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of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, March 9, 2021

The House met at 1:30 p.m.

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

ROUTINE PROCEEDINGS

Madam Speaker: Introduction of bills? Committee reports?

TABLING OF REPORTS

Hon. Cameron Friesen (Minister of Justice and Attorney General): I am pleased to table the Provincial Court of Manitoba annual report for the Department of Justice, for the fiscal year of 2017-2018.

MINISTERIAL STATEMENTS

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

Stop Child Sexual Exploitation Awareness Week

Hon. Rochelle Squires (Minister of Families): Madam Speaker, we know that the heinous and deplorable crime of child sexual exploitation occurs each and every week here in our province, and that we all must act together to combat this egregious crime. That is why it is important that we acknowledge and bring awareness to the complex issues of child sexual exploitation and human trafficking during the second week of March.

As the Minister of Families, I proclaim this week, March 7th to the 13th, as the Stop Child Sexual Exploitation Awareness Week. It is also a time we honour the Tracia's Trust provincial strategy, its collaborative partnerships and the diverse voices of survivors that contribute to this important work.

Manitoba's provincial strategy, Tracia's Trust, works to raise awareness about sexual exploitation and human trafficking. Through this strategy, our government invests \$16 million in initiatives each year to prevent and intervene in the sexual exploitation and sex trafficking of children and youth. We are also building on efforts to end sexual exploitation

through a new funding partnership with Canada to implement services and resources to address and support vulnerable youth.

These initiatives include access to mental health clinicians and spiritual care advisers within the Winnipeg StreetReach program, investing in land-based healing and Indigenous teachings to create cultural connections for at-risk youth through the Clan Mothers and ongoing support to build an innovative approach that combines Western and Indigenous knowledge. These dynamic initiatives seek to build awareness and provide specialized care and support to our most vulnerable children and youth, with an emphasis on building stronger connections with community and culture.

Our government also recognizes that joint collaborations and partnerships are integral to this work. This morning I was pleased to announce \$900,000 in new initiatives, including the launch of an education and awareness campaign led by the Manitoba Hotel Association. This campaign will target hotel front-line staff and management teams within the hotel sector. It will also provide education and awareness on the signs of sexual exploitation and the duty to report child sexual exploitation through a targeted industry approach.

We know that, in Manitoba, a disproportionate number of Indigenous girls continue to be exploited in the sex trade. We also know that this is a complex issue that is rooted in colonization, intergenerational trauma and racism, as identified in the Truth and Reconciliation Commission. These findings illustrate the importance and need for collaborative partnerships to combat child sexual exploitation and help bring about change.

The Stop Child Sexual Exploitation Awareness Week is our opportunity to join with survivors, Indigenous partners and all concerned citizens in speaking out against child sexual exploitation.

I look forward to two collaborative learning circles that I will be hosting later this afternoon, and I thank everyone for helping shine a light on this heinous crime and provide a light for those who are, or who ever were, survivors of child sexual exploitation.

Thank you, Madam Speaker.

Ms. Amanda Lathlin (The Pas-Kameesak): Since 2008, the second week of March has been recognized as Stop Child Sexual Exploitation Awareness Week.

All children deserve to feel safe and loved and should not have to live in fear of violence or exploitation. But, unfortunately, that is not the case for too many children in Manitoba and around the world.

Since yesterday was International Women's Day, we can't neglect to mention the majority of children, youth and adults victimized by sexual exploitation and sex trafficking are girls and woman, although there is a growing awareness about the sexual exploitation of boys and transgender youth.

Stats show that 400 children and youth are exploited on the streets of Winnipeg each year, the majority of whom are Indigenous and have a family history that involves residential schools and/or the child-welfare system. In 2018, between 87 and 89 per cent of children reported missing were kids in care, and these children are at an especially high risk of being sexually exploited.

Survivors of sexual exploitation continue to call on this government to do more, including hiring more people with lived experience who know what other survivors need and who can do effective outreach. We believe this government should meaningfully invest in organizations on the front lines who work to support children who are vulnerable to sexual exploitation.

If this government is serious about preventing child sexual exploitation and about helping victims, they should commit to passing Bill 213, the reporting of supports of child survivors of sexual assault act. We hope this government will let their actions speak louder than their words and unanimously support our bill that would ensure all children who are victims of sexual assault can receive the support they need.

Ekosi.

Ms. Cindy Lamoureux (Tyndall Park): Madam Speaker, I ask for leave to speak in response to the ministerial statement.

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

Ms. Lamoureux: Thank you to the minister for bringing forward today's statement to bring awareness to stop child sexual exploitation.

Madam Speaker, child sexual exploitation and trafficking is a horrific problem that is consistently high here in Manitoba. We're encouraged to see this

government take action through the announcement today to provide support to community groups and organizations, and I would like to take a moment to highlight the new annual funding to the Toba Centre for Children and Youth, which used to be known as Snowflake Place.

Toba Centre is an essential advocacy centre to ensure that children are protected, listened to and supported against the threat of sexual exploitation, and we are incredibly grateful for the work that they continue to do.

As a society, what we can do is always ensure we are taking the issue of sexual exploitation seriously. Currently, we know that there are obstacles when people are seeking help, justice and, most importantly, healing.

You know, Madam Speaker, I'm getting closer to finishing up my master's, and over the last five years, I've been learning a lot about trauma that individuals and families can experience if exploitation and abuse is not handled delicately and *[inaudible]* we need to have preventative measures and programs in place to address trauma correctly.

And this is why our caucus is strongly urging this Legislature to swiftly pass the legislation put forward by the member for The Pas-Kameesak (Ms. Lathlin) *[inaudible]* seeks to require the Province to report annually on the number of health professionals with special training to examine children who have been sexually assaulted and on the inventory of sexual assault evidence kits. We believe that this legislation would ensure greater equitable access for individuals who face exploitation, especially in areas of Manitoba where service delivery is minimal.

Madam Speaker, as mentioned, Manitoba consistently has too high a rate of child sexual exploitation, and we can do more by shining a light on this dark issue, making tangible changes to legislation and doing what we can to prevent it.

Thank you.

MEMBERS' STATEMENTS

Pilot Mound Hockey Academy

Mr. Doyle Piwniuk (Turtle Mountain): Madam Speaker, I rise in the House today to introduce you to a world-class academic and hockey training facility that was created to maximize each student's athletic and academic potential. The Pilot Mound hockey school academy, located at Pilot Mound, is an academic-based hockey school.

However, the academy is much more than this. The Pilot Mound hockey school academy is one of the economic drivers and investments in the future not only for the town of Pilot Mound, the municipality of Louise, but, in fact, the entire constituency of Turtle Mountain.

* (13:40)

This small town is almost 700 people. Expansion of the academy's programming, which will see an addition of a third team this fall, enabled realization of the organizers' plans to construct a new and unique \$2-million, full-service dormitory to house 60 male and female student athletes across Canada and internationally.

This expansion also generates an increase of employment from 11 to 17 staff members, including extra teachers, contributing increased ice-rental revenue to over \$60,000 for the local arena and an increase local tourism for visitors coming to watch their kids play high calibre hockey.

More than 50 of the program's graduates, having gone to—benefit from the scholarship opportunities for post-secondary schools, and now they're signed into junior hockey teams to continue with their education and hockey careers.

Equality and inclusion have been a mainstay for the academy's mission and vision. The academy is proud knowing that Black, Indigenous, people-of-colour players annually make up 35 per cent of their enrolment.

While living with unique bubble during this pandemic, the academy did not experience one single case of COVID-19. This organization, which has been well-kept secret for a number of years, now needs to be acknowledged for their contribution to southwest Manitoba and the provincial economy and putting Pilot Mound on the map.

Congratulations to the management, teachers, staff, parents and to all the past, present and future students for making this Pilot Mound Hockey Academy a huge success.

Thank you, Madam Speaker.

Government's Record on Homelessness

Mrs. Bernadette Smith (Point Douglas): Madam Speaker, every Manitoban deserves a safe and affordable place to live. The Pallister government's inaction on homelessness has pushed Manitobans past their breaking point, forcing people to choose between

deadly temperatures and risking COVID-19 infection by sleeping in crowded bus shelters.

This is not a dignified way to live. The pandemic has cut shelter capacity, and the Pallister government has done nothing to increase these shelter beds. Instead, the Pallister government has made it harder for Manitobans to access housing. Since taking office, they've sold off 500 affordable housing units, failed to build a single new unit and cut nearly \$100 million from their housing maintenance, leaving units vacant.

During a global pandemic when people are struggling financially more than ever, this government cut Manitobans off EIA and made others wait up to two months for assistance. This, plus their lack of supports for kids aging out of care, is increasing homelessness in our province.

This government left four RAAM beds at Main Street Project's detox centre empty for the month of December, when those beds were solely—sorely needed. Overdoses and overdose deaths are rising, and this government's inaction has meant people have had—have lost their lives.

The VIRGO report recommends a safe consumption site be opened in Manitoba to help save lives, connect people with appropriate resources and help stop blood-borne diseases, but the Pallister government just doesn't get it. They care more about their own ideology than saving lives.

Access to shelter is a human right. Access to safe consumption sites will save lives. This government must treat this as a crisis by increasing affordable housing, opening safe consumption sites, and funding community organizations.

The Pallister government should be ashamed of their inaction and start putting people before their own ideology and the bottom line.

Miigwech.

Team Einarson Curling Champions

Hon. Derek Johnson (Minister of Municipal Relations): I rise in the House today to recognize and honour the very impressive accomplishments of national curling champion, skip Kerri Einarson. The Einarson team is based out of the Gimli Curling Club in my constituency of Interlake-Gimli.

My constituents and I are so proud of their 'achievements' in winning their second consecutive Scotties Tournament of Hearts. A front-line worker, Kerri Einarson works at the Betel home in Gimli,

where she cares for the residents as a rehabilitation assistant.

Team Einarson's goal is to represent Canada in the 2022 Winter Olympic Games. In their inaugural season, they won their first grand slam at the Player's Championship in Toronto, and after the 2018-2019 season, Team Einarson ranked second in the world.

In the 2019-2020 season, they won the Manitoba championship as well as the national Scotties Tournament of Hearts to claim the title of Team Canada. However, Team Einarson was unable to compete for the 2020 world championship due to the COVID-19 pandemic.

In 2021 national Scotties event, Team Einarson showed great skill and determination, prevailing in a very competitive and talented field of 18 teams—which I might mention five of were from Manitoba—to win their second straight Canadian championship. More impressive, they did this while displaying the same wonderful sportsmanship and love for the game that they have shown since forming their team in 2018. They will compete as Team Canada for the 2021 World Women's Curling Championship this April.

Madam Speaker, as the MLA for Interlake-Gimli, it is with great pride that I recognize team Kerri Einarson for their outstanding achievements as Canadian curling champions.

Madam Speaker: The honourable Minister of Municipal Relations.

Mr. Johnson: Madam Speaker, I ask leave to include all of Team Einarson, their names, in Hansard, which would include Kerri Einarson, the skip; Val Sweeting, the third; Shannon Birchard, the second; Briane Meilleur, the lead; Krysten Karwacki, the alternate; and Heather Nedohin, the coach.

Madam Speaker: Order. Order, please.

The member took away my job here. He doesn't need leave. He was able to put all of that information on the record.

Post-Secondary Education Fee Legislation

Mr. Jamie Moses (St. Vital): Post-secondary students have been navigating new normals throughout this past year, but this government is creating new barriers for them to access education, including yearly funding cuts to post-secondary institutions.

I know student unions have recently had and will soon be having their elections. Thank you to all those who let their names stand, and thank you to all who

voted and participated in that democratic process. Students will be the leaders when it comes to rebuilding our economy, and it is imperative that we listen to their needs.

The impacts of Bill 33 for students are extremely problematic. This bill amends the powers of the minister regards to post-secondary institutions, determines whether student fees are compulsory or not, and allows the minister to set guidelines around student fees. These fees support essential services for students, such as health plans, daycares, food banks, student unions, just to name a few programs.

My colleagues and I stand with students. We stand with groups such as the Canadian Federation of Students of Manitoba. They have expressed concerns to all parties that this 'legislation' is a step backwards for students, as it strips them of—and the institutions of—autonomy. If the minister listened to students, he would know this already.

Manitoba's students, faculty and administration never requested this legislation. If the government believes these fees contribute to affordability, then why do they continually cut budgets for institutions every year and allow tuition increases, especially during the COVID-19 pandemic?

Student fees are not public money. These dollars are students' and must have the ability to democratically determine how these are used amongst themselves in existing systems by students for students.

Thank you.

Ending Homelessness in Winnipeg

Hon. Jon Gerrard (River Heights): Madam Speaker, the best estimate we have is that there are 1,500 people experiencing homelessness at any given time in Winnipeg. This is from a street census done in 2018.

It is, however, likely an underestimate. There is evidence that the situation was worse this winter, with the widespread use of bus shelters all over Winnipeg by people experiencing homelessness starting in October last year, and recognizing that those experiencing homelessness would have a more difficult time this winter, because so many locations where they would usually go, are closed.

I began working with an advocate for those who are homeless, Nancy Chippendale. Together, we recognized that at the coldest time of the year, libraries, community centres, fast-food outlets and

many other places would be unable to let those who were homeless come in out of the cold and warm up.

* (13:50)

Together, we began a journey talking with many individuals and organizations in the community who are helping those who are homeless, and including those with lived experience. We compiled a report. It was released in two phases at the end of December and the end of January.

Those we talked with recognized that there are two approaches to those experiencing homelessness: to continue, as has happened under NDP and Conservative governments, and act in a way that will perpetuate homelessness; or to act as Medicine Hat and Finland have done to end homelessness.

Ending homelessness means finding a home for all of the 1,500 or more individuals who are homeless in Winnipeg, not just for a small portion of them. That is what our report put forward: a way to address the immediate needs of those who are homeless and a way to house all who are homeless now to actually end homelessness.

Thank you.

ORAL QUESTIONS

Children's Disability Services Funding Level Concerns

Mr. Wab Kinew (Leader of the Official Opposition): I want to wish Gunner and the rest of Team Manitoba continued success at the Brier.

It is important that every Manitoban, whether they have additional needs or not, feel included and supported so that they can succeed in life. That's why it's so important to have Children's disABILITY Services. It helps kids living with disabilities to have the supports and to gain the skills that they need to succeed.

Now, the document that I'm going to table for the House today shows that this Premier has frozen funding for children living disabilities for the third year in the row. This, despite the fact that there are more children than ever requiring these services and that the wait-list continues to grow longer than it ever has before.

Why is the Premier against funding disability services? Will he end his funding freeze immediately so that children living with disabilities in the community can get the supports that they need?

Hon. Brian Pallister (Premier): Not just during COVID, but all the time, Madam Speaker, our government's been focused on supporting our most vulnerable citizens, including those living with a disability. That's why we've instituted so many programs to offer real supports, significant supports, to those who struggle with a disability.

That's why we had the disability support program during COVID, but it's also why we've maintained our position as the No. 1 province in terms of offering support to those who are vulnerable in our province, and we'll continue to offer that commitment to those who are vulnerable here.

Manitoba deserves to have—Manitobans deserve to know they have—a government that offers them support when they need it, and that's exactly the government we are, Madam Speaker.

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

Mr. Kinew: Madam Speaker, the Premier's actions contradict the words that he tries to share. When we talk about supporting vulnerable Manitobans, I encourage the Premier to lay—take a look at the document that I just tabled.

This community program to help kids with disabilities, on the final page of this document, it outlines some of the kids who are accessing these supports. It says that these are children who need help learning how to swallow. These are children who need help learning how to walk.

Madam Speaker, these are the most vulnerable Manitobans. This government, this Cabinet, has taken the decision, not once, not twice, but three years in a row, to freeze funding for these children. It is wrong. It is morally bankrupt. It is contemptible.

Will the Premier immediately correct this wrong and commit to increasing supports for those with disabilities in the community?

Mr. Pallister: Let's talk about contemptible for a second.

Here's a quote: Actively trying to hide, cover up or suppress allegations is equally as wrong as committing actions that are deemed inappropriate. That's from the NDP code of conduct.

So what's contemptible is the actions of the Leader of the Opposition and his colleagues who would choose to cover up harassment in the workplace. You know, our children grow up and they want

to grow up to be secure in their work and to grow secure in the workplace. But when the NDP makes false accusations against a civil servant and then repeats them, knowing they're false, that's contemptible. *[interjection]*

And the member for St. Johns (Ms. Fontaine) chirping from her seat should know that. When violations of the policy are—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: —not addressed, that becomes the culture of the party.

That's from the NDP's code of conduct, but they say one thing, Madam Speaker, and they most certainly do another.

Madam Speaker: I am going to have to just remind members that, when something is taken under advisement and I haven't ruled on it yet, the topic is not to be brought up in the House until that ruling actually comes down. *[interjection]*

Order. Order.

I would just ask for everybody's co-operation here. Some of these issues are very sensitive and I know that there's a tendency to want to heckle from our seats, but I—there's some very serious issues and I would ask for everybody's co-operation that we give members the time to ask their questions and to answer their questions and demonstrate that we know how to behave in a civil manner.

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

Mr. Kinew: Madam Speaker, you're quite right that this is a very sensitive issue, and so I'm going to encourage the First Minister to avoid diving into the partisanship and instead to focus on an issue that Manitobans want addressed.

As I'm saying, this FIPPA here says that this is a funding freeze on children who need help learning how to swallow their food. Take a moment to consider that child, the child living in the community who needs assistance learning how to swallow their nutritious sustenance. This is the program that this government has frozen, even as the needs increase, even as the backlog grows.

This is not right, Madam Speaker. This is something that should be addressed immediately.

So for the third time, and please, to the First Minister, through the Chair, answer this question for

the children of Manitoba: Will the government end the funding freeze and finally begin to adequately support those living in the community with disabilities?

Mr. Pallister: The member references that we should avoid partisanship, Madam Speaker, but then reverts to it with false accusations, with erroneous assertions, and that isn't how we'll elevate the debate around how to better support disabled children in this province.

The way we'll do that, I think, is by addressing it factually. And here are the facts: we've added hundreds of millions of dollars of investment to the departments that offer support for our most vulnerable, hundreds of millions more than the NDP ever offered. We continue to lead the country, as a percentage and on a per capita basis, in support for the vulnerable people in our society.

But when the pattern of harassment by a former NDP Cabinet minister came to light just three years ago—and I'm referring to a case three years ago—the member opposite said, quote, political considerations were sometimes put ahead of doing the right thing, and that'll change under my leadership.

Apparently, there's nothing new with you-know-who.

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

Mr. Kinew: Madam Speaker, that is one of the more shameful displays I've ever seen from the member of Fort Whyte in question period, and we have certainly seen some shameful displays from him over the years, haven't we.

Again, Madam Speaker, this is a question about children in the community who need help swallowing their food. This is about kids who need help walking. I can tell that the Cabinet is ashamed of this decision to freeze funding for these kids because there is no heckling right now.

I see all their eyes cast downward because we know that they are ashamed, but let me remind this Cabinet: every moment that they allow the member for Fort Whyte to continue as their leader is a moment where they support a funding freeze on kids who need help swallowing.

Madam Speaker, this is shameful.

Will the Premier stand in his place today—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: –and commit to ending the funding freeze on children in the community–*[interjection]*

Madam Speaker: Order.

Mr. Kinew: –with disabilities?

Mr. Pallister: There's a reason, Madam Speaker, why the member for Fort Rouge can't stand up and take a proper position in defence of those who are being harassed, who are victimized by harassment, who live in fear, and that reason is obvious to all in his party.

He's done far worse, Madam Speaker, than the member for St. James (Mr. Sala) is accused of doing and was found guilty of doing. He's done far worse.

He himself has said he's not the perfect spokesperson. If there's any shame to be had, Madam Speaker, it's the member for Fort Rouge who should feel it.

* (14:00)

When union leaders—when a female union leader goes to him for help, he closes the door in her face and says no. Madam Speaker, this is not—when senior staffers in the NDP are victimized by personal attacks, the culture of the NDP was to say suck it up, and that remains the culture under this gentleman opposite, Madam Speaker.

What a shame. That's a lot to be ashamed of. *[interjection]*

Madam Speaker: Order.

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

Mr. Kinew: Madam Speaker, again: this is the fifth question where I'm asking about kids with disabilities in the community who, under this government, are facing a funding freeze, who are seeing a wait-list grow at a time in Manitoba when there are more children with additional needs than ever before.

Five times the question is posed; five times the Premier refuses to answer. That is very telling. He does not want to talk about this issue because he wants to balance the budget in this way: by depriving kids who need help learning how to swallow their food of the needed funds. This is not what the people of Manitoba want.

Will the Premier finally admit that freezing disability programs in the community is wrong, and that he will immediately increase funding for all of these children?

Mr. Pallister: Well, again the Opposition Leader is grasping and continues to grasp with his questions by putting false information on the record. Let me put the exact information on the record: this year's budget indicates that our budget for families is \$214 million more than the NDP's ever was.

Our support gesture in COVID—it came in many categories, just the Disability Economic Support Program alone for disabled families, for those living with a disability, was a full \$4.6 million. Our support—additional support and Rent Assist programs has gone up almost triple what it was under the NDP.

These are the facts the member refuses to acknowledge; I will acknowledge them today because our government continues to remain focused on supporting our most vulnerable people, as we have throughout our term and as we will continue to do—as opposed to standing up for those who harass others in the workplace, Madam Speaker, as the member opposite has done.

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

Mr. Kinew: Madam Speaker, I have tabled the facts for the First Minister. He has frozen this program that helps children with disabilities for three years in a row. These are the most vulnerable children in our society.

I would ask the Minister of Finance (Mr. Fielding) to picture in his head a child who needs help—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: –learning how to swallow their food. I would ask the Premier to consider, in his head, the picture of a child who needs help learning how to walk. I would invite the entire Cabinet to do so and reflect on the fact that these are the children on the backs of whom they seek to balance their budget.

That's not what Manitobans voted for, Madam Speaker. This is not what people in Manitoba take pride in. This is something that we should be ashamed of, the First Minister included.

He should stand in his place today, commit to ending the funding freeze, and finally announce commensurate support for kids in the community living with disabilities.

Mr. Pallister: Madam Speaker, I've given the member the information he's asked for repeatedly. He

refuses to accept it because it doesn't fit with his partisan diatribe.

That being said, the record of the NDP is real and evident to those who have battled disabilities and are. The record is one which says let's tax these folks who live with disabilities on their haircuts. Let's add a tax to these folks on their home insurance. Let's make them pay more, if they're able to afford a vehicle, to register it and insure it. Let's make them pay more for everything we can—[*interjection*]

Madam Speaker: Order.

Mr. Pallister:—Madam Speaker, and make life harder for them. [*interjection*]

Madam Speaker: Order.

Mr. Pallister: Madam Speaker, what we focused on is helping them—[*interjection*]

Madam Speaker: Order.

Mr. Pallister:—making resources available to them through direct programming, and also by helping by lowering fees and taxes, to leave more of their money with them and trusting that that will help them.

The NDP didn't trust people with disabilities or anyone else. They said, let's take more of their money, give them a little bit back, and then we can get credit for it. And that got us the mess that we've been cleaning up ever since, Madam Speaker.

Madam Speaker: The—[*interjection*] Order. Order. Order.

Child-Care Centres Operating Grants

Ms. Danielle Adams (Thompson): Madam Speaker, operating funding for child-care centres have been flat for years.

During the pandemic, many non-profit community-based centres chose to close. The government's funding was not enough. At the very same time, for-profit centres were given exceptional funding.

I will table a letter we received through freedom of information. The Pallister government was providing \$5,000 per month to private child care at the same moment that many non-profits had to close their doors.

Why is the Pallister government using the pandemic to undermine for-profit child-care centres in the province?

Hon. Rochelle Squires (Minister of Families): I would just like to point out that this year we gave \$21.2 million more in Community Living disABILITY Services this year than last year. That's not a cut, Madam Speaker. That's \$21 million more for people with disabilities, including a \$4.6-million Disability Economic Support Program, as well as we're creating a new dignified income support program for people with severe and prolonged disabilities.

In regards to child care, our government flowed \$90 million in operating grants unconditionally to our child-care centres, whether they remained open or whether they had to shut their doors because of the COVID pandemic, to increase supports.

We also provided 13 for-profit centres with a small grant to—so that they could provide services to the front-line service workers who needed child care the most.

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

Ms. Adams: Dear for-profit child-care provider, the letter begins, the Department of Families will be providing up to \$5,000 per month to eligible child-care centres not normally supported by the provincial operating grants.

This letter was dated July 23rd, 2020.

At that very moment, non-profit community centres—daycare centres across Manitoba were closing their doors. They simply couldn't make the math work given the need for social distancing and personal protective equipment and inadequate funding from this government.

Non-profit centres across the province need much more assistance. Instead, this government chose to prioritize for-profit child-care centres.

Why did the government not provide public child care with the additional operating funding needed?

Ms. Squires: I am very pleased to be able to rise on my feet today and to thank all those child-care workers who showed up for work day in and day out throughout the pandemic, providing service to those people who needed child care the most. These are our nurses, our doctors, our health-care aides, our fire-fighters, our paramedics—the list continues—people who needed child care throughout the pandemic who relied on that child care to be provided for them.

That is why our government flowed \$90 million at the start of the pandemic to all of our child-care centres, our non-profit child-care centres, in an operating grant. That is why we also enlisted the Chambers of Commerce to help us provide more child-care choices for all the families and essential workers who needed child care the most.

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

Ms. Adams: The Pallister government is not providing assistance for non-profit child-care centres needed through this challenging time.

Operating grants have not increased for many years. Many centres could not make things work at the beginning of the pandemic and, given this government's approach, they had to close their doors.

Now we see that the Pallister government was prioritizing for-profit centres. They've given unprecedented supports for for-profit centres while community centres had to close. And at the—and just at—it's just the beginning, once the minister finally reveals the act and the secret KPMG review.

So, again, I ask the minister: Why won't they provide the same supports for non-profit child-care centres?

Ms. Squires: You know, Madam Speaker, and so the ideology goes. And while they cling to outdated ideology, this government—Budget 2020 invested \$181 million in child-care operating grants, which is \$20 million more than the NDP ever flowed under their model.

During COVID, we also provided 2 and a half million dollars in COVID response grants. And we supported our non-profit centres to remain open. And we also supported 13 for-profit centres with a \$5,000 grant so that they could provide child care to our nurses, our doctors, our firefighters, our first responders. Everyone who needed to get to work and rely on child care, we were able to provide that with the help of our partners.

* (14:10)

Menstrual Product Availability Request to Supply All Schools

MLA Uzoma Asagwara (Union Station): Madam Speaker, yesterday I asked a question about menstrual products in schools. The minister for Status of Women, on International Women's Day, completely

evaded the question and talked about USB data blockers.

Now, I can't believe I have to even say this, but USB data blockers are not helpful to students who are missing school because of their period. Menstruation is experienced by students of all gender identities. And on this side of the House, we believe it to be a health-care issue. Free, accessible menstrual products in all schools would be a great step towards equitable health care and education for all Manitobans.

Will the Minister of Health commit today to making menstrual products free and accessible in all Manitoba schools?

Hon. Heather Stefanson (Minister of Health and Seniors Care): I want to thank the member for their question.

Madam Speaker, what I will say is that there is discretionary funding that is available for individual schools. They choose within those schools as to what they want to invest in and the supplies that they want to offer for those students. And what I would suggest is that if it is a priority for those schools that they will ensure that these products, these women's products, are available to those individuals within the schools.

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

MLA Asagwara: Madam Speaker, it was this government, in 2019, the minister for the Status of Women, that said they were considering making tampons and pads free and available to all students from grades 7 through 12. It's been two years since then and we haven't seen any movement from this government on that issue.

The government must work actively to remove barriers within Manitoba schools in order to make sure that students aren't missing days due to menstruation. Making menstrual products free and easily accessible would remove a large barrier for education in many Manitoba schools.

Will the minister commit to addressing this serious disparity and just simply make menstrual products free and accessible across the board in all Manitoba schools?

Mrs. Stefanson: Well, Madam Speaker, I agree with the member opposite that this is a very important issue for women in our schools and girls in our schools. What I will say, again, is that there is discretionary funding for individual schools. If they want to make this a priority and they want to provide these supplies

to those individuals in the schools, we encourage them to do so.

Madam Speaker, I'll remind the member opposite that we are investing \$427 million more in education in the province of Manitoba than they ever did under their time.

And I'll remind them also, they had 17 years to get this right. They didn't make it a priority; now, why is it all of a sudden a priority now?

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

MLA Asagwara: Madam Speaker, we know that Manitoban youth are facing more barriers than ever to receiving quality education due to this pandemic, but also due to this government's cuts to education before and during this pandemic as well.

A recent survey showed that 70 per cent of Canadian women under the age of 25 say they've missed school because of their period and that one third of Canadian women say they've struggled to afford menstrual products.

Now, we know there's a need for more data because we know students of all genders—all gender identities—struggle with accessing schools when they're experiencing menstruation, Madam Speaker. But these stats are alarming and they're clear. Students shouldn't have to miss school due to this issue.

Will the minister invest in Manitoba schools across the board and make menstrual products accessible and free for all students who menstruate and need it in Manitoba schools today?

Mrs. Stefanson: I want to thank the member for their question again.

Of course, Madam Speaker, they're just wrong. I mean, the fact of the matter is we are investing \$427 million more in our education system than the NDP ever did. The important thing here is that that discretionary funding is available for those schools if they want to choose to make this a priority.

We agree that this is a very important issue, Madam Speaker. We agree with that. You know, it's up to the schools to decide what they want to expend those dollars on. We have, again, \$427 million more investing in our education system. It's up to schools—up to the schools to decide.

We take this issue very seriously, and I do thank the member for the question.

Provincial Park Services Privatization Inquiry

Ms. Lisa Naylor (Wolseley): Madam Speaker, Manitoba parks should not be for sale.

Unfortunately—

Some Honourable Members: Oh, oh.

Madam Speaker: Order. Order. Order.

Ms. Naylor: Unfortunately, the Pallister government seems to be pursuing all manner of sale, privatization, contracting out and divestiture. It's open season on our public parks, and it shouldn't be this way.

According to documents received through freedom of information, which I will table, the Pallister government's review will conclude this month.

And I ask the minister: Will she reject any proposal to sell parkland or to privatize important park services?

Hon. Sarah Guillemard (Minister of Conservation and Climate): I do appreciate the question, or more so the statement, from the member opposite that our parks are not for sale.

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

Ms. Naylor: Madam Speaker, the Pallister government shows us every day they're only focused on the bottom line, and parks are one of the true joys that Manitobans can enjoy during this challenging pandemic.

But rather than invest to meet that need, the Pallister government has proposed cutting things up and selling them off. And as we revealed last year, Cabinet had ordered the department to draw up plans for selling parklands.

This is a tremendous mistake, now more than ever, and it is one the minister can disavow today.

Will she clearly state that the government will keep Manitoba parks in public hands, yes or no?

Madam Speaker: The—[interjection] Order. Order.

Mrs. Guillemard: I appreciate the question from the member opposite.

And I want to point out that, had her government, over 17 years, even looked at the bottom line once, we wouldn't be in the predicament we are in today in our parks and in all departments.

But I will say this, Madam Speaker, because the member did not hear me the first time, the second time or the third time: our parks are not for sale.

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

Ms. Naylor: I'm very surprised with the confidence of which the minister speaks, because that—

Some Honourable Members: Oh, oh.

Ms. Naylor: —that answer would indicate to me that perhaps the review has already—*[interjection]*

Madam Speaker: Order. Order.

Ms. Naylor: That answer would indicate to me that perhaps the review has already been completed, and so it would be wonderful if that could be shared with the public.

But I also have an additional question.

Not just the parks, but will she make herself very clear to all Manitobans right now that park services will remain in public hands, yes or no?

Mrs. Guillemard: I appreciate the question from the member opposite, and just a suggestion that if the members opposite would actually deal with truth, their arguments would be much easier to make in a debate.

* (14:20)

And I will say this, that I know that I've stated it multiple times, it's very difficult to understand, you know, the few words that I am going to say, but I'll say it very clearly and slowly, because perhaps it's easier to understand: our parks are not for sale.

Changes to Construction Industry Legislation Safety Standards and Apprenticeship Training

Mr. Tom Lindsey (Flin Flon): Earlier this year, the Province tried the idea of repealing The Construction Industry Wages Act, which ensures fair treatment and wages for those in the construction industry. And that didn't sit well with industry.

Then they announced amendments to the apprenticeship certification act, in addition to changing apprenticeship ratios from one to two apprentices per journeyperson. This change will have major implications not only on job opportunities, but workplace safety. Many of these trades are dangerous, and altering the ratio puts Manitoba workers at risk.

Will the minister reverse these changes today and uphold the safety standards for Manitoba workers?

Hon. Ralph Eichler (Minister of Economic Development and Jobs): Madam Speaker, I thank the member for the question.

The Auditor General went in and did a report on the apprenticeship program. Through two decades, the 'apprentish' had never been looked at by the previous government. When you talk about people like Jared Jacobson of Jacobson & Greiner companies—said, this is needed changes; now we can have a fulsome discussion about making major changes, positive changes, to our industry and apprenticeship program.

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

Mr. Lindsey: Madam Speaker, this government's attack on working people in this province has been just plain relentless.

This government is now planning to repeal The Apprenticeship Employment Opportunities Act, an act that mandated that contractors hire apprentices on public projects.

That's a just plain wrong approach, Madam Speaker. We should be using public investment as an opportunity to train up young people and leverage public investment for even better public benefit. That's not what this government is doing.

Will the minister protect workers, reverse the decision to appeal The Apprenticeship Employment Opportunities Act, and will he do it today?

Mr. Eichler: I appreciate the question from the member.

We are going to modernize the apprenticeship act. It's been 20 years—20 years, Madam Speaker—that this government sat on their hands, did nothing to modernize apprenticeship in Manitoba. This Bill 61 will modernize it through consultation, modernizing the board, modernize apprenticeship and also meet the skills, knowledge and strategy going forward for all Manitobans.

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

Mr. Lindsey: You know, Madam Speaker, that answer's just plain wrong. It's going to be bad news for working people in this province.

But now we have IBEW members that are ready to go on strike at Manitoba Hydro due to this government's interference in the collective bargaining process with their Public Services Sustainability Act. Keep in mind, Madam Speaker, that this bill has been

ruled unconstitutional by the court, never been proclaimed by this government, but still they're forcing employers to act as if it was.

Will the government immediately—immediately—repeal this unconstitutional bill and allow workers and their employers to bargain collectively, free from interference from this government?

Mr. Eichler: Madam Speaker, I want to thank the member for the question, but I have to say the member's just wrong.

Madam Speaker, Bill 61 is modernizing the apprenticeship act now and for the future, making sure we have the skill set to meet the needs of tomorrow.

We're coming through a pandemic that's going to have an opportunity for seeing our economy grow and prosper. This is just one step, Madam Speaker. Stay tuned.

COVID-19 Vaccinations Health Link System

Mr. Dougald Lamont (St. Boniface): We are approaching the one-year anniversary of the global pandemic, and a year ago, when the Province told Manitobans to call Health Links, it crashed.

This week, the same thing was happening for people calling for vaccine appointments: hang-ups, busy signals, hours of waiting for seniors.

Now, vaccines were approved in October, first started arriving in Manitoba in December, and when you're running a social you don't wait for the cheese cubes to arrive before you start selling tickets. You don't have to wait for vaccines to start planning either.

This government has promised 20,000 vaccinations—*[interjection]*

Madam Speaker: Order.

Mr. Lamont: —a day.

How is that going to happen when systems are still crashing?

Hon. Brian Pallister (Premier): Yes, nice tie.

I want to just say that—to the member that, in terms of readiness, this government has focused on planning and partnering, throughout this entire pandemic, with our front-line workers, our leaders throughout are providing communities—our community leaders at the municipal level, and also with our small-business sector.

This partnership of public, private and volunteer sectors is what has enabled Manitoba to be successful in terms of facing the challenges of COVID by doing it together.

And I would encourage the member to adopt that attitude now, as we are not out of the woods yet. There are variants that are appearing. In other provinces, they're experiencing big up-pushes in their numbers.

And so I would encourage Manitobans to remember, to be diligent, to follow the fundamentals, to stay safe and to remember that we are not powerless in this. We have the future in our own hands and we can work collectively to save lives here. And Dr. Roussin has said we are, but I want Manitobans to know they are as well, because that's the motivation to get through this. It's not going to be easy, but we'll do it together.

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

COVID-19 Variants Third Wave Preparation

Mr. Dougald Lamont (St. Boniface): As the Premier mentioned, we are also seriously concerned about COVID-19 variants. On January 15th, we called on this government to step up and start testing because of COVID variants that are much more infectious and that, if allowed to spread, could drive a third wave.

We called for testing of all travellers at airports and other ports of entry to Manitoba. There have been significant delays in testing, just getting samples from one lab to another.

We certainly hope we won't see a third wave here, but there was one during the Spanish flu, and we also know this government did precious little to prepare for the second wave.

If these variants drive a third wave in Manitoba, will this government step up with business and other supports to make sure that Manitobans can weather the storm?

Hon. Brian Pallister (Premier): Currently, in terms of vaccine availability, as of this morning we ranked 55th as a country. I'd encourage the member to talk to his friends in Ottawa and get them on this.

We've already taken action to—and I appreciate the comments from the leader of opposition in support of our initiative to encourage and develop and invest in domestic vaccine production, because we're seeing the challenges that have arisen with delays in vaccine.

This is costing lives. Delays in vaccine availability as a consequence of overreliance on overseas providers is a reality that we are unfortunately facing here in Canada.

So, we're ready. Our vaccine team has been working diligently to get ready. We're—have the capability in the next few weeks, if we had the vaccines, to get them into the arms of Manitobans and save lives.

But in the meantime, Madam Speaker, because the cavalry from Ottawa hasn't arrived yet, we have to make sure we stay playing defence and we stay diligent in observing the fundamentals of COVID to keep each other healthy and safe.

Homelessness in Winnipeg Request for Housing Plan

Hon. Jon Gerrard (River Heights): Madam Speaker, the best estimate we have of the number of people experiencing homelessness in Winnipeg is 1,500. This is from a street census in 2018. It's widely suspected this is an underestimate.

If the minister is only planning to help 250 of these 1,500 people get housed, the minister's plan is to perpetuate homelessness, with 1,250 people continuing to have to live in shelters, including bus shelters.

Why is the minister planning to perpetuate homelessness in Winnipeg instead of planning to house all of the 1,500 people experiencing homelessness, and thus to end homelessness, as places like Medicine Hat have done?

Hon. Rochelle Squires (Minister of Families): I'm pleased to take an opportunity to provide some correct information, and I'd also like to table some information that shows that our government has created 713 new affordable housing units since we formed government.

We are also working towards supporting our—those who are homeless or who are precariously housed by also providing wraparound supports.

* (14:30)

We know that just throwing the keys at someone isn't just the solution. We also have to provide services so that they can have supports for mental health, for addictions, for education opportunities and other opportunities that they can achieve their full life. That is what our government is doing, is providing housing

as well as wraparound supports for all those who need it.

Indigenous Economic Development Fishing and Forestry Initiatives

Mr. Brad Michaleski (Dauphin): Madam Speaker, grants that support economic development are essential to ensure that our province remains competitive in a changing world economy. The Minister of Indigenous and Northern Relations announced grants to support and develop various sectors in our province.

Would the minister update the House on what these grants will support and how they will benefit Manitoba?

Hon. Eileen Clarke (Minister of Indigenous and Northern Relations): Thank you to the member for that great question.

Our department, in collaboration with Manitoba Agriculture and Resource Development, is providing \$675,000 to support commercial 'fishery' certification as well as \$200,000 to the forestry sector to encourage and to enhance Indigenous participation. We're also 'partening' with Economic Development and Jobs to provide up to \$150,000 to One North to enable them to pursue economic development related to the rail lines in the North.

Madam Speaker, each of these three initiatives reflects important economic development opportunities for Indigenous and northern Manitobans. These grants will allow Indigenous and northern communities to emerge from the pandemic in a position of strength, and it will allow them to remain competitive well into the future.

Thank you, Madam Speaker.

Madam Speaker: The time for oral questions has expired.

Petitions—oh.

Point of Order

Madam Speaker: The honourable Government House Leader, on a point of order.

Hon. Kelvin Goertzen (Government House Leader): On a point of order, Madam Speaker.

On an issue that occurred in question period. I think if you review the tape of question period, which I am sure you do every day after question period,

you'll see that the member for Point Douglas (Mrs. Smith) at one point turned on her mic to heckle during question period.

And I know that it is challenging enough for you, Madam Speaker, to control the heckling that happens live, let alone to try to control it virtually, and I would ask you, after you've done that review, to remind the member for Point Douglas that the actions are unacceptable.

Madam Speaker: I am going to just, in general, indicate to everybody that is remote—and we have had this issue come up before—and I will indicate to all members that are participating virtually that there is to be no heckling, particularly in turning on the audio or trying to interrupt what's happening here in the House.

So I'm just going to tell all honourable members that are participating virtually, there is to be no heckling and that includes everybody that is virtual and I hope we don't have to say this again. This message has been sent out once before and I hope we don't have to do it any further.

And so, to that point, it is a good point, but I wouldn't say that it was specific to any particular—no rule, but it is a, you know, a general rule that we have going on right now so, I guess in a way he has a point of order and—but just—it's a courtesy thing to all members, so I ask for everybody's co-operation.

PETITIONS

Madam Speaker: The honourable member for Transcona, on a petition?

Public Child-Care Grants

Mr. Nello Altomare (Transcona): Yes, thank you, Madam Speaker, I had to walk all the way to the podium. It's because it's about a 15 second delay.

So, I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

(1) The pandemic has further emphasized the need for quality, affordable and accessible child care and has demonstrated that the government has failed to ensure child care is accessible to all Manitoba families.

(2) Over 90 per cent of Manitoba children receive child care through nonprofit, licensed centres, and yet funding has been frozen since 2016. These cuts have resulted in many early-childhood educators leaving the sector.

(3) When child-care centres have faced increased costs associated with joint-parent fees due to COVID-19 closures and spent thousands on PPE when open to keep kids safe, the provincial government has provided no additional financial support.

(4) The government spent less than 1 per cent of the \$18-million temporary child-care grant, and instead gave K-P-N-G double their contract—nearly \$600,000—to conduct a review that will raise parent fees and lay the groundwork for privatization.

(5) The provincial government's cuts to nursery school grants is doubling parent fees for hundreds of families, making child care less affordable and accessible.

(6) The provincial government passed bill 34, the budget implementation and tax statutes amendment act, which removed the cap on child-care fees for private sector businesses.

We therefore petition the Legislative Assembly of Manitoba as follows:

To urge the member from—the provincial government to reverse changes to the nursery school grants and to end the freeze on child-care operating grants while committing to keeping public child care affordable and accessible for all Manitoba families.

This is signed by Alicia Sawatzky, Lisa Thienpoint [*phonetic*], Rachele DuFonais [*phonetic*] and many other Manitobans.

Madam Speaker: In accordance with our rule 133(6), when petitions are read they are deemed to be received by the House.

The honourable member for River Heights, on a petition.

Vivian Sand Facility Project— Clean Environment Commission Review

Hon. Jon Gerrard (River Heights): Yes, Madam Speaker, I am just—I wish to present the following petition to the Manitoba Legislature.

The background to this petition is as follows:

The Vivian sands project is a proposed silica sand mine and processing plant to be built in the RM of Springfield. The overall project includes mining claims of over 8,000–85,000 hectares, making it the largest claim ever given to a single company in Manitoba's history. It is larger than the city of Winnipeg, which has 46,410 hectares.

The amount of dry, solid sand mined or produced per year according to the EAP is to be 1.36 million tons, and much of this sand will be used in fracking.

A major concern of the proposed mine and plant is that, if developed, it could contaminate the Sandilands aquifer, including both carbonate and sandstone aquifers, which covers much of south-eastern Manitoba. It has excellent water quality and is the water source for tens of thousands of Manitobans, including many municipal water systems, agriculture, industry, private wells and an abundance of wildlife and ecosystems. Further, people in the Indigenous communities that are potentially affected by this were not afforded the required Indigenous consultation from either federal or provincial government officials.

The sustainable yield of the combined sandstone and carbonate aquifers has still not yet been established by provincial authorities.

The mine could cause leaching of acid and heavy metals and pollute the aquifer, as it will go down 200 feet into the Winnipeg foundation—formation of the sandstone aquifer. There is concern that the shale, which separates the carbonate and sandstone aquifers—sand and pyritic oolite itself contains sulphides—will, when exposed to injected air from the CanWhite Sands extraction process, turn to acid.

An additional concern with the proposed mine and plant is the potential to pollute the Brokenhead River and the aquatic food chain leading to Lake Winnipeg.

Residents in the area have also expressed fears of being overexposed to silica dust during production, as there has been a demonstrated lack of safety and environmental procedures by the CanWhite Sands Corporation during the exploratory drilling phase. Signage and fencing has been poor; identifying and required mine claim tags were missing; there were no warnings for silica dust exposure and no coverings to prevent exposure of the silica stockpiles to the elements.

Residents' concerns include the fact that boreholes, which should have been promptly and properly sealed, were left open for a year. The drilling of hundreds of improperly sealed boreholes yearly create significant risks of surface contamination, mixing of aquifer waters and drainage of surface fecal matter into the aquifer.

There is also a risk of subsidence around each borehole as a result of sand extraction.

* (14:40)

There are also potential transboundary issues that need to be addressed, as the aquifers extend into Minnesota.

This project should not proceed, as no licensing conditions and mitigation measures will alleviate the risk to all Manitobans and the environment, since CanWhite Sands Corporation plans to use an unprecedented mining technique with no established safe outcome. The corporation has gone on record indicating that it does not know how to mine for the silica in the water supply and needs to develop a new extraction methodology that has never been done before.

Contamination of the aquifers and the environment is irreversible and there are many surface sources of high purity silica which can be extracted without endangering two essential regional aquifers.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to undertake a combined review of the Vivian Sand Facility processing plant and the mining/extraction portion of the operation as a class 3 development with a review by Manitoba's Clean Environment Commission to include public hearings and participant funding.

To urge the provincial government to halt all activity at the mine and plant until the Clean Environment Commission's review is completed and the project proposal has been thoroughly evaluated.

Signed by David Bilownus, [*phonetic*] Sondra [*phonetic*] Lea, Jack Stafford and many other Manitobans.

Madam Speaker: The honourable member for Tyndall Park (Ms. Lamoureux).

Member for Tyndall Park there for a petition? If not, I'll go to the honourable member for Elmwood.

Diagnostic Testing Accessibility

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

The background to the petition is as follows:

(1) Until recently, diagnostic medical tests, including for blood and fluid samples, were available and accessible in most medical clinics.

(2) Dynacare blood test labs have consolidated their blood and fluid testing services by closing 25 of its labs.

(3) The provincial government has cut diagnostic testing at many clinic sites, and residents now have to travel to different locations to get their testing done, even for a simple blood test or urine sample.

(4) Further, travel challenges for vulnerable and elderly residents of northeast Winnipeg may result in fewer tests being done or delays in testing, with the attendant effects of increased health-care costs and poorer individual patient outcomes.

(5) COVID-19 emergency rules have resulted in long outdoor lineups, putting vulnerable residents at further risk in extreme weather, be it hot or cold. Moreover, these long lineups have resulted in longer wait times for services, and poorer service in general.

(6) Manitoba residents value the convenience and efficiency of the health-care system when they are able to give their samples at the time of the doctor visit.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to immediately demand Dynacare maintain all of the phlebotomy, blood sample sites existing prior to the COVID-19 public health emergency, and allow all Manitobans to get their blood and urine tests done when visiting their doctor, thereby facilitating local access to blood testing services.

And this petition is signed by many Manitobans.

Madam Speaker: The honourable member for St. Vital.

Is the honourable member for St. Vital there?

Dauphin Correctional Centre

Mr. Jamie Moses (St. Vital): Madam Speaker.

Madam Speaker: Go ahead with your petition.

Mr. Moses: Thank you.

I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This petition has been signed by many Manitobans.

Thank you.

Mr. Mintu Sandhu (The Maples): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been—thank you, Madam Speaker. This has been signed by many Manitobans.

Thank you, Madam Speaker.

Mr. Mark Wasyliv (Fort Garry): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to the petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May of 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

And this has been signed by many Manitobans.

Thank you.

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

And the background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, the DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This petition, Madam Speaker, is signed by many Manitobans.

Madam Speaker: Grievances?

ORDERS OF THE DAY GOVERNMENT BUSINESS

House Business

Hon. Kelvin Goertzen (Government House Leader): On a House announcement, Madam Speaker.

Pursuant to rule 33(7), I'm announcing that the private member's resolution to be considered on the next Tuesday of private members' business will be the one put forward by the honourable member for Riding Mountain (Mr. Nesbitt). And, Madam Speaker, the title of the resolution is Calling on the Provincial Government to Protect Manitoba Hydro.

Madam Speaker: It has been announced that pursuant to rule 33(7), the private member's resolution to be considered on the next Tuesday of private members' business will be one put forward by the honourable member for Riding Mountain. The title of the resolution is Calling on the Provincial Government to Protect Manitoba Hydro.

* (14:50)

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Mr. Goertzen: I have a leave request of the House, and if I could just explain quickly, Madam Speaker.

This morning in private members' resolutions, we were debating the resolution by the member for River Heights (Mr. Gerrard)—brought forward by the member for River Heights, which had to do with thanking all Manitobans, not in particular health-care workers but certainly including health-care workers, for their work during the pandemic.

And I think, in listening to all the members of the House, there seemed to be unanimity in terms of supporting the resolution. However, I believe that we ran out of time—not by anybody's fault. I don't think it was purposeful that the time was run out, Madam Speaker, but I do think that all members of the House wanted to support the resolution.

And I regret the fact that I'm bringing this up in non-member's—or not private member's business, of course, but I wonder if there is leave of the House to pass the—unanimously, the resolution that was brought forward by the member for River Heights this morning.

I would ask the Speaker to put the question on the resolution by leave.

Madam Speaker: Is there leave to—oh. [*interjection*]

Mr. Goertzen: I appreciate the guidance of our clerks. I understand that the resolution is standing in the name of the honourable member for St. Boniface (Mr. Lamont), so I'm asking for leave of the House to have the resolution voted upon, despite the fact that it is standing in his name.

Madam Speaker: Is there leave to vote on providing unanimous support to the resolution that was spoken to this morning? It is standing in the name of the honourable member for St. Boniface, but is there leave of the House to pass—[*interjection*]

Is there leave for House to put the question? [*Agreed*]

RESOLUTIONS

(*Continued*)

Res. 11—Expressing Thanks and Gratitude to All Those Who have Carried Us Through the COVID-19 Pandemic

Madam Speaker: So, therefore, is there leave—no. Is it the—is the—is there willingness of the House to consider the resolution from this morning as passing unanimously—[*interjection*—no.

Is it the pleasure of the House to adopt the resolution from this morning unanimously? [*Agreed*]

* * *

Mr. Goertzen: I thank all members of the House for that.

Could you please call for debate this afternoon bills 50, 24, 31, 27 and 26?

Madam Speaker: It has been announced that the House will consider second reading of the following bills this afternoon: 50, 24, 31, 27, 26.

SECOND READINGS

Bill 50—The Legal Aid Manitoba Amendment Act

Madam Speaker: I will therefore now call second reading of Bill 50, The Legal Aid Manitoba Amendment Act.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister for Sport, Culture and Heritage (Mrs. Cox), that Bill 50, The Legal Aid Manitoba Amendment Act; Loi modifiant la Loi sur la Société d'aide juridique du

Manitoba, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Friesen: I am pleased to rise today and to put some words on the record in respect of Bill 50, The Legal Aid Manitoba Amendment Act.

As Manitobans know, there was a report following a review of Legal Aid Manitoba. It was conducted by Allan Fineblit, and that review of just a few years ago focused on a number of areas in Legal Aid Manitoba.

I would want to preface my comments by saying Legal Aid in Manitoba delivers excellent service for Manitobans. I understand, actually, that we can go so far as saying it provides more services to more Manitobans more often than arguably any other legal aid unit in all of Canada.

I think sometimes we lose sight of the things that we do very, very well in our constant effort to improve and do better. We do need to take time to congratulate those people who are hard at work every day. I've learned a lot in my few weeks as the Justice Minister and Attorney General for Manitoba about the work of Legal Aid Manitoba, delivering legal advice and representation services for criminal, child protection, family law, poverty law and immigration and refugee law to individuals based on the fundamental test of financial eligibility and merit criteria.

And so, what Legal Aid Manitoba does is uses a hybrid type of approach, a competitive business model, using both staff lawyers and private bar lawyers. They set their own budget. They operate to—under—or oversee their own operations. The Legal Aid Manitoba Management Council oversees the operations and mandate of this.

The reason I mention all that is because this comes to the fundamental point of the improvement that this legislation seeks to make, and that is where it applies to the tariff or the tariff of fees that are paid not to our staff lawyers but to those private bar lawyers who work doing legal aid work in the province of Manitoba.

This bill acknowledges that it has been years in this province, almost 10 years, that there has been no increase in the tariff 'rate'—rate set for those private bar lawyers undertaking this work. And so, over time, that loss of competitiveness is, of course, a challenge. We want to make sure that we can continue to attract private bar lawyers to the work of legal aid in the

province of Manitoba. And, of course, the fee, the tariff itself, is important in that regard.

So right now, that fee-setting authority is by the Province through regulation. The change that this legislation is designed to make is to actually shift that authority from the Province to the Legal Aid Management Council, of which I just spoke. So that would mean that, essentially, Legal Aid Manitoba, who already has operational control for its own budget, would then also have all the necessary levers and tools available to manage its services delivered to Manitoba, including the tariff rate paid to private bar lawyers.

The changes that we contemplate in Bill 50 would then provide Legal Aid Manitoba with the ability to make adjustments quickly. That may be proving an impediment to service or unfair or unreasonable. The amendment will provide the authority and flexibility to Legal Aid Manitoba, who has the knowledge, the data and the skill to manage its own tariff effectively.

So, Madam Speaker, I—once again, I'll end my remarks understanding that we have other bills to debate this afternoon, perhaps, if we make good progress on this one. I'll keep my remarks short and simply say we welcome the review of Legal Aid Manitoba.

We welcome this recommendation by that review to specifically address this as an area of potential improvement, and we would welcome the debate and the support of all members of this House to make this, we believe, reasonable and practical change to benefit all Manitobans, but also, and more specifically, those who receive services from Legal Aid Manitoba.

Questions

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

Ms. Nahanni Fontaine (St. Johns): Would the minister mind sharing with the House today, were Legal Aid Manitoba and the Public Interest Law Centre consulted in respect to Bill 50, and what was their feedback, if, indeed, so?

Hon. Cameron Friesen (Minister of Justice and Attorney General): Even better than that, I can report to the House that the Legal Aid Manitoba review was actually conducted by Allan Fineblit, who was at one time the executive director of Legal Aid Manitoba, has been the COO for a major law company here in Winnipeg, in Manitoba. And so, yes, Legal Aid Manitoba was completely consulted.

* (15:00)

Ms. Fontaine: Would the minister commit his government to increasing Legal Aid Manitoba's budget in the coming year so that this bill can actually translate into pay increases for Legal Aid lawyers?

Mr. Friesen: I'm happy to report that our government has made good investments in court modernization, in funding of Legal Aid Manitoba, but the question that the member poses is out of scope for today.

I cannot trump the Minister of Finance (Mr. Fielding), who will have the responsibility in just a few weeks to come to this House and talk about the ways that we continue to fix the finances and repair the services and rebuild the Manitoba economy.

We have every confidence, though, that this bill is the mechanism that is needed to allow the Manitoba Legal Aid management commission to undertake to set this fee appropriately, to be able to track good talent in respect of private bar lawyers who do this work in the province of Manitoba.

Madam Speaker: Are there any further questions?

Ms. Fontaine: Does the minister agree that the absence of legal aid, which is then to say, leaving Manitobans to represent themselves, would be inherently dangerous and unfair?

Mr. Friesen: The bill does not speak to the issue the member is bringing up. I don't know if she's asking me for conjecture.

I can say this about the bill, that Legal Aid Manitoba, as I said, provides more services to more people more often than arguably any other unit of its kind in Canada, and that means there are many, many people who would otherwise not afford that ability to have legal representation who now can.

Ms. Fontaine: Will the minister—I know that the minister is passing the buck in respect of the budget that's coming out from the Minister of Finance, but I'm sure that the Minister of Justice has conversations with the Minister of Finance.

And so, would he commit in his new role to never reducing Legal Aid's—Manitoba's funding so that all Manitobans can be fairly represented within the Manitoba justice system?

Mr. Friesen: That's less about the content of the bill that I'm sponsoring today, but I would say this.

Why is it that the former government, over the course of almost 10 years, made no increase to the tariff? That is exactly what this bill does, is it gives the authority to the management council to be able to raise the tariff rate because the former NDP government, over the course of almost 10 years, never chose to raise the rate afforded to private bar lawyers. So my question to that member would be, why not?

Hon. Jon Gerrard (River Heights): My question to the minister relates to how the funding for Legal Aid is apportioned.

If the fees for private sector lawyers rise, will that change the allocation of funds within Legal Aid, whether they are spent on private sector lawyers versus being spent on in-house Legal Aid lawyers?

Mr. Friesen: I thank the member for River Heights for the question. I would want to stress that it is not the government who undertakes or instructs in any way the Legal Aid Manitoba Management Council in respect of the issue he's raising.

The member's correct. There is that provision of service on both parts, on both sides of the equation, both by staff lawyers and by these private bar lawyers, but it would not be up to the government to set or instruct or to mandate in any way.

And I understand that it's been a very, very good analysis and operational decision making over the years by Legal Aid Manitoba. We would have every confidence in the management council going forward to continue to get that right.

Ms. Fontaine: Back to the Minister of Justice's (Mr. Friesen) previous response, but his question to me. My answer, Madam Speaker, is I'm not the Justice Minister yet. I will soon be.

But I would ask the minister to answer the questions and, you know, is this government, under his administration, Madam Speaker, willing to invest in initiatives that are proven to reduce costs to the justice system, such as safe consumption sites?

Mr. Friesen: Madam Speaker, I don't want to do your job, and I wouldn't want to because it's a difficult job,

but I think that we are getting clearly out of scope of the context of Bill 50.

So I would say to that member we are making excellent investments in the courts, which is my responsibility, including our court modernization initiative. And I cannot wait during this spring session to be able to tell my colleagues more about how we are shifting resources, how we are seizing the opportunity and the challenge of technology and how we're going to reduce wait times to court and other barriers to Manitobans.

What we care about is access to justice, and we'll get that right.

Madam Speaker: Are there any further questions?

Debate

Madam Speaker: If there are no further questions, debate is open.

Ms. Nahanni Fontaine (St. Johns): I'm—good to put a couple of words on the record in respect to Bill 50, The Legal Aid Manitoba Amendment Act. I would suggest that this is an okay bill. It's not particularly egregious. It's kind of, like, neither-here-nor-there in some respects.

So let me just say from the onset, we will be supporting Bill 50. I think it is important that the rate increases be transferred to the Legal Aid management board.

So I just want to go back a little bit here. I know that the minister, he's new in his role. He was, you know, removed as the Health minister and somehow—not really demoted, demoted up I suppose. So I do want to just go back, maybe for the minister's information and I think for Manitobans that are probably watching what's going on in this Chamber and in this province by the Pallister government and every single MLA opposite.

I think it's important, before we get on to the—to some of the specifics of Bill 50, I want to kind of go back—because it is all related and it's all connected—the cuts that the Pallister government have undertaken since taking office in 2016.

I mean, if you can imagine, the Pallister government has actually cut dollars to restorative justice programs. And, you know, before becoming an MLA and before being the special adviser on Indigenous women's issues, I was the director of justice for the Southern Chiefs Organization for a little less than 10 years.

And one of the roles that I had there was the administration of our restorative justice program in our communities. And we were just starting to undertake that work with some communities that were going to have community justice circles and where files would be diverted from the Crown to these particular communities to get these off the docket and start dealing with files that come before Manitoba courts in a more holistic, Indigenous manner.

And so I know first-hand the importance that restorative justice plays in the lives of folks who become in conflict with the law and, in particular, Manitoba citizens who are Indigenous and come in conflict with the law. And so, you know, there is some phenomenal work that is done in the communities for restorative justice.

Mr. Len Isleifson, Acting Speaker, in the Chair

I would imagine that most in the House, I would hope, have heard of the restorative justice program that Hollow Water First Nation has undertaken for many years, which was actually internationally known and renowned.

I remember back in 1997, I had just graduated with my first degree in environmental studies and international development and I was hired by my First Nation community of Sagkeeng as an environmental researcher. And it happened that that July—I think it was July—there was the 15th annual working group on the draft Declaration on the Rights of Indigenous Peoples.

* (15:10)

And so myself and several other folks, technicians in Sagkeeng, were sent to the United Nations in Geneva to participate in the working group on the draft Declaration on the Rights of Indigenous Peoples. And some of the folks that were there from Canada were actually folks from Hollow Water First Nation from their restorative justice program and they were presenting on the program.

And I think it was in 1997, although I could be confused, maybe it was later on, because I'm getting a little bit older there. But the material point is that the amazing work that was being done in Hollow Water, which was the first of its kind, certainly in Manitoba, was being looked at as a best practice particularly in addressing those that come into conflict with the law that are Indigenous. And so there was phenomenal work that goes on in the community.

I don't know if a lot of people know about how restorative justice works in the province, but, you know, there are restorative justice, or justice circles, across the province in a variety of different communities—not only Indigenous communities, non-Indigenous communities as well.

I don't know what the amount would be now, because, of course, I haven't been the director of justice for many years. But back in the day, I know that there was like, I think it was \$1,200 or \$1,500 that was given to justice circles to do that work, to bring folks together and, you know, bring folks who are in conflict with the law and bring folks who have been, you know, victimized or—and bring them together and sit and find resolution.

And, in fact, I sat on some of those committees and several times—several times, even within the school system, and there was just phenomenal transformative work that occurred in those justice committees. It's not a lot of money to do that work that was offered at the—at that time.

I don't know what the amounts are now. But I do know that since 2016 the Premier (Mr. Pallister) and his Cabinet, you know, thought that it would be good to reduce the dollars that go towards restorative justice. And I could tell you, Madam Speaker, the amount of dollars, the million—oh, Deputy Speaker, sorry, apologize. Sorry.

The millions and millions of dollars that go into the justice system every year is an enormous amount of money, and it is fully inequitable, the amount of money that we invest and support for community initiatives, for transformative initiatives. And so the amount's not a lot to begin with, and the Premier decided that he was going to even reduce those amounts even more.

We know that in 2017, the Premier cut Justice programming for organizations like the Elizabeth Fry Society, and John Howard by 20 per cent. For those that don't know, the Elizabeth Fry Society works with and advocates for women who are coming out of correctional facilities, and the John Howard Society advocates and works with men who are coming out of correctional facilities.

And in 2017, the Premier and the minister, I believe the current Minister of Justice (Mr. Friesen), was, if I'm correct, the minister of Finance at the time, and so that actually would have been under his—

An Honourable Member: Ah, the good old days.

Ms. Fontaine: And he thinks it's the good old days when he was cutting programs and services left and right. Like, people would probably put a paper in front of him and he's, like, cut. Every opportunity he had he'd just cut. So he's proud of that. For those that are not in the Chamber right now, the new Minister of Justice (Mr. Friesen) just said that those were the good old days when he was the minister of Finance making all these cuts.

So, Deputy Speaker, what's the amount of those cuts that he claims were the good old days? Well, he cut \$50,000 from the Elizabeth Fry Society, again, an organization that does phenomenal work and that works with and advocates and helps and supports some of the most vulnerable women in Manitoba. He thought it was the good old days when he was able to cut \$50,000 from that organization.

He also, in the good old days when he was the minister of Finance, cut John Howard Society by \$136,000. Again, an organization—and again, these are often the only organizations that are working very closely with and advocating for folks that are coming out of correctional facilities—and here, saying John Howard Society working with men who were also among the most vulnerable—and he thought it was the good old days to cut \$136,000.

So what else did he do when he was the minister of Finance? Well, he privatized the prison—the correctional phone system and he privatized it to an American company and—which the result of that was it increased and hiked up the rates astronomically for phone—for folks, for citizens, for Manitobans to be able to call their families.

And so for Manitobans that are currently incarcerated or housed within our correctional facilities, the current Minister of Justice made it exponentially more difficult and expensive to call home and talk to their partners or their children or their parents. And, again, for those that are watching or listening or who will see this later on when I post it, the current Minister of Justice thinks that those were the good old days.

What else did they do, Deputy Speaker, during that time? Well, they cut fresh milk and they substituted it with powdered milk for folks—for Manitobans who are incarcerated—

The Acting Speaker (Len Isleifson): Order. Order.

So again, just keep in mind that we're debating here today, that it deals with the setting of fees for solicitors, for lawyers doing legal aid work. And I

would just encourage the member to bring her comments back around to the subject matter of the bill.

Thank you. [*interjection*]

Member for St. Johns (Ms. Fontaine). Sorry.

Ms. Fontaine: Miigwech, Deputy Speaker.

And I—there is a point to showing and mapping out for folks everything that the current Minister of Justice did while he was the Finance minister because there's absolutely a connection there, Deputy Speaker, between this current bill, Bill 50, and the ability of Legal Aid management to increase the fees of Legal Aid lawyers when there's no money to do so.

So there's an absolute connection, because what we've seen, Deputy Speaker, is that over the many five years, I suppose, we've seen, you know, cut after cut after cut in our justice system, including all of the things that I'm outlining. So I am building up the suspense, and so if you will bear with me I just want to put a couple more on the record here.

So they cut fresh milk, they cut program—programming training for folks who are incarcerated. And if you can believe it, Deputy Speaker—and I'm sure that you are able to believe it—they cut the Indigenous court worker program.

The Indigenous court worker program—another program, again, that is considered a best practice, you know, obviously not only in Manitoba but across the country—the Indigenous court worker program that hires Indigenous peoples that are fluent in the languages of Cree, Ojibwe, Dakota, Oji-Cree and helps Indigenous peoples navigate the justice system—which, at the best of times, the justice system is a beast. It is a beast in and of itself.

And so when you have folks are—that maybe don't speak English, that's not the first language, or you have folks that are coming in from isolated communities, you know, it is imperative to have somebody there that can help navigate you through that process.

And what did this Minister of Justice, the former minister of Finance, do? He cut that program. Like, that just boggles my mind. I don't know who cuts programs like that. But, then again, as we saw today in question period, this group here doesn't even care about children that have special needs. They were clapping left and right and thought it was really funny about some of the things that we were bringing forward today in question period.

Let me just do this, Deputy Speaker. I think it's important to put on the record some facts here.

So, historically, Legal Aid was required to set aside a portion of their funding for certain access to justice initiatives and other things. This amount was set aside from their operating budget.

* (15:20)

This amount was augmented by a fairly significant surplus over the last year, Deputy Speaker, as I'm sure you know, because courts have been closed or have been only partially opened there has been many files and also there hasn't been as many folks that have been charged in respect of COVID under the pandemic. And so it's important to know that Legal Aid doesn't pay for a file until it's completed, so you have many Legal Aid lawyers who actually don't get paid until that file is actually completed.

There was a review of all of this, and I know that Legal Aid has increased some of the dollars because of this surplus. They've used those surplus dollars to go from \$80 to \$85 an hour, and so they were able to do some of that only, again, because there's been this surplus.

But, interestingly enough, the Pallister government, even though there hasn't been an increase to Legal Aid tariffs in many years—the Minister of Justice (Mr. Friesen) is actually asking for that surplus back. Instead of allowing that surplus to be used to pay Legal Aid lawyers the fees that they should be paid and ensure that those Manitoba citizens that rely on Legal Aid have the best representation that they can have, the Pallister government is asking for those surplus dollars back.

So, what does that mean? So, yes, we support Bill 50, but the problem with Bill 50 is it's just simply a transfer of administration on who is able to raise those tariffs for Legal Aid lawyers, but if, like I displayed, or I laid out previously, there is cut after cut and there's no increase into the budget for Legal Aid, you can transfer it to yourself, Deputy Speaker, but if there's no money for you to be able to raise the tariffs for Legal Aid, it's a moot exercise because Legal Aid needs the dollars to be able to raise those tariff dollars for Legal Aid lawyers.

So I think that that's a really important point. I will leave it there for now.

Miigwech.

Mr. Andrew Micklefield (Rossmere): It's a great honour to speak to this bill and thrilled to hear that

members opposite will support it. Certainly there's lots to support, and I want to expound on that this afternoon.

The bill changes the administrative structure for the raising of fees, and that may seem fairly academic, but actually it's a long-needed, long overdue move that has been discussed for some time now. It's been batted around, and finally we're getting around to it. It's something that's been a matter of some discussion and, essentially, historically, these things have been looked after by regulation.

And now we're putting the onus back into—or into—Legal Aid Manitoba's court and, Mr. Deputy Speaker and members, that is where this responsibility clearly lies. There really is no question.

It reminds me of a story back to my days as a school principal, and I was overhauling numerous pieces of policy for the school where I served, and it dawned on me as I was in that process that the first policy that needed to—I needed to get right was the policy on policy.

Now, this raised a few eyebrows, but I thought it was important. And the policy on policy basically went like this: that every policy should be self-perpetuating. You know, if you're making a kilometres policy or some kind of remuneration policy, you don't want to set the number in 2001 and run the risk of it not ever being looked at again for who knows how many years. You want to set it so that it updates itself, and that's a little bit like what we're doing here.

We're putting the decision where it belongs, with Legal Aid Manitoba. They have a budget, they have knowledge, they have understanding of what these things cost, and so they can budget and they can spend accordingly. We don't need to bring this down to this building on Broadway and have bureaucrats adjusting regulations in terms of how much and how many and so on.

So this is common sense legislation. It should have happened years ago. It didn't. Finally, we're doing it. It's been talked about. It's been applauded. Well, guess what, we're getting it done, Mr. Deputy Speaker, like, we're getting a lot of things done around here. It doesn't, by default, change the funding required, but it puts it in the hands of people who know what's going on.

So that's what the bill does. That's what we're supporting. Grateful to hear from the Opposition House Leader that they will support it as well. That's a wonderful thing.

I want to talk a little bit on—in response to some things that were mentioned by the member opposite and I appreciate, Mr. Deputy Speaker, your grace in allowing a significant amount of latitude. It is that same grace which I now wish to extend to myself. I know you will extend it to me, as you did for the member opposite who stated that we have cut restorative justice resources, and nothing could be further from the truth.

There are numerous—there are pages of investments and I will now furnish the House with that information and I'm sure that people will listen attentively. Over \$2.8 million—we're closing in on \$3 million in investments to support restorative justice programs throughout this province, including but not limited to \$400,000 increase in annual funding in the 2019-20 fiscal year.

Is that a cut? No, it's not a cut, that's an increase—that's more, that's not less—increases to support ongoing restorative justice programming.

So I just talked about some restorative justice programming that is already existing but now, we're talking—sorry, that is new. But now, we're talking about ongoing, things that have been happening. They're also getting increases. Is that a cut? No, that's more money.

The creation—this is a new thing, now—of restorative justice centres in the North and restorative justice hubs in Eastman, Interlake, south central, Westman, Parkland regions. This is as of just last month. Mr. Deputy Speaker, we are doing more for restorative justice.

Anyone who claims that we are cutting restorative justice needs to become aware of the facts. The facts are investments are being made, millions of dollars are going in and this government is on the file. We are getting the job done. Manitoba Justice's restorative justice branch works with a number of government departments, police agencies, different programs to streamline the process for pre- and post-charge diversions throughout Manitoba.

Restorative justice branch objectives are—I want to read you some of these objectives: increasing the number of referrals to the RJ process—the restorative justice process; decreasing the number of cases that go through the formal justice and court process; streamlining the restorative justice process for RCMP, provincial and federal prosecutions; restorative justice programs with clients; supporting the work of restorative justice programs to reduce recidivism and

repair the harm for victim-offenders in the community.

Listen to these verbs, Mr. Deputy Speaker: increasing the number of referrals, decreasing the cases that go to court, streamlining the process for all involved, supporting. This is not backwards, this is forwards.

So about 5,000 cases per year are currently diverted from the formal justice system—5,000. I hope members opposite are listening. Five thousand, that is a big number of cases that do not go through the court system because of what this government is maintaining and advancing and funding and increasing. We are on this.

Manitoba Justice has set a target, furthermore, not to keep that number the same, not to decrease it, not to see if we can kind of ride out the storm, no, no, no. We want to increase that number by 15 per cent over five years, and I think that's something worth celebrating. That's a good-news story.

Within the framework of diverting to restorative justice, there are a hundred different diversion options—

The Acting Speaker (Len Isleifson): Order, order.

Just want to remind the member to the subject matter of the bill is not restorative justice, but more so the work that the solicitors and the lawyers are doing, and I would just like to ask you to—the leeway I've given you, to bring it back.

* (15:30)

Thank you.

Mr. Micklefield: You took the words out of my mouth because although this bill is not—there's—the words restorative justice don't appear in the title, it is these very Legal Aid lawyers who pull the levers, who direct the traffic, who can say, you know, this path would be a good fit for this situation.

You know, these lawyers don't just rush everyone into the courtroom. There are, no doubt, times where they would say, you know, the Manitoba government has over 100 diversion options. Let's look at those options, let's see if this isn't a chance. And if I was such a lawyer, I'm sure that I would say restorative justice is a path that we should consider.

So, Mr. Deputy Speaker, we want to move this forward. We are moving this forward. It's not stuck in the mud. It's not going backwards. The numbers are increasing. The cases are increasing. The people

getting helped are increasing, and this funding change will allow lawyers in this position to be able to say, what are the options that best suit this situation? We're not going to be making those decisions by regulation anymore. We're putting it right into the hands of Legal Aid Manitoba.

But I want to just continue to explain a couple things here that these lawyers will be looking at and have as options, about ongoing support for communities that wish to create new community justice committee or restorative justice programs.

So, if there are communities that don't currently have access to these kinds of programs, we're open to hearing about it. We're open to working with them. We're open to saying, okay, what makes sense here; how can we do that?

And when those lawyers who are in contact with Legal Aid Manitoba find out that this government's willing to start new initiatives, they are going to say, you know, maybe we need to look at some of these initiatives; maybe we need to take the restorative justice route because it's growing.

There's more happening, and the government stated 15 per cent more—not just 5,000; we want that number to go up—of cases that can stay out of the courtroom this year. And that is a 15 per cent increase, I believe, over five years.

So, Mr. Deputy Speaker, as this change is made, it has real consequence for those who are affected. Sadly, under the former government, incarceration rates did not double; they more than doubled between 2005 and 2015, and it is with a heavy heart that I report 74 per cent of those inmates were Indigenous. That was not a government that moved things forward. This is a government that's moving things forward.

We're working with stakeholders. We're listening to people affected, listening to the RCMP, looking to expand, looking to innovate, to develop, to make room for new things so that people can access justice in a way that is fair, in a way that is funded, in a way that is feasible.

Mr. Deputy Speaker, this is not merely an administrative change. For some people, this will be a life-changing bill, and for that reason, I am very proud to speak in support of it this afternoon.

And thank you, Mr. Deputy Speaker, and members of the Legislature.

MLA Uzoma Asagwara (Union Station): I appreciate the opportunity to be able to put a few words on the record in regards to Bill 50, The Legal Aid Manitoba Amendment Act bill.

You know, I think that my colleague, the member for St. Johns (Ms. Fontaine), has already put a few really important statements on the record. I certainly have appreciated learning more about Legal Aid services and all of the good work that they do and how hard-working all of those folks are and about their concerns, you know, in terms of, you know, how they're being compensated and their ability to, you know, adequately provide services for folks in our communities, you know, so many of which are without the personal resources that would really allow them to navigate the justice system in a way that is equitable and ensures that their needs are heard and met and addressed fairly.

And so I think I'm actually going to start—kind of change trajectory a little bit, Mr. Deputy Speaker, just based on some of the comments the member for Rossmere (Mr. Micklefield) just made that I think are strange, to be quite honest.

I think, Mr. Deputy Speaker, it's important for us, when we talk about the justice system, when we talk about the folks who come into contact with this system, it's important to recognize the root issues that may result—or contribute, rather, to folks who end up coming into contact with the justice system.

It's really important for folks to have a holistic understanding of the factors that contribute to folks having struggles and challenges that have outcomes that I'm sure none of us want for many folks in our communities. And so to make comments on the record, as the member for Rossmere did, bragging that the numbers of cases are increasing and they're addressing that, and the number of people who need help are increasing—as if that's a positive, Mr. Deputy Speaker—is strange to me.

It's—you know, we should be able to look at the decisions that we're making as legislators, we should be able to look at the decisions the government is making across the board and be able to highlight and celebrate the fact that the numbers of people who need access to these services are, in fact, decreasing.

Because that would reflect that the number of folks who are coming into contact with the justice system is decreasing. That would reflect that, in fact, the government is making investments in areas—life areas—that are resulting in people having their basic

needs met and not having struggles around housing, poverty, mental health and addictions; unmet basic needs; unaddressed, you know, childhood trauma that may result in outcomes that see them involved with the justice system.

So, I think it's really important for us, Mr. Deputy Speaker, to speak compassionately about these things and to recognize that what we should be aiming for is addressing these issues in a manner that sees long-term outcomes and, ultimately, positive outcomes, rather—that result in less people actually being involved with the justice system and more people having their basic needs addressed. And that's something that this government has failed to do. That's, in fact, something that this government has unfortunately contributed to, the fact that folks do not have their basic needs addressed in Manitoba.

And we're seeing the outcomes of that lack of investment and that failure to address those needs. And it is critically important that when we talk about Legal Aid in Manitoba and we talk about the folks who are providing these services, that we also talk about the responsibilities the government has to address all of the areas outside of the justice system that contribute to the justice system.

And so I just want to make sure that I identify some areas that the government has made some cuts in, but unfortunately, you know, as we know—and research and evidence supports this—in fact, result in a greater burden on our legal system.

So, a really good example—and forgive me if the member for St. Johns (Ms. Fontaine) has already mentioned a couple of these points, but I'd like to put these facts on the record myself. In 2017, the Pallister government cut justice programming for organizations like Elizabeth Fry and John Howard by 20 per cent. Elizabeth Fry was cut—just for solid stats—cut by \$50,000, and John Howard was cut by \$136,000.

I know that maybe, for some people, Mr. Deputy Speaker, that seems like an insignificant amount of money, but in reality, for organizations that do this kind of critical work, those dollars are significant, and it forces them to have to make decisions around what they can provide in terms of services that ultimately harm those they're trying to provide those services for.

Another example of a decision made by this government that I've heard from a number of people in my own constituency, advocates who do work for those—alongside those, rather—who are currently

incarcerated—they work alongside their families to make sure that their rights and their needs are being met and heard—but there was a cut—or, I guess, a decision, rather—I apologize—they made to privatize the prison phone system to a US company, hiking up the rates for inmates to make phone calls to their families.

* (15:40)

Now, Mr. Deputy Speaker, this is a really good example of how a decision made by this government really can have just significant, significant repercussions and consequences for those who desperately need as much positive support as possible in order for them to be able to navigate the justice system and move forward in a way that allows for them to be healthier, happy, and their families as connected and unified as possible during a really challenging time.

And hiking the rates for folks who are incarcerated to be able to make phone calls to their families is really shameful. It really is. It's exploiting folks who have very limited resources. It's exploiting families who have very limited resources in a time of real need, when they need to be connected. And, quite frankly, it eliminates the opportunities for many folks to be able to maintain those critically important connections to their families, to their communities, to articulate what they're navigating and to, you know, even establish communication effectively with the very resources, like Legal Aid, that they need to be in communication with in regards to what's going on in their own circumstances.

And so that's a really good example. And I raise that because it is something that I've heard, actually, from local organizations that actively provide support for those folks who are housed in our—in correctional facilities. It's something that continues to be brought up as an issue, and it's something that, you know, I hope that this government can reflect on in terms of their poor decision-making and how their decision-making affects vulnerable Manitobans, and maybe rectify that somehow.

Another example. You know, I'm not somebody who really drinks milk; to be honest, I don't like milk, but to cut the fresh milk that is provided and substitute it for powdered milk to save \$371,000, to me, is just ridiculous. It is—it's, you know, it's another example of denying something to folks who are vulnerable, folks who are trying to make better decisions, folks who, you know—these kinds of decisions send a message—sends a message to people about how we value them,

sends a message to folks about what they deserve in terms of their well-being.

And it's a decision that undermines any message the government may be sending to folks who are currently housed in correctional facilities that they are going to be provided the resources they need physically, mentally and emotionally in order to make healthier decisions moving forward, in order to make decisions that will, you know, have them have positive outcomes in their lives and that of their families moving forward. It's a decision that, you know, some people may not see as dehumanizing, but it is dehumanizing, Mr. Deputy Speaker. And it's a decision that didn't have to be made.

Another example would be a cut that was made by this government, specifically in regards to—sorry, I lost my spot here—specifically in regards to employment training programs for folks who are in—currently housed in correctional facilities that would help them reintegrate. That—to me, again, another example of undermining a person's ability to be equipped with the resources they need in order to make decisions that they want to to lead a healthier, happier life moving forward, reintegrate themselves into communities with their families. That kind of decision-making, again, just mitigates any opportunity that folks may have to make those positive decisions moving forward.

So those are just a few examples that I wanted to make sure I put on the record. And again, you know, these are things that I'm hearing from folks in Union Station—more broadly, across all of our communities.

And I also want to commend the community organizations that work really, really hard to provide resources and support for folks who are housed in correctional facilities and for their families and communities.

We know that many folks who come into contact with the justice system come from marginalized and targeted backgrounds, are socio-economically disadvantaged, and to have the capacity and the personal resources to be able to do a lot of that advocacy work, it's just not a reality that many folks, you know, exist within. And so these organizations do a tremendous amount of work, labour, often at their own expense, in order to support those families and to support the good work of, you know, Legal Aid Manitoba as an example, which is really tremendous and commendable.

So there's just a few other points I think I'd like to put on the record while I have some time to do so. And, again, I'm going to go back to the importance of addressing root issues. And, you know, it's really important that we don't just focus on justice when we're talking about justice. And I know that might sound strange for some folks, but really and truly, you know, there's an interconnectedness that we have to be aware of and we have to understand when we talk about why folks may come into contact with the justice system. We have to have an understanding and an appreciation for how adverse childhood experiences, childhood trauma impacts people, how poverty and lack of housing impacts people—

The Acting Speaker (Len Isleifson): Order. Order.

Just going to remind the member this is my first day in this seat and I have been very lenient. It's a process that we go through, but I want to remind and encourage the member to bring her remarks back to Bill 50, which is the—*[interjection]*—yes; back to Bill 50, please.

MLA Asagwara: Just a reminder that I do use neutral pronouns, to the—Mr. Deputy Speaker, neutral pronouns. Thank you.

The Acting Speaker (Len Isleifson): Apologies.

MLA Asagwara: And, you know, I think you're doing a great job on your first day in the Chair, FYI, so no worries. Thanks for the leniency on some of my comments.

I'll bring it back to Bill 50, although I do think my comments in talking about addressing root causes is important. I don't think that we can separate the realities of what Legal Aid Manitoba is providing, in terms of supports and resources for folks, we can't separate that from whether or not this government is addressing the root issues for vulnerable and targeted communities here in the province. They're interconnected, and so I do think it's important to be able to discuss that and put words on the record in regards to that.

So, you know, the reality of this piece of legislation—and I think that on our side of the House, certainly, our hope is that, you know, the funding is there to ensure, actually, that these concerns raised by folks at Legal Aid Manitoba can be adequately addressed. Certainly, you know, Legal Aid Manitoba, they do so much work to make sure that Manitobans can access justice, especially for those who are disadvantaged and facing—or being under-resourced ultimately.

So we have to believe—although it's hard, to be honest, Mr. Deputy Speaker, for me to believe that this Premier (Mr. Pallister) would, in fact, invest adequately at all. There's not a lot of—there's not a pattern there that we can trust, to be quite honest. But, you know, it is what it is. This bill is seeking to rectify something that has been raised by Legal Aid Manitoba and that's a good thing. And although I do think that it's fair for folks to, you know, question whether or not the Premier will actually—or, the Premier's Cabinet will actually adequately resource Legal Aid as they should, we have to hope that, you know, this bill being brought forward means that they will.

And, certainly, there are many Manitobans who are depending on that. There are many Manitobans, you know, who are doing good work, who are believing as well that the government will do the right thing with this piece of legislation.

You know, the alternative to due process being a reality, the alternative to Legal Aid assistance not being available, is that you're going to leave people without the resources they need to represent themselves—or, to be represented, rather, in the legal system.

And there's some serious dangers, there's some risks—real risks—attached to that approach, you know: a clogged court system for everyone, if under-represented folks were to—or unrepresented, rather, folks were to try to navigate the system themselves. It would just create a whole wealth of legal complexities that would disadvantage even more people, and we recognize that.

You know, it could result in errors, in wrongful convictions, as an example, where someone who was innocent goes to jail, which, you know, obviously nobody wants to see happen, you know. And it could result in errors, errors that would result in the opposite, in a stay of proceedings where somebody who is, in fact, you know, guilty of charges that have been brought forward against them, would walk free because the court would determine that the lack of representation would cause an unfair trial.

So there are all of these things that could happen, Mr. Deputy Speaker, without due process being in place and without Legal Aid being adequately resourced so they can provide the services that they are mandated to do.

* (15:50)

So, Mr. Deputy Speaker, there isn't much more I'd like to say. I—we are going to support this bill. We're

going to support this piece of legislation. I appreciate the generosity that you showed me in being able to articulate what I understand, what I know to be, and I think, on this side of the House, especially, what we all understand to be really, really important when we're talking about these matters. You have to be able to talk about not only how this government should be investing and ensuring that folks have the appropriate representation—and that's, you know, via channels like Legal Aid Manitoba—but also adequately and appropriately investing in addressing the very reasons why someone may become involved with the justice system or come into contact with the justice system; they're not mutually exclusive.

We need to see investments across the board, and I think it's really important, wherever we can, to put those comments on the record so that when Manitobans look back and go through Hansard and go over these pieces of legislation, as I know many Manitobans go through Hansard and check what we're saying on any given day. And I hear from some of them that they can see that we're talking about this issue in a way that was holistic and not seeing people as one-dimensional, but seeing them as, you know, people with very dynamic and complex needs.

So, thank you.

The Acting Speaker (Len Isleifson): The member for River Heights.

Need to unmute.

Hon. Jon Gerrard (River Heights): Okay. Thank you. Can you hear me all right?

I'm talking about Bill 50. We are supportive of this legislation, which requires the management council of Legal Aid Manitoba to establish the fees for private sector lawyers.

Allan Flinebit [*phonetic*], who has a good reputation, was apparently involved in making this recommendation. He has a lot of experience in Legal Aid over many years, and so we believe that this is a good-quality recommendation.

The government has pointed out that it was 10 years without any fee increase. That was five years under the NDP and five years under the current Pallister government. So both the former NDP government and the current Pallister government were responsible and involved with the decision to not increase the fees.

The bottom line clearly needs to be excellence in legal—legal representation through Legal Aid. Good

representation solves cases better, often solves some out-of-court so that there is less time in court, which is more expensive. So having lawyers who 'goo' an excellent job is important.

I have the impression that sometimes the low remuneration in the past was not the incentive that lawyers needed to provide the highest quality work and that one of the things that is needed is to increase the fees. This may be particularly necessary in certain complex cases, which take a lot more work and, again, if not handled well, will actually end up using a lot of extra court time and being very costly. So it's important that they are handled well.

It is also important that cases, for example, involving children in Child and Family Services, are handled well, because we want the children who have been apprehended to have the best opportunity that they possibly can because many times they have been through difficult times.

We also want to make sure that, in keeping with the trend at the moment—which is a good trend—to not apprehend as many children, that parents are given the opportunity to look after their children, and so they need good Legal Aid lawyers, often, in order to help them and make their case and make it well.

The—I am certainly aware of occasional problems that there have been in the last number of years with the quality of legal aid work done by a few private sector lawyers, and unfortunately this has tainted the reputation of Legal Aid. And, hopefully, in the process of changing the fees and providing more appropriate fees for the services, Legal Aid will also be able to provide a better accountability for lawyers, better assurance of quality of the work done, that the quality is good and that people are being helped as they should be.

While there are a few Legal Aid lawyers who are not providing work up to the standard which we would hope, there are many Legal Aid lawyers, and particularly staff lawyers, but Legal Aid lawyers who are private bar lawyers as well, who do outstanding work, provide absolutely stellar support for clients, provide good resolution to cases, and often, as I have already said, end up solving some problems without necessarily having to go to trial, and that can be quite cost-saving, provided that the resolution is a fair and just one.

I'm aware that the management council of Legal Aid is appointed by government and one always has a little bit of concern about the potential for political

influence here. I think that we have, for example, one of the individuals who's appointed was a past candidate for the Conservatives. That doesn't mean that he was necessarily a poor choice, but it does mean that we in the opposition, in the Liberal opposition, just are looking to make sure that the decisions are based on justice and they are based on fairness, not on political background.

I note—and there's been some discussion of this on the Legal Aid budget—that if the fees rise, there is likely needed to be some increase in the Legal Aid budget. I was reviewing the Legal Aid budget over the last few years under the Conservatives and the—although the budget has gone up overall for Legal Aid, it has gone up very modestly, at approximately an average of 1 per cent a year, and this is not enough for inflation, and it is very likely that it will be very important that there be an increase in funding for Legal Aid in light of the changing fee structure.

As I've said, the overall bottom line has to be the quality of the work that is being done and that people are being well represented, that we get solutions which are just, but that we also operate a system which supports families, which doesn't favour apprehension and which makes sure that where possible, families can be reunited under reasonable conditions.

* (16:00)

Sometimes a lot of time and effort has been wasted in the past because of apprehensions which were not done as carefully as they should have been. I'm trying to help one individual at the moment with such a circumstance. And when things like that happen, it is a disservice to the individuals involved and the family involved, but it's also a big extra cost to the justice system.

So I am very much mindful of the need to address the root causes of problems, to make sure that families are supported in the process that they go through when they go through the justice system.

So, in summary, this is a reasonable change to Legal Aid. We will be watching, very closely, the results and hope the result is beneficial in terms of quality of case work and in terms of the support for those who need Legal Aid.

Thank you. Merci. Miigwech.

The Acting Speaker (Len Isleifson): The member from Point Douglas?

It's—I'm hearing there was a change? So, there are no more? Okay.

Any other speakers before we ask the question?

Hearing none, is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Len Isleifson): Question before the House is second reading of Bill 50, The Legal Aid Manitoba Amendment Act.

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

I declare the motion carried.

Bill 24—The Legal Profession Amendment Act

The Acting Speaker (Len Isleifson): So we'll now go on to Bill 24—second reading of Bill 24, The Legal Profession Amendment Act.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister for Advanced Education, Skills and Immigration (Mr. Ewasko), that Bill 24, The Legal Profession Amendment Act; Loi modifiant la Loi sur la profession d'avocat, be now read a second time and be referred to a committee of this House.

The Acting Speaker (Len Isleifson): It's been moved that Bill 24, The Legal Profession—okay.

It has been moved by the Minister of Justice, seconded by the Minister of Advanced Education, Skills and Immigration, that Bill 24, The Legal Profession Amendment Act, be now read a second time and referred to a committee of this House.

Mr. Friesen: Thank you, Mr. Acting Deputy Speaker, and congratulations to you on the first day of the performance of these new assigned duties of yours. We all think you are doing splendidly, and we thank you for your attention to these matters this afternoon.

I'm pleased to rise and to speak on Bill 24 and to put some words on the record in respect of The Legal Profession Amendment Act. I do thank the opposition parties for their indications of support for the previous bill, and we would also invite them to support these reasonable amendments that come to us as a result of a process—a collaborative process—that comes to us as a result of the law society of Manitoban's advice; that comes to us as a result of a process by which that agency in Manitoba, that entity, undertook a strategic plan and the benchers there identified access to justice as one of the Law Society's four strategic objectives.

Mr. Acting Deputy Speaker, you have heard me and the previous minister and the minister before that

also say that access to justice is very central to this government's commitments in respect of this portfolio, and so we are pleased to bring these amendments this afternoon.

These amendments are designed to essentially be able to create a new category when it comes to the practice of law in Manitoba, but it would do so under the auspices, under the direction of the Law Society, and what that category would do is, those individuals would allow us to extend the ability to furnish legal services.

And so I'm pleased to bring a few remarks to the record this afternoon and to clarify what the issue is, to explain the bill and then cede the floor to allow others to speak to it.

As I said, access to justice is a critical issue for this government. We have focused on this, whether this issue is in terms of our significant investments in the area of restorative justice—and I really thank the member for Rossmere (Mr. Micklefield) this afternoon for correcting the record and being able to talk about the various advancements, the funding enhancements, the collaborations that exist in Manitoba in respect of restorative-justice hubs, the collaborative work that we have undertaken with the chief justices and the chief judge and with the grand chiefs in Manitoba to be able to further get down this road about diverting from traditional court proceedings and being able to work collaboratively with those grand chiefs, accepting their expertise, their advice about how to do this better in the province of Manitoba.

I find these discussions and this direction of policy energizing. It's the right collaboration at the right time, and we look forward to the direction that this will take us in. I can tell you that—I won't speak for them, but even the chief justices and grand chiefs have spoken with enthusiasm about these things. And so we take encouragement from the direction which we're going on this.

But when it comes to access to justice, we must also consider the impact of waiting to have legal services. We must consider, as well, the impact of cost to Manitobans with more modest incomes and want—what kind of barrier that may create in Manitoba.

And for those reasons we have brought the Legal Profession Amendment Act.

This is the second reading of Bill 24. It's a complex issue when it comes to access to justice. It requires the co-operation of independent

stakeholders, a multifaceted approach. The Family Law Modernization Initiative is one of the ways in which we are striving to improve access to justice for Manitobans. And these amendments are another.

We, as a government, are committed through our mandate to supporting communities and providing value for money for services that are delivered, and this bill encompasses those goals.

So, in Manitoba, it's the responsibility of the Law Society of Manitoba to protect the public interest in the delivery of legal services with competence, with integrity, with transparency and with independence.

Right now, of course, in Manitoba, with only a very few narrow exceptions, only lawyers can practice law. And when we talk about those exceptions, you can think, Mr. Acting Deputy Speaker, about a notary public, you can talk about certain exemptions in which non-profit organizations, non-government organizations can represent certain groups in some narrowly defined areas of law; they do so with—under the guidance and under the watchful eye of the Law Society of Manitoba.

So, there exists already these small categories in which, in a few exceptions, non-lawyers do lawyerly things. But this bill would go further, because these are narrow exceptions.

The Law Society has been exploring better ways to deliver legal services and has noted that there is unmet legal need and so there is a need to innovate, there is a need to provide more alternatives and affordable alternatives to legal information, advice and representation in Manitoba.

And I know that the member for Point Douglas (Mrs. Smith) will be taking careful interest in this because it's something she spoke on just earlier this afternoon—this need for affordable legal provision of services in the province of Manitoba.

So, Mr. Acting Deputy Speaker, with the amendments proposed in this bill, we're enabling the Law Society to expand essentially the range of people who can provide legal services beyond lawyers to meet today's needs.

And this can be accomplished in two distinct ways.

First, the amendments enable the Law Society to create and regulate limited practitioners—and these limited practitioners would be non-lawyers who are authorized to provide certain legal services specified

by the Law Society. I want to repeat that: specified by the Law Society.

The Law Society would determine exactly what the requirements would be for these individuals in order to protect the public, because you'll recall that is one of their fundamental rules: to protect the public interest. They may make rules about who could become a limited practitioner, what education and training requirements such an individual would have to possess, and any other requisite qualifications that they deemed necessary for the safeguarding of the public interest.

* (16:10)

In establishing rules for issue certificates and regulating limited practitioners, the Law Society would continue to ensure that the requirements and safeguards that are put in place, or are put in place, that would be proportionate to the type of legal services provided.

So the intent of this amendment is to improve access to legal services and to reduce costs to the public in the seeking out of these services. That's the first part.

Second part of the bill, the amendments would also allow the Law Society to add to the list of non-lawyers who are permitted to undertake certain activities that would be considering practicing law.

So as I said, right now, for instance, a person preparing their own legal documents or representing themselves at a hearing can do so, and, in doing so, they are not in breach of The Legal Profession Act. The Law Society has found that there are others, such as non-profit agencies, as I mentioned, providing very specialized advocacy services to marginalize in low-income citizens, they should be exempt in the same way.

And so these amendments allow the Law Society to make this type of—or, exemption, and to develop rules to permit a person, or class of persons, to provide legal services specified in the rules, and have any restrictions and qualifications that they think should apply.

I would want to also say, though, Mr. Acting Deputy Speaker, that if the people in this role as limited practitioners go too far, if they exceed their authority, if they mess up, so to say, that in those cases they could still be prosecuted by the Law Society for the unauthorized practice of the law.

So there's still the safeguard, there is still the oversight, there is still all of that function undertaken by the Law Society to make sure this is done in the public interest safely, appropriately, with accountability and transparently. The intention of this last amendment is to, again, provide another avenue for better access to legal services for the public.

Madam Speaker in the Chair

So I wanted to, of course, allow others to have their say on this bill. We believe that these are reasonable amendments. We believe that they—they're needed in Manitoba. I heard the member for River Heights (Mr. Gerrard) just speaking on debate earlier this afternoon and talking about this need for affordable services, talking about the complexity of some cases that are undertaken. And so I think about those comments that the member made, and I think about how the performance of these smaller areas of law if then allocated to these limited practitioners would allow lawyers to concentrate on other matters.

I would want to say as well that it's—we are not the first to venture into this area. Ontario has brought similar measures. BC has advanced similar measures. I understand in Saskatchewan, they have advanced similar measures, not always exactly in the manner that Manitoba is intending to go. This would be more of a made-in-Manitoba solution but, clearly, if members of the Legislature wish to they can familiarize themselves with those models and they will see the clear similarities between this approach and that one.

So, once again, thank you to the Law Society for the work that they have been doing to study access to justice issues, proposed solutions, think innovatively, consult with stakeholders and, of course, then to take action. These legislative amendments enable the Law Society to diversify, to modernize the types of providers that will help us to better meet the needs of the public. And for that work that they've undertaken, we thank them.

I would end my comments by simply saying that, principally, the application at this point is targeted toward the practice of family law, which we think is a perfect ancillary to the previous bill that we just discussed.

And so, essentially, think of now in the industry how paralegals work in law offices. I would suggest that, not exclusively but maybe that would be—perhaps predominantly, but at least it would be one category of individuals for whom this work as limited practitioners might become possible and advantageous.

And so I do commend this bill to all the members of the Legislature. I thank the Law Society and my department for its work in getting the bill to this for. And I look forward to our discussion on this matter this afternoon and hope for its agreement by all parties to pass and to be heard at committee in the near future.

Questions

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

Ms. Nahanni Fontaine (St. Johns): If the minister would be so kind as to explain for the House what are the implications for this bill for legal practice overall here in Manitoba.

Hon. Cameron Friesen (Minister of Justice and Attorney General): We see various advantages to this approach, as undertaken in other jurisdictions. As I made clear, we believe that, fundamentally, this will extend legal services to those who find it difficult to access.

It will create—it will eliminate or reduce financial barriers that are posed by some people seeking to receive legal services. It will allow legal—lawyers to focus on other work, and we believe that it will enable overall better access to justice.

Ms. Fontaine: The minister just said that the bill would eliminate financial barriers for folks. Could he go into a little bit more detail exactly how that would be applied for folks that are financially marginalized. Like, what would that look like exactly?

Mr. Friesen: So the premise of this work is that those individuals acting in the capacity of limited practitioner could provide services that otherwise a lawyer would provide at a full lawyer's fee. And so the implication is that there could be cost savings. This was identified and articulated by the Law Society of Manitoba in the development of this proposal, and we believe that that is the case—that in—as we develop this other ability, deliver legal services, that it will help to keep those legal services affordable when of these minor and less significant areas of law practice.

Ms. Fontaine: I thank the minister for that response. Would the minister be so kind as just to kind of outline specifically what some of those services would look like?

Mr. Friesen: I thank the member for the question. It's good to specify.

So, I don't want to go too far in this because, of course, at the end of the day, it would not be the government dictating to the Law Society, but it's a good question. Think of it as a—areas—or, the examples that were provided by the Law Society included things like being present with at an initial meeting with a lawyer and at subsequent meetings. It could be things like drafting a wide variety of documentation at a lawyer's direction. It could be things like assisting with the drafting of affidavits. It could be things like arranging for the filing of documents in court, or maybe even arranging for the service of documents. These type of activities and many others.

Hon. Jon Gerrard (River Heights): Yes, Madam Speaker, my question to the minister is this: for these individuals who will be engaging in the limited practice, will there be a requirement that there be a lawyer who is supervising or overseeing? And I would also ask, in terms of—well, if something goes wrong, will there be a requirement that the limited practitioner be covered by, you know, some sort of malpractice insurance or something like that, or not?

Mr. Friesen: I thank the member for the question.

To the second question, we would highly suspect that the Law Society would set out a framework for the protection of the individual acting in that capacity and articulate the requirements for insurance. This would be necessary.

And then to the first question, a limited practitioner will not be able to validly provide services unless they have a limited practice certificate from the Law Society, and that permitted legal service provider will be a person or a class or persons providing certain limited legal services in a way that the Law Society determines to be appropriate.

* (16:20)

Ms. Fontaine: So this individual who would be—have—would be a limited practitioner and would have a certificate, would this individual be required to work out of an established law firm or would they work for Crown Services as well, or Legal Aid, or could they work on their own? If the minister could clarify that.

Mr. Friesen: The proposal developed by the Law Society and the proposal sent—that is specified here in this bill goes in the direction of providing services under supervision.

So, clearly, this is a limited set of capabilities that the individual would have and a limited set of areas in which they would function. And they would do so under the supervision of a lawyer.

Ms. Fontaine: Can the minister advise whether or not there's been any discussions on whether limited practitioners would be working out of Crown Services?

Mr. Friesen: Primarily, at this time, the application of this principle would be into a private—with private-bar lawyers.

Ms. Fontaine: And I'm assuming that private-bar lawyers would be paying the fee or is the fee coming from the individuals that they're doing this work with?

Mr. Friesen: Could the member specify whether she is referencing a professional fee that would be paid by a limited practitioner or a fee charged to a client by a legal firm?

Ms. Fontaine: Yes, no, and that's a good clarification.

No, I'm wondering who pays the salary of these limited practitioners?

Mr. Friesen: The employer. So, the Law Society of Manitoba would not deem to somehow raise funds and then pay practitioners.

We believe that the merit of this approach would be clearly seen, as it has been seen in Ontario, BC, Saskatchewan and other places, and that lawyers and law firms would see the benefit of these things to their clients and to the public and that they would—we believe that they will be interested in incorporating these positions in their practice.

Ms. Fontaine: And so, just to clarify, a limited practitioner couldn't—if—couldn't charge an individual citizen or—slash client any dollars to do any of the things that were, you know, drafting a document? They couldn't charge a citizen to do those—that work?

Mr. Friesen: The way the Law Society has advanced the proposal, it's not contemplated that somehow this is an autonomous, regulated profession, but rather that it is an opportunity to extend law services from what is clearly now the case only where lawyers predominantly provide those services, and it extends that reach further.

So, the scenario which the member's mentioned is not contemplated in this, where somehow they would be self-regulated and fully independent. But, who knows, in future, where such—the development of such other designation could lead to, as we become more familiar in this jurisdiction, with this practice and that will be all up to the Law Society of Manitoba.

Ms. Fontaine: Could the minister provide the House with any information in respect of, like, time frames and costs for getting a certificate, if he has any information on the certificate process?

Mr. Friesen: As I mentioned in debate, it will really be up to the Law Society to identify what qualