big brother or big sister—that they do better.

One of the things that we have done within the information system is we're now able to alert an agency when there have been a number of placement changes for a child. And alert—an alert will come on the information system so the agency can look at this situation and review it and try to determine what's happening.

Another thing that does happen for many of our children in care—and I'm open to ideas for what we can do to deal with this—is that kids will come in and out of care frequently throughout their life, so it's not normally a static situation where a child is apprehended, then they're in care for—til they're 18, they're with one agency, with one social worker. You know, as we've talked about, part of the desire is to work with families, to get families to a place where they can care for their children. We also knew that—know that families may move around the province, and so that's an issue.

So I think there's some work to do here to try to build in—if it's not always the social worker—to try and build in that attachment, whether that attachment be to foster care providers, attachment, as I say, to other kinds of mentors. I think that is very important. We know that's very important for healthy outcomes for children.

But I will look forward to what the inquiry has to say about what more we can do to improve that situation.

It is also true that we are challenged in terms of recruitment and retention of social workers in child welfare agencies, particularly those agencies that are outside of urban settings, and that is an issue that we also have to address and we're also looking for feedback on how better to do that. I think that part of the challenge there—and I think as the Children's Advocate said at committee—is that child welfare is not a first choice for a lot of social work graduates, and we need to, all of us, work more to be able to promote to social work graduates and other people who have a lot to offer to the child welfare system that it is a worthy career goal. It is a field where you

can make a huge difference in the lives of children and families, but we have some work to do there to make sure that we are recruiting and retaining good people who can work with children over that child's time either in care or connected to child welfare.

Now, there are also some agencies that, for lots of reasons, have social workers who spend 10, 15, sometimes 20 or more years connected to a child, even when the child reaches 18 or beyond and leaves the care, that social workers will continue to be connected with that children.

So that is also a reality, but I think the—what the member points out about how we ensure that children have attachment to caring adults, that is a big challenge for us and it's something that we continue to look for new solutions on.

**Mr. Briese:** I appreciate the minister's caution, but I do think there's a long way to go on putting a better system in place to track these children that—I recall a case a few years ago, and I'm—I think I know the name, but I won't use it, but it was a suicide of a teenager in northern Manitoba and I remember at the time reading reports that said she'd been in 15 or 16 different foster homes in her life and I think probably a tracking system, even in cases like that, like knowing—I would expect part of the problem in that case was that the child finally develops a feeling that nobody wants them. And so I think there's something to be said for—I know there's circumstances every time on—that are different—but there's something to be said for maybe longer term placements and trying to keep children in a—if they're not going to be in their family home at least in a foster home for a long period of time. And I just wonder if the minister has some comments on that.

**Ms. Howard:** I think the member's pointed out a very real challenge for us and one that the Children's Advocate has pointed out and done some work on, and one that we are doing some work on with authorities and also all the other systems that impact on a child's life, be that education or the justice system. And that is the reality that those kids who have the highest needs, who have the most complex needs tend to have the most breakdowns in their care. And what can we do to do exactly what the member has said, ensure that there is more constancy? And he's bringing out a very real challenge and I can tell him that we are actively looking for solutions. I think that part of that is going to entail finding some way to connect those kids, especially those kids with complex needs, to connect

them to an adult early in their life, and an adult who can be constant in their life—may not always be able to be a CFS social worker, but finding, whether it's in a mentorship relationship or some kind of relationship, it might be through the education system.

*Mr. Chairperson in the Chair*

I think one of the things that has been pointed out to me is that wherever possible we want to make really good use of the school system because schools are one place where you can go that there is no stigma attached, you're going to school, you're going for an education, your family can come to school. So there's a lot of services we can provide through education that I think are going to be more accessible to families than if we try to provide them through the child welfare system. So I think that's—that is a possibility for the future.

I think the other thing that we have to become better at, and I think this work is ongoing, is in identifying childhood trauma early and making sure that we have in place the resources to treat that childhood trauma. I think what often happens is that a child comes into the child welfare system generally because they have faced some kind of abuse or neglect, some kind of trauma in their life, and they come in at a young age and so that trauma doesn't present as a huge behavioural challenge. There may be acting out, there may be behavioural challenges, but the child is young and so we don't do as good a job as we could do of dealing with that trauma until the child is older. And then when you're dealing with a 14-, 15-, 16-year-old who's acting out it's very different than dealing with a 5- or 6- or 7-year-old, and it's at that point that we put in resources to deal with trauma when really those resources need to be backed up several years.

So that is another avenue that we're exploring: how we could better, either be it through training of people who are working in the field or working with mental health resources to make sure that children—that we recognize, and I think this is something we don't do generally in society, but that we recognize the very real damage that childhood trauma does, not only to children, but does to adults when that trauma is never healed or resolved. And then putting in place interventions that work to help kids deal with that trauma. And that again is why the idea of attachment is so important because we know that the way that children heal from trauma is that they develop a safe caring relationship with an adult where they can



work out those issues, where they can experience what it is to be loved and valued. And, if we can do that for our kids, then I think we're going to go a long way to resolving some of these issues.

\* (16:10)

But I don't have all of those answers. There's some people who have some very good ideas, and we're trying to follow up on those where we can. And again, you know, any other ideas are welcome, about how we improve the way that we help kids who have been traumatized, improve their ability to form attachments with caring adults. And I think if we can do that, then we're going to go a long way to dealing with some of the situations that the member has put forward, and we're going to do a better job of serving kids who have complex needs and who have needs that are very challenging to the system to meet.

**Mr. Briese:** Mr. Chair, I know the member for River Heights (Mr. Gerrard) asked a couple of questions on adoption issues, too, but note that the—of those 97–130 children in care, only 51 were placed for adoption. How many—I guess, a good question would be—how many adoption applications are received in a year, and are—is that a normal number? Is—like—are there more that could be available for adoption out of the system, or is that a fairly normal number from year to year?

**Ms. Howard:** Mr. Chair, the member does not ask an easy question. The reality of the child welfare system in Manitoba continues to be that the vast majority of kids who are in care—Aboriginal children. And when we talk about the issue of how we encourage more adoptions of those children, we have to recognize that there is a legacy, a history, that has not been favourable. The legacy of the—it's called the '60s scoop but, really, it took place over the '60s and '70s and '80s. That is a legacy that we still are recovering from. And I think that has made families, Aboriginal families and Aboriginal communities, very—and rightfully so, I think—very concerned about how we pursue adoption.

At the same time, we know that—I think the member is correct—that there is much more opportunity within the system to create stable and loving and permanent homes for the kids. So, I think that's part of what we also have to explore as we're looking at the adoption issue. One of the things that gets in the way, often, is adoptions can—do require that a parent waive all parental rights. And for many parents, that is—there is a finality to that, that even if

they believe that they aren't—probably never going to be able to parent this child, to completely waive their rights is a finality that is very challenging. And so I think we need to look in some other jurisdictions that have tried other approaches which do allow for some of the birth parental involvement, don't require such a finality, I think that will help.

I think we also can look at situations about how we support adoptive parents better. I think that is another area that we have to look at. But there is no doubt that there are more children available for adoption.

I think the other challenge that we have is that we have to balance when a child comes into care, they may come into care as a baby or as a young child, we try to, you know, often agencies are going to try to have every opportunity to strengthen the birth family to a point where that child can be with that birth family. And so sometimes that means that that the children who are available for adoption tend to be older children and those are children that are harder to place.

I think one of the areas that we definitely do want to look at in more detail is what is the role of kinship care, what is the role of community members and family members providing extended care, providing family-like settings that can also ensure that there is some connection to the community and connection to the birth family. But I think this is an area we have to wade very carefully in, but I think there is no doubt that—and I in my own circle of friends have friends who have adopted children who were in the child welfare system and first, you know, developed that relationship through fostering and then became adoptive parents. And it is rewarding but it is also very, very challenging. And so that's what we have to pursue.

We also are trying and agencies, I think, are looking for foster placements that can also be long-term commitments to children, so they may not be adoptive homes but they are homes where there's a long-term commitment to foster that child.

But certainly the member points out an area of challenge and an area of future development for us about how we can encourage adoption, encourage kinship care but encourage it in a way that does not replicate the wrongs that were done in the past.

**Mr. Briese:** When, now I'm not even sure of the process but when there's an adoption application where does it go? Like where does an adoption

application go and then the follow-up question of course is how long would it take to process the application on a child that's in care?

\* (16:20)

**Ms. Howard:** So, of course, there's a couple different ways that a family can proceed with an adoption. They can proceed, I guess, through the more—I don't know if this is a right word—but the more public route, or through the child welfare system. And they would make an application to an agency. And then there would be, of course, a period of time to do a home study, to ensure that this is a family, that isn't only a safe place for a child, but a place that's prepared for a child. I think there will often be a lot of discussion with that couple, or this—or that family about the motivation for the adoption, about how they plan to integrate their adopted child into their family, what kind of thought they've given to some of—all of the emotional, good and bad, all of the emotional ramifications that come from adding to your family. You want to make sure that an adoption is going to be successful. It's much, much, much more difficult to adopt a child than it is to simply have a child. There's a lot more rigour that goes into that process.

There is also a private route that families can take and we also regulate those agencies. But they'd also apply to the agency. There's still a home study; that kind of rigour is still required. And then the wait is usually waiting for a match, waiting to be matched with a child. And that can vary widely, depending on what the prospective adoptive parents have said that they are interested in terms of the child that they're adopting. And oftentimes, I think, the more open the adoptive parents are to age of a child, to gender, to children who have particularly special needs, or disabilities, those adoptions can proceed more quickly. But certainly, when people are adopting, it is a lengthy process but much of the wait, I think, has to do with waiting for an appropriate match.

**Mrs. Bonnie Mitchelson (River East):** Mr. Chair, I guess, just want to move on to issues around foster parents, and wonder if the minister can indicate whether there are foster families that are leaving the system, and whether she has any idea of how many may have left the system since last year.

**Ms. Howard:** Mr. Chair, I think the kind of information the member's looking for would be challenging to get. We'll see what we can collect because, of course, foster home recruitment is often in—well, I think always in the hands of child welfare

agencies. But, generally speaking, what I can provide to her in terms of information is what we know about our foster care resources, and we have seen an increase in the number of spaces in foster homes over time. The spaces that I have for the end of September, 2012 would be just over 12,000 foster care spaces in 4,750 homes.

And I would say the reasons why people leave are varied. Some folks age and decide to retire from being foster families. Some people who are foster families are very dedicated to children who then, over time, age and leave the system, and they don't take on new children. But I think, certainly, you know, the—as the member opposite has probably heard, and I have also heard, from foster families who get into fostering and find, for a number of reasons that it's not something that they want to continue with. They may have bad experience; that does happen. It happens no matter how you raise a child, whether fostering or having your own children. They may find that the children that are placed with them are of such high needs and of such behavioural issues that it's not something that they're able to cope with. They may find that some of the rules around licensing and some of the rigour that comes with being a foster placement, some of the sacrifice that you have to make of your own privacy—it is your home, and when you become a foster home, it does mean that you have to open your home to not only foster children, but often to social workers and to people who want to inspect your home; that sometimes is an issue. Sometimes there's a breakdown in the relationship between the foster family and the agency. All of those things happen.

I think what we see agencies doing to try to maintain foster families is much active recruitment; more focus on orientation; more focus on training for foster families; a focus on appreciation events. One of the things that we've been able to do is to make some funding available to the Manitoba Foster Family Network to do some mentorship and some training with foster families. And one of the things that we hear from that experience—we've done it once; we've just funded a second round—is that for foster families, having that connection to other foster families who may be going through similar things, that that can be a way to keep them engaged even when they're having a difficult time. But it is a constant, constant job to be recruiting foster families, to be nurturing the relationship with foster families and to be listening to them for the advice in how to improve that relationship.

**Mrs. Mitchelson:** If I heard the minister correct, she said there are around 12,000 spaces. She might just give you the actual number again, because I didn't catch it. In 4,000 homes: I think that—those were sort of the ranges; I'm just rounding them off; and if the minister could indicate to me whether that is more or less than the previous year.

**Ms. Howard:** So for the year, as of September 30th, 2012, there were 12,086 spaces in 4,750 homes. And so that is a slight decrease in the number of homes from the end of March 2011, and as of the end of March 2011, there were 4,829 homes, so a decrease of about 79 homes. But there were fewer spaces in those homes; were 11,938 spaces. So we've seen a slight increase in the number of spaces but a slight decrease in the number of homes.

**Mrs. Mitchelson:** Could we go back a year previous to that and have the numbers?

**Ms. Howard:** The number for the year previous to that we—would've been the year ending March 31st, 2010. We would've had 4,912 foster homes representing 9,629 spaces. So we've seen a gradual increase in the number of space—foster care spaces available, and a gradual decrease in the number of homes where those spaces are.

\* (16:30)

**Mrs. Mitchelson:** Mr. Chair, and is there a breakdown by community? And I guess I'm not—I don't know if I need to get—we need to get into minute communities—but is there a breakdown from Winnipeg and the major centres to some of the smaller, remote communities? If we have the numbers, we probably should have the breakdown.

**Ms. Howard:** I don't have that information here, and it may be some work to collect it, but we'll see what we can provide.

I did want to just to continue to go back over the numbers. When I look at the numbers—saw a huge jump in the number of foster care resources between November 2006, when there were just over 2,200 homes, representing 6,398 spaces. If you compare that to today, you have pretty well a doubling of both the number of homes and the number of spaces over those last six years. So we'll endeavour to see what kind of geographic breakdown we can provide, without having to go sort of home by home and address by address in creating that information.

**Mrs. Mitchelson:** Mr. Chair, I guess what I'm wanting to get at is are we finding that there is

enough resource of foster homes in the communities where children are being taken into care? And, so, where are we experiencing the largest numbers of children? Are we experiencing them in Winnipeg, or are we experiencing them outside of Winnipeg in more remote communities? And are we finding that there is a foster home capacity in the communities where children are being apprehended?

**Ms. Howard:** Well, I think within the system, the—and this is probably just reflective of the population in Manitoba—but the vast majority of children who are coming into care live in Winnipeg, and the vast majority of foster care placements are in Winnipeg.

Where we do continue to have challenges developing foster care resources are in rural and remote and northern areas. And sometimes that is a function of just the number of homes in an area being able to accept the number of children in that area, but it is definitely an ongoing place where we have to do some work. And we had some good discussions recently, when I went up north, about how we can develop those different foster care resources, and some of that may mean being open to new ideas about how you develop foster care resources and foster care homes, and I think that will challenge us to do that. But I think what—you know, the more that any one of us travels throughout the province, the more you see how diverse this province is. And sometimes what will fit in an urban setting doesn't necessarily fit in a rural and remote setting.

But I think the vast majority of kids who are coming from Winnipeg, are being placed in Winnipeg, but we do have a challenge developing foster care resources in northern and remote areas.

I think the other thing that is true is, increasingly, we're working with foster families to help them develop, get the kind of training they need to be able to address very specific needs of children. So sometimes children who are coming into care, sometimes they may be very medically fragile children, they may have very high needs, they may require foster families with a certain level of training, and those foster families just aren't available in every community. But trying to keep kids as close to their community as we can, continues to be a challenge and continues to be a goal for us.

**Mrs. Mitchelson:** And I know when we met with the Child Advocate not too long ago and there was a question and a comment that she made about places of safety. We're not only talking—we're talking foster placements.

I wonder if the minister could just explain to me what other places of safety there are. I do know that there—I mean, I know there are group homes, there are emergency placement homes—I'm not sure exactly what they're called within the system, so I'm wondering if she could just review for me the other options besides foster placement that are available for children that are apprehended and how much of that resource do we have. And I'm going to add to that just the question of: Are children being placed in hotels at all today?

\*(16:40)

**Ms. Howard:** I think as the member has stated, there is a variety of different placements that children who come into care can use. There certainly are emergency placements; these often look like, function like group homes. Sometimes they're emergency placements because, of course, children can come into care on an emergency basis. Sometimes they're emergency placements because a child has very specific needs, sometimes very high needs, and it takes some time to match them with an appropriate foster home. Then, of course, we have places of safety, as the member mentioned. These are child-specific placements. They may often be somebody who is known to the child, could be a family member or a friend of the family, caregiver for the child. These are designed to be short-term places of safety. And I think, again, part of the goal here is to maintain the safety of the child, but also maintain the child in a place where they have some attachment to their caregiver.

Places of safety do—if they're going to be a longer-term solution, need to have background checks done on those people and can become licensed as foster homes, if we're into a longer-term situation. And, of course, we have foster homes, which we've had some discussion about. We also have in the system organizations that provide care in a group home setting that's often staffed, but sometimes those group homes can also be foster care situations, where you have foster parents who are willing to dedicate significant—all of their life to caring for children, but may also have some additional people helping to provide a family-like setting. And, again, we have found that that setting can be particularly successful with older kids and especially kids who have specific needs.

I've had some good discussions with a gentleman up north who has this sort of setting for young men—and young men who may have had some experience

with the justice system, who may have been involved in a negative way in the justice system, either in jail or in a youth centre. And he has a passion and a commitment and an aptitude to providing care for those young men. But it also is a setting where he needs some help to do that, and so that is—although it is a foster care placement, it probably doesn't look like a traditional foster care placement.

There is also, of course, a component of care provided for children that is more of a residential nature. People would be familiar with things like the Knowles Centre or Marymount. And then we do, from time to time, also have to use hotels to place children, and that isn't anybody's preference. We try very much to work with agencies to ensure that, when children are placed in hotels, they are placed in hotels either because they come into care as part of a sibling group, and it can be difficult to find a place where all those siblings can stay together. But that is an important goal when a sibling group—and sometimes we've had sibling groups come into care—we're talking about five, six, seven, eight children come into care at once. It can be very difficult to find a foster home placement.

We always—we also have situations—sometimes we use hotels for children who have very specific, very often complex needs, and we don't have the right fit in the system for them. Sometimes we have to develop that fit for them, and they may remain in a hotel.

We also have sometimes seen spikes in hotel placements when we have issues in communities like flooding, for example, and where we have placements where we'd normally use foster placements, but they're not available because those people are coping with some kind of natural disaster.

We also try very hard when children are placed in hotel, we monitor the—we try to monitor that placement and make sure that agencies are looking for other solutions as quickly as possible. It's nobody's preference to have children in hotels for long periods of time.

**Mrs. Mitchelson:** Thank you very much, Mr. Chair.

And can the minister, then, indicate to me how many children are in hotels presently?

And I know that we have had a month-to-month—I remember at the—those numbers used to be kept, and I'm sure they still are kept by the department. So, could we have just, over the last year

an indication of month by month how many children have been in hotels?

**Ms. Howard:** The member would be able to find all that information on the website, the Family Services website. It's made available and updated quarterly, and that's where it is. The current information that's available on the website would have 15 children placed in hotels as an average for March, 2013.

**Mrs. Mitchelson:** And maybe, can the minister indicate what's the longest length of time that children—you know—can she give me an example of the child that would have been in hotels—in a hotel the longest period of time?

**Ms. Howard:** Well, it would be anecdotal from my review of it, but certainly what sticks out in my memory is a placement that was several weeks of duration, it caused me to ask some pretty serious questions about why that child was in that place, and discovered that that child in question was an older child, who had some very serious behavioural issues; some very serious behaviours that put other people at risk. And so this was thought to be the most secure, not only for that child but for others, but you know, it did lead us to ask questions about what is it that we need to be developing in this system to serve children like that. That would be, in my view, an exception. Most of the time the children that I see who are placed in hotels, the information that I get, the duration is days. But, occasionally, we do have a situation where a child will be in care in a hotel for a number of weeks and it's not a good situation. And I push and advocate and try to find whatever other solution there can be for a child who's in a hotel. But sometimes, because of their own safety, because of the safety of others, that means that you actually have to develop a specialized placement for that one kid, and that does take time.

**Mrs. Mitchelson:** And I just want to go back to places of safety, and if—could the minister indicate to me how many places of safety presently exist throughout the system? And she did indicate that if children were staying in places of safety for a longer period of time, that there would have to be background checks done, and I guess my question would be: How does one become a place of safety; and what checks are put in place before a child is placed in a place of safety?

**Ms. Howard:** So I'm just going to refer to The Child and Family Services Act: defines place of safety as any place used for the emergency temporary care and protection of a child, including treatment centres.

There are of course, CFS agency standards to help guide agency decision-making concerning places of safety. So, agencies would have the authority to designate a family residence or an agency staff home as a place of safety. Family residences can include friends, relatives, community members, known to the child. We would expect, I think, during that placement that the social worker in question is having ongoing contact with the child and with the placement.

If a place of safety is going to last longer than 30 days, then the agency is to license the foster home within six months. And those are some of the rules regarding how places of safety are used. I think they are often used, as I said before, particularly when there's an expectation that this may be a short term placement to try to minimize the disruption and the trauma to the child, to place them with a known caregiver.

\* (16:50)

I think that's often the motivation behind them. The numbers of how many places of safety, those would vary, I think, quite a bit because often they are short-term solutions. I think the best we could do would be a snapshot in time, because it would vary wildly from day to day. It's—again, it's something we can endeavour to collect, but, because the agencies are the ones that are setting up those places of safety, does mean going to each agency and collecting that information, so that would take some time. But we can endeavour to get some of that information.

**Mrs. Mitchelson:** Mr. Chair, and I understand the difficulty in gathering those numbers, and that it would be a snapshot in time, and probably a lot of work to go through to find a snapshot in time, when it could be very different.

But I guess where I was coming from with this question was the comments and the concerns that the Child Advocate had, that children were staying in places of safety far too long, and they weren't being licensed as foster homes. And that was a concern of hers, and I guess I would ask the minister what she and her department are doing to try to deal with that issue. And I recognize and realize that it is the agencies that choose those places of safety, but I would hope that the minister would be concerned if the system is being used differently than what the act indicates it should be. And how many places of safety would be longer placements because I believe that the Child Advocate had some pretty significant

concern and, I'm sure, has had discussion with the department around this issue?

So what is the minister and her department doing to address the concerns of the Child Advocate? And I would venture to guess, too, extending that to, you know, concerns for the best interests of the children that those places are serving in the—not to say that they're not safe places. But, you know, maybe the minister could just comment on that.

**Ms. Howard:** Certainly, you know, I take the concerns of the Children's Advocate as outlined seriously and to heart, and I think a lot of those concerns are based on interactions that she has with individuals who have, you know, negative experiences with the system and complaints and other things that she's experienced. And she communicates that with the department, and the department, where it is a specific concern, will follow up with the authority and make sure that they're following up with the agency.

Where it's a more general concern, we try to work in an ongoing way between the department and the Children's Advocate about what are the things we can put in place. Some of it is often reminding authorities and agencies of their responsibility.

Sometimes I think what happens is a place of safety may be extended, because a family place, a longer term family placement, is being pursued for the child, and that is taking some time to ensure that all of the checks and all of the paperwork is done to do that. The other thing I think that does happen is the authorities can share with each other some of the best practices that they have, in terms of ensuring that places of safety are used appropriately, and that if they are to be a longer term solution that they are being licensed and that happens, of course, through the standing committee, where all of the CEOs come together to talk about issues.

It's also a place where we have the opportunity, as the department, as the Child Protection branch, to raise concerns like this and where we take that opportunity. So some of that follow-up, when it is a specific concern, will happen between the department and the authority who will then follow up with the agency. And some of that, when it's a more general concern, will happen through conversations with the Children's Advocate. That will then also be brought forward to the steering committee level so that all the CEOs can hear about that concern and can share what they're doing to address it.

**Mrs. Mitchelson:** Well, thanks, Mr. Chair.

And I guess I would ask the minister, then, as a follow-up to that: Is there a requirement for any compliance or for agencies or authorities to move in the direction that the law indicates they should be moving in, and what monitoring is done—I mean, I know they can share best practices, but are they implementing best practices.

And it's fine—one thing to share and it's another thing to implement to make sure that the law's being followed and that the standards are being followed. So I guess my question would be: What follow-up is done by the department, and how is it monitored, and are we seeing results?

**Ms. Howard:** I think, you know, one of the things the member is talking about is how do we ensure not only adherence to standards and protocols, but how do we ensure, in an ongoing way, that services provided are of high quality. And so one of the things that we have put in place, through the new funding formula, is funding for authorities to have quality—dedicated quality assurance staff who can do this very work, who could follow up on standards, who can ascertain where agencies are meeting standards, where they're not meeting standards, what steps need to be taken to meet those standards. Those staff can also help share with agencies what other agencies have done to meet standards, what some of the best practices are.

And we also have, of course, a reporting relationship with authorities where we can also get that information about what is happening in terms of quality assurance activities, what is happening to help agencies ensure that they are meeting the standards and where they aren't meeting the standards and where that's an ongoing issue and where there isn't a lot of movement to try to meet the standards. Then, of course, we can also take action to address those concerns.

So we've got now funding in place for quality assurance at the authority level, at the agency level and at the department level, and those folks can all work together to make sure that there is a system in place to monitor adherence to standards, but also to talk about how to get to a situation where it is possible to adhere to the standard, what has to happen in order to do that.

**Mrs. Mitchelson:** Thanks, Mr. Chair.

So, then, the quality assurance process is in place and there is money provided to agencies to do

that quality assurance work. How is that reported to the department and how are those outcomes of quality assurance—I mean, is there regular reporting, and does the department have, you know, a process to measure the outcomes from the quality assurance?

\* (17:00)

**Ms. Howard:** So one of the things I would say is the funding formula is still relatively new and so the quality assurance positions are also relatively new, but how it does work, there's a few different ways, I think, that quality assurance takes place. Some of it is an ongoing capacity, some of it is when there is a more formal quality assurance review that takes place and we will get the results of that if it's a review of a particular agency that an authority takes on. There have also been situations, sometimes, we'll work directly with an authority to co-lead or co-sponsor a quality assurance review and, of course, we'll also get the results of that.

And so, as those results are shared, we follow-up with the authority and the authority follows up with the agency to make sure that any recommendations and any results are being implemented. But then there's also an ongoing role of quality assurance that may not result in reports to the department but is also very important, because I think one of the things that we want to continue to develop in child welfare is a sense of constant improvement and constant attention to quality, not just when, you know, what is traditionally, I think, in the way—this may be unfair, but what is often the way is, especially in large systems and social service systems like child welfare, is that quality assurance is done in response to a crisis or it's done in response to a horrific occurrence or event, a horrific death or murder of a child, and there's lots of attention and there's lots of reports and there's lots of recommendations and then everything goes away for a while and then there's another horrible situation and there's lots of attention.

And it is always important to have those accountability mechanisms when there are the deaths of children, the murders of children, but it's also important that we embed quality assurance into the everyday work of agencies and authorities, and into the work of the department, and that's the process we're engaged in.

But, yes, the department does receive reports of quality assurance reviews of agencies, is an active partner in those reviews, does keep track of those recommendations and continues to work with

authorities on that process. But different agencies, different authorities are probably at different places in their development of quality assurance systems, and it would probably be accurate to say that not every agency does it exactly the same way.

**Mrs. Mitchelson:** Can the minister indicate to me, then, whether she receives quality assurance reports in her department from every agency on a regular basis, and what those quality assurance reports—maybe she can indicate what they would look like. If quality assurance is an ongoing thing, I would think that the department would be receiving a report on a regular basis from every agency. So I'm just wondering what the minister can tell me about those reports, how often she does get them and whether she does receive them from every agency.

**Ms. Howard:** So there are few different ways, of course, that these reviews happen. Some reviews are of specific agencies, and those happen on a cyclical basis. And I think that every authority doesn't review every agency every year, but does have a schedule of agencies that they will review, and that information comes to us.

Sometimes authorities will review a particular function across agencies, so they may be looking at, I don't know, you can pick something. They may be looking at how are agencies—we'll just pick something—how are agencies dealing with foster care recruitment, and they may review that across all of the agencies in their authority if this is an issue that they have heard repeatedly from agencies or if it's an issue for them. And that information will also come forward to the department, and we'll be able to follow up.

Sometimes authorities may have very specific situations that lead to reviews. As I've said before, sometimes what will happen is there will be a death of a child in care that will lead to a number of reviews. And so that is part of the quality assurance review that authorities and agencies will take on. That information will also come, of course, to the department, and I will be briefed on that information and I will have discussions with people in the branch and in the division and track how the recommendations are being addressed. And that's also another way that it happens.

Sometimes we also have the Agency Accountability and Support Unit, which will go and work with those organizations with which we have a direct relationship. So many of the residential care

facilities will fall into that, and sometimes that's—those are financial reviews, and sometimes those are reviews that also have to do with the quality of care, the quality of leadership and governance. So that's another way that it happens.

But I think quality assurance happens in many ways. Some of it is proactive: through agency reviews, through the reviews of certain kinds of functions that agencies are responsible of, through the reviews of whole authorities. Some of it is reactive: when it has to do with a specific case, the death of a child in care or a specific agency where there have been issues or challenges, and the department will also get that information. But, generally speaking, the department receives all of the information from all of the quality assurance reviews from whenever—from wherever it comes, tracks the progress made on those reviews, has a dynamic relationship with agency and authorities, talking about progress that is made. And then I will get briefings on how the progress is in terms of responding to recommendations, meeting recommendations and developing plans to go forward.

**Mrs. Mitchelson:** Yes, several years ago, and I think it was after the death of Phoenix Sinclair—was one of the former ministers indicated that every child was to be seen every time. I wonder if the minister could tell me whether that is being monitored and whether she has assured herself that every child is being seen every time in the system.

\* (17:10)

**Ms. Howard:** So, I think that what the member is referring to is, of course, the standard and that every child is seen every time. And she's correct; it did come out of the death, the murder of Phoenix Sinclair. And many of the reviews that found that was not the case with Phoenix Sinclair, that she had not been seen every time a social worker was sent to monitor her well-being.

And some of that goes to what I was talking about earlier. I mean, some of the other learnings in those reviews were that sometimes social workers were taking the appearance of the house or the appearance of other children as a proxy for Phoenix's well-being. And I think what this system has clearly learned is that it's not adequate; you can't do that. It doesn't answer the requirement that you're going to check on the well-being of a certain child and so you have to go and see that child.

Some of the ways that we monitor it, certainly through the information system, as a place for people to record when children are seen. When there are issues of compliance, we follow up with agencies. We also do through case reviews, through file reviews, sometimes through complaints that are received. If we hear that this is something that isn't being met, we will also follow up with agencies.

But it is a requirement; it's something that we take very seriously. It's something that we find—that I find that agencies and workers are very vigilant about. Sometimes, it isn't possible, because you have a child who will both come in and leave care within the month. And, where we do have issues from time to time with compliance, we act rigorously and, I think, as quickly as possible to make sure that those kids are being seen in a timely way, and that we can ensure ourselves that they are having the kind of face-to-face contact that is necessary to ensure their well-being.

**Mr. Briese:** Mr. Chair, I'd like to touch on some of the foster family issues, if I may for a few moments.

Do you track how many foster families you actually have in the system? Is there a number on that?

**An Honourable Member:** I did that one.

**Mr. Briese:** Oh, she did. Pardon me.

**An Honourable Member:** That was the one.

**Mr. Briese:** My colleague has done this. Okay.

**An Honourable Member:** Sorry.

**Mr. Briese:** I'll move on down, move on down the list.

There—we know there were a number of cases where case plans have not been followed or developed. Is that still a major issue and has the department done anything to curb that, that problem?

**Ms. Howard:** I think that when you look at the reviews and recommendations for improvements, certainly, I think it's accurate to say that case management, case planning, continues to be a theme. I think we've made some progress there. The authorities and the agencies have made some progress there. I do think when you look at a situation where things don't go as well as you'd hoped or things go wrong or mistakes are made, it isn't a surprise that one of the reasons why is because there wasn't adequate case planning and case management. And so what is being done to improve



that, certainly, a lot of it focuses on training. And I think you have seen over the last several years a very huge increase in training provided for child welfare workers, but also the type and quality of that training. And one of the innovations that has happened is the development of leading practice specialists. So these are people whose job is to work with social workers, child and family workers who are changing the way they practice in the child welfare field.

And I think that what this is is a recognition that you can have a workshop, people can come together, have an afternoon of training, try to learn how to better case plan, better case manage, but if you don't follow that up with somebody who is there on a day-to-day basis, who can troubleshoot with you, can talk to you about—how is it going? Okay. You're trying to use this new kind of tool. How is that working for you? Okay. You need to improve some of the documentation. All right, you went into this situation with a family, you tried something, it didn't work, let's debrief and talk about that.

So what we've put in place is not only the kind of workshop-style of training, the exposure of new tools, but also people whose job it is to work every day with social workers who are changing the way they practice child welfare. I can't overstate how fundamental that is in some of our agencies and how important it is that they're there to follow-up with them.

So some of the changes we've talked about include things like the structured decision-making tools, which takes a child welfare worker through a rigorous series of questions that they have to answer so they can assess the risk of a child and gives them an assessment at the end. And if someone is going to override that assessment, they have to give a reason for that, so that, I think, provides a new level of rigour in making those decisions.

I think, we also have new tools, like the Signs of Safety tool, which also help to look at what the strengths are of a family. Typically, the way child welfare has worked is you go into a family setting and you list all the problems and you don't take any time to talk to the family about what some of the strengths are. So the way this can work, for example, is you might sit down and meet with the family and, maybe, in that family, one of the issues is addiction. And so that is going to be a challenge, that's going to be something that you have to address. But you may also find in your discussion with that family that,

yes, addiction is an issue for the parents, but the parents also have a strong relationship with maybe somebody who's been a sponsor through AA.

\* (17:20)

Well, that's a strength of that family. So you've got an addiction issue, but you've also got a strength there that there is somebody who is trying to support that parent in becoming sober. And you look at both of those things, and you help to—and what it helps social workers do is to talk to parents about, okay, this is a reality in your life, this is something that you're dealing with, how can you better use the strengths in your life, whether that's—in this example, whether that's your AA sponsor, maybe it's a family member who's often present in that home helping to care for that child, maybe it's a connection that a parent made with a particular support group that you can encourage. So that's another way that case management and case planning is changing.

I think we've also seen more of a shift, and we've got more work to do here, where social workers and child and family service workers are looking at how do they plan for a child's needs over the time that the child is with us in the system, and this particularly comes into play that we start planning early for when a child is going to leave the system. And we've got tools and protocols developed, so you can go through all of those things that have to happen. So, when a child is turning 15, 16, you start to have a discussion: What are we talking about in terms of high school completion? What needs to happen to encourage this child to complete high school? What is the plan after high school? Is there a possibility here for post-secondary education? How do we make sure that they're linked up to get that? Is there employment that they want to pursue? How do we make sure that that happens? Where are they going to live? All of those things that have to happen.

So I think there have been pretty impressive improvements in case planning, but, of course, this is a system that is constantly in need of improvement, constantly evolving, and that will continue. I also think—you at look at both Winnipeg Child and Family Services and NCN, are examples where there is a new focus looking at what is the support network available to a family and family members, that that forms part of the case planning and the case management as well. So I think we—within the system people have taken the time to learn about some good tools that are internationally respected and used, train people how to use those tools, but,

most importantly, follow up that training with ongoing support and mentorship so that you're seeing that people who work in child welfare really change the nature of the work and change the way that they practise, which is huge and fundamental if—we, you know, if you think about if we were asked to pretty well change everything about the way we do our job, we would need a tremendous amount of support to be able to—for that to happen, and that's what we're seeing happen in many, many child welfare agencies.

**Mr. Briese:** I understand most of what you're saying, and I understand that it's sometimes just a huge task to deal with. There's—you know, I get accused sometimes of living in the past a little bit, and some of those things, but especially by the Minister for Local Government (Mr. Lemieux), it seems.

But the—you know, at one time, quite a number of years ago, but probably not as long ago as we think, there was almost a natural, not adoption, but a natural fostering system out there where children—a lot of children that are going into the foster care system now were just naturally raised by another branch of their own family, and it happened all over this province. And sometimes I wonder if that wasn't a better system, and I know you may, under that system, place some of the children more at risk. But I recall an aunt of mine that probably 50 to 55 years ago—I know I was quite young; I wasn't a newborn baby at that time, but I was quite young—and she used to foster newborn babies from the hospital. I remember her bringing home these babies and she'd have some of them a week, she'd have some of them two or three months, and I always wondered how she—in later years, I wondered how she'd dealt with that because she was looking after these newborns and developing an attachment and then they'd moved on. Usually, fairly quickly, they moved on. And I was too young myself to understand where they went or what happened with them from there on.

But, I know the office of the Child Advocate has suggested that they're in—a good case plan. Foster parents should be given a say and treated as partners in the process and I wonder how much progress there is there because when I get phone calls, and most cases it's from foster parents and in most cases it is a concern about the treatment they're getting from the system itself.

**Ms. Howard:** You know, it's interesting what the member is saying and I would not accuse him of living in the past at all. But it's interesting what he's saying because there's a whole kind of school of

thought that much of what all social services tries to do is replicate what communities have always done.

And it's when those communities, for whatever reason, aren't able to do that anymore, break down, that social services have to step in. And what we spend most of our time doing is trying to create a system that often was in place 50, 100, 1000 years ago. And we don't always do a great job of that. I don't think any social service system can replace a strong community that is motivated by the desire to care for each other. If we have that, then a lot of the things that—a lot of the problems that we talk about in this Chamber and outside, don't exist. And a lot of those problems can be taken care of.

So the challenge for us always is how do we make the most of those caring communities, to do exactly what the member is saying. If you have a community where there are community members who are willing to care for a child who's in need, and often in the past, you're right, that happened very informally. And sometimes today, it still happens pretty informally. We know that. Not every child who's being cared for outside of their birth home is known to the child welfare system.

So that happens today. So, how do we add to that, right, instead of taking away from it? And some of the ways, I think, that we are able to add to that is trying to strengthen those places. Family is always the—considered the first choice. When you have to remove a child from a dangerous situation, putting them with a family member is a first choice. But we also, I think, have come to learn a lot more about families, and in the years past, a lot of things that before we wouldn't talk about, we now talk about. And, so that gives us a new kind of awareness.

So we want to make sure, for example, when we're placing someone with family members—because we do know that often abuse is generational. That is a hard truth, that if you're removing a child from the care of their parents, because their parents don't know how to parent or are being abusive, sometimes if you remove that child to the home of another family member, you're going to have the same situation repeat itself because oftentimes that kind of pattern can be generational.

So we want to capture the best of a community that cares for each other, the best of a family that's willing to care for their—for other children that are within their family, while also making sure that those families are safe. And, so, that is, I think, what we mostly endeavour to do in the system.

And now I'm totally forgetting the second part of the member's question, so I'm going to ask him to repeat it.

**Mr. Briese:** Case plan that involves foster parents—

**Ms. Howard:** I think it is generally accepted that the best practice and what we would expect for agencies is that they would involve the foster family in the planning for a child, often because they know the child well. Also, because they're invested in that well-being for the child. Sometimes, that breaks down, and those are the probably the cases the member hears about and they're the cases that I hear about.

\* (17:30)

Sometimes those break down because you have a social worker who either isn't well trained or doesn't fully accept the important role that foster parents play. And so that is something that we have to work with the authority and the agency to correct.

Sometimes it happens because a child is being removed from foster care because there is a concern for that child's safety in the foster care environment. And those are the hardest situations, because whether or not that danger is found to be true, you have to err on the side of caution. You have to—when there is a threat perceived to a child, a complaint, an allegation made, you have to deal with that allegation.

And I don't think we have found, by far, the best system to deal with that. I think there is—there are lessons we can learn from other jurisdictions about how to do that. We do try, in those situations, where the child's safety is not at risk, even when a child might be removed from foster care, to ensure that those foster parents have access of visitation with the children to retain that attachment, if that can be done safely.

But I think, you know, oftentimes, where this breaks down, sometimes it's because a worker either hasn't been trained or isn't adequately including the foster family. When we're aware of that, we can remind agencies and authorities of their responsibility to do that. Sometimes it's because the foster family doesn't agree with what the agency thinks is in the best interests of the child, and those are hard things to resolve.

We do have a way for foster families to appeal decisions. We also have in place alternate dispute resolution mediation, which I think we probably need to encourage agencies to make better use of,

that can help deal with the situations when there is just a disagreement about what the plans should be for the child.

It's also the call, really, the vocation in being a foster parent—is not something that I think something I could do, because it relies on you becoming attached to a child. If foster care is going to work, it means you have to care and love that child as you would your own. But it also relies on the understanding that that child isn't your own, and that if everything goes well, that child is going to be returned to their birth parents. And so it's a very, very difficult relationship to navigate, and it's not surprising to me that sometimes conflict arises. What I think we need to do a better job of is making sure we have an adequate response to that conflict, an adequate way to deal with that conflict.

**Mr. Briese:** Yes, and I understand what the minister's saying. That definitely, there—conflict is always a two-way game and sometimes you don't get the whole story from whatever source you're getting the story from. But there certainly appears to me from several cases I've had since I've been an MLA—there is a real breakdown on how a foster family's dealt with.

The foster families, to me, are so important to this whole system. It doesn't work without foster families, and sometimes I don't think they're—I think they're undervalued—and had a case a couple of years ago, the family in Ste. Rose where there were two fairly young foster children in the foster home, and they were doing—they got to the point where they were doing weekend visitations with the birth family, I believe. And it was about a three-hour ride from the—by car from where the foster home was. And they'd be told, and it happened more than once, that somebody would be there to pick up the children by, say, 6 o'clock on a Friday night. And the one night I know they never got there to pick the children up 'til 10 o'clock; they were already in bed, and it was a total 'stanger' with no paperwork. And the foster mother was beside herself. She didn't know whether to release the children or whether she'd be blamed if she wouldn't release the children or what to do.

And I believe that case was accurate. I had several conversations with them, and I believe that case was accurate. She finally—after the whole process never working the way it should, she finally suggested that they take the children out of her home. She was just fed up with the way—she said it was not fair to the children and they were better off if

they were removed from her home and taken elsewhere. So I think there really is a need for more respect and more probably training in the social worker end of it on the way they deal with the foster family themselves. And I know every one of my colleagues also has cases where there's been some problems.

And a huge percentage of the social workers in the province are great people, and they work very hard and they care about the children and they care about the foster families. But every now and then there's these instances that arise. And when you've got—I didn't hear your answer on the number of foster families, but when you've got 9,500 children in care, there's a huge number of foster families out there. That's for sure.

And the other issue that we were talking about, and you alluded to before, too, about going back and how some of these children were—there was almost an automatic fostering, you know, part of the—probably don't say things right a lot of the time—but part of it is we've almost attached a price to the system that has taken that away. And I don't know how you would ever change that; that's the way the system works now and that's the way the system will work going forward.

But it—my concern is—and if you have any comment—is about the involvement of the foster families and the whole process and the—I know it's—some of it is part of the anxiety of having children move, a child moved out of the home, or whatever, but just the input of the foster parent into that whole process, I think it's really important.

**Ms. Howard:** Yes, Mr. Chair, and I completely hear what the member is saying, and I completely understand where he's coming from. And he would be right in saying, you know, he has had these kinds of discussions with foster families; members of his caucus have, members of my caucus have.

I hope that that kind of negative experience is the exception, not the rule. But it is an experience that happens, and we have to take it seriously and we have to continue to look for ways that we can better include foster families. I do think there are better outcomes for children when everybody who has a stake and a concern and a care and a love for that child is involved in that discussion.

And I have similar conversations with foster families who express similar kinds of frustrations. I think part of what we also need to do is build into

some of the training and some of the education, frankly, that social workers go through, a better appreciation of foster families and a dialogue with foster families.

I've tried, wherever possible, to make sure that I'm including the perspective of foster families when we're developing policy, that for developing policy that I know is going to affect foster families always sit down and talk to, you know, the Foster Family Network, other foster family groups, about how it's going to affect them and that we reality-check some of the policies that we're developing. I recently had a very good meeting with a group of foster families who work within the general authority, I think, Winnipeg Child and Family Services, who had some very good suggestions for things that we could do to strengthen the system, things that aren't difficult or costly, but just changes that we could make. And I think continuing, you know, their input into the life of the child they are fostering, very important, but also their input in how we develop the system, also important.

\*(17:40)

And, so that's the commitment that I've tried to make. When we do hear of these kinds of complaints and these kinds of issues, we do have the Child Protection branch follow up with the agencies, trying to get a resolution. I think, as the member has said, I think that we can't put too high a value on our foster families, that if we don't have strong foster families, if we don't have foster families—some of whom have incredibly extensive education and experience and training. There are some foster families that, if they weren't willing to take a child into their home and care for that child, that child would be in a hospital bed for the rest of their life. And there is a monetary value to that, but there is also a social and spiritual value to that. And we can't overestimate how valuable having those people in our society are and where we need to be able to support them.

So, you know, we continue to be—I continue to want to hear from the member opposite and other members who have these situations. We do our best to try to resolve them, and we can learn how to improve the system without a doubt.

**Mr. Briese:** Just a slightly different issue: on the aging out of care. I guess probably—I know there were some concerns in this area two or three years ago, and there was some recommendations made by the Child Advocate, again, in this area. Just wondering where we're at on that, and how the

system's working, what has been improved. I'm even curious about how many youths are actually in the—in aging out of care programs.

**Ms. Howard:** Well, is your—the timing of the member for Agassiz is very good. Today, of course, we went and participated in the announcement of a new initiative that the general authority, the Canadian Mental Health Association, Youth Employment Services, community financial services, and the Royal Bank are coming together on, and that is an initiative called Building Futures. And this will take 200 young people who are aging out of care and provide them with emotional support, provide them with ongoing mentorship, provide them with things like a phone number that they can call to get advice and support, provide them with skills on how to manage money, which is something that every fledging adult that I've ever known needs, myself included, needed when I was first out there on my own having to pay bills.

That today was something that we announced. It's a two-year pilot program. We hope—I hope that we'll see huge dividends. It's not a big price tag, but we'll see huge dividends in the kids that have the advantage of that additional support being able to find an attachment to education, find attachment to the labour force and have a better future. So that's part of what we're doing.

Another thing that we have done very deliberately is to ensure that kids who are in child welfare can have an extension of care beyond their 18th birthday so that they continue to get the support, both financial and otherwise, from the child welfare agencies. And they can go to school, they can pursue their education, they can pursue a job, they can pursue the healing that they have to do as a result of a childhood trauma that they went through. I think there are about 500 young people now who are benefiting from an extension of care, and that is a number that has increased dramatically.

We've got several kinds of youth mentorship programs in place that are designed to help provide young people with that caring constant adult. In fact, when I look at the extensions of care, in 2006 there were 71 young people who were on an extension of care. I'm told that the latest numbers have us up around 500—or 71 in 2006, so that's a tremendous increase.

I think the member also will be familiar with the tuition waiver program that's in place at several universities. And I don't know if the colleges are yet

participating; some of them are. This again really started as a vision of both Jay Rodgers and Lloyd Axworthy and Jennifer Rattray at the University of Winnipeg, and they deserve full credit for that. We're able to support those young people by helping to pay for their living costs, and their tuition is waived so they can go and get post-secondary education, and I think we'll all be interested to see what success those young people have.

We also have a tremendous partnership with Voices, which is the network of young people in care, and they act both as advocates for children who are in the care of Child and Family Services, also has supports for those kids. They're an important voice for me to listen to when we're developing policy, and we've put in place those youth engagement workers and funding for those workers in the agencies.

When I was out in Brandon visiting with Westman CFS, I got to meet the young woman who's—her responsibility is to work with kids who are in care, especially older kids, kids who are transitioning out in care, and she's not there as a social worker, she is there to get them engaged in their own lives and in the system. She is there to get their advice, their information about how they want to see the system change.

So I think we're making progress here, but, of course, continues to be something that we have to pay attention to. We know that for children who go through the child welfare system, and it may be because of where they're coming from and the trauma they've experienced, but we know that they face more challenges. It's more difficult for them to complete high school. It's more difficult for them to get a post-secondary education. It's more difficult for them to be in the paid labour force. So we know we have to work harder with those kids, and that's what we're doing.

**Mr. Briese:** I'm sorry, Minister, I didn't quite catch when you said you made this announcement today. Is that program got a name?

**Ms. Howard:** It's called the Building Futures initiative, and I'm sure the press release is online or out, and you can look it up for more information.

**Mr. Briese:** Thank you. I'll get right on that.

They—there was another program and I didn't hear you refer to it, the Manitoba youth transitional employment assistance. How is that working? Like, the indications I have are that it's currently operating in Winnipeg, and I'd like to know how many youth

are involved in it and if you've graduated some youth out of that program.

**Ms. Howard:** I can get some of the specifics that the member has asked for. We don't seem to have it in our voluminous binders here, but the—MY TEAM, I think is the name of the program that he is referring to. It is active in Winnipeg. It is active in Thompson as well. There were some challenges getting it going in Thompson for sure. But it is up and running in Thompson. I think it's Macdonald Youth Services that is who we're working with in Thompson.

And we'll get better information on some of the outcomes of that. I think both of those programs are still ongoing and working with kids. I think some of what we have found in those programs is that youth come into that system and they're not always—and perhaps we shouldn't expect them to be employment-ready. Often, there are many, many challenges in their lives that have to be addressed before we get to the place where we're able to focus on employment, and I think this program that I talked about today is another way to get at that, and part of what the Building Futures initiative, which we announced today, part of that is also based on some extensive research about what can work, but also some extensive discussion with youth who were in care, about what their needs are, what would make a difference for them.

\* (17:50)

So all of these things work together. Some are more intensive supports than others, but we'll kind of get—we'll get the information of the outcomes of the MY TEAM program for the member.

The other thing I would say, you know, as we go forward with these programs, this program we announced today is another innovative way of using the resources we have. We set it up as a two-year pilot because we want to be able to evaluate how successful it is and we want to be able to learn from it.

You know, what I have learned as minister in this portfolio is that the challenges are immense, the responsibility is immense, but if we continue to do things the same way we've always done them, because we're afraid to try new things, because we're afraid that not everything we're going to try is going to be a success, we're never going to make any progress. We can't continue to do things the same way we've always done them; we have to try new ways to interact with kids, especially kids who have

some of the highest needs, who have some of the most traumatizing backgrounds, because it's not okay to just give up on those kids.

But it does mean sometimes you try new things; it doesn't all work out the way that you'd hoped. I'm not saying that's the case with MY TEAM; I don't know that it is. But I would say that one of the things that I've learned is that this is an environment, where, if you try something and it doesn't work, there's a huge rush to judgment, that this must mean the whole system has failed. But you can't not try; you have to try new solutions because the old solutions haven't worked very well.

And that means that, when you try new things, it doesn't always work. You learn from what you've done in the past. You try to make adjustments and you try to move on and offer new programs and supports that are going to make a difference.

**Mr. Briese:** Just backing up again—thanks, Minister—to aging out of care.

Just curious about the assessment that goes into place on deciding who goes into—gets the aging out of care process. How's that vetted? How's—does it come as a recommendation from a social worker or who makes the decision? How do they decide that a child is going to carry on after they're 18 years old, with the supports?

**Ms. Howard:** So the way that those decisions are made—and, first of all, I should say it's our expectation—doesn't always happen—it's our expectation that every child in care has a transition plan and that that is started early on. But, for those young people who have an extension of care beyond 18, it's the agency who'll make that determination. Some of the criteria that they will use is that this is a youth who has some kind of a plan to complete their education. Sometimes that may mean completing high school or an alternate program. Sometimes it may mean that they have a plan to pursue post-secondary education. It may be a plan that they have towards employment; it may be a plan that they have towards independent living. So that's part of it, that the agency helps to determine.

The other part of it is that the youth has to be willing because it is a voluntary placement; that child is no longer considered an apprehended child, or a child in care under the law, because they are an adult. And so it is really a service that's provided, but they have to be willing and they have to volunteer to receive that kind of assistance.

**Mr. Briese:** I'm not sure whether this was asked before or not, but I expect that the caseloads of social workers were—was asked, but what's the turnover of social workers? Is it high? Is it consistent across agencies and authorities, or is there areas where it's—you have a higher turnover, because that all ties into the continuity of care too?

**Ms. Howard:** Well, I would say that probably the turnover varies by agency. There is a consistent turnover in the field. I think there's a few reasons for that. I think one is that it is a very demanding job, high demand, often high stress job. The other thing that I think we have to remember is that we've also added a number of positions in child welfare over the past year. I think it's over 200—what is it?—240 positions, and so that means that there's a number of new people who are filling those positions. It also means that sometimes there—it takes a while to find people.

I would say that, by and large, the authorities report a stable workforce, but they're not without challenges, and some agencies have more challenges than others, and I think it's not unlike any organization. Some organizations do a very good job of recruiting and retaining qualified people; they have a good place to work. And other organizations don't do as good a job. And that those organizations that have those challenges, we're aware of those challenges; we do our best to assist them by reviewing some of their human resource practices and policies and how they can strengthen them. I think, you know, although different agencies have different challenges, it can be more of a challenge to get people to work in more remote areas, but not necessarily, not always. It can be also, you know, there is a lot of competition for social workers. They have a lot of choice of where they can work. As we've expanded the number of social workers in

child welfare, you've also seen an increasing demand in education and in health care and in the non-profit world, so that is another situation that there is a huge competition for these people. So I think, generally, there is consistent turnover. Some agencies do struggle more than others, and, where we can, we provide them some assistance. But I do think there is a fairly consistent turnover, but also a fairly stable workforce.

**Mr. Briese:** Another concern that the Child Advocate raised was training for workers on addictions training, and she stated that it was not part of the core training and was suggesting that it should become part of the core training because she felt that addictions were a big issue in a lot of the caseloads that they were dealing with. Have you made any move to do that?

**Ms. Howard:** There is work with the AFM, Addictions Foundation of Manitoba, partnership to provide training to child and family service workers. We're always open to looking at different ways to integrate that training into the core training and to take the advice of the children advocate, take a look at doing that. We do work with authorities to provide that training and, certainly, where they identify that the information offered by the Addictions Foundations is not adequate, we can look for ways to supplement that. So we'll have to take that advice back and see if there is a ways—

**Mr. Chairperson:** Order. The hour being 6 p.m., committee rise. Call in the Speaker.

#### IN SESSION

**Mr. Speaker:** As previously agreed, the hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow afternoon.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, June 25, 2013

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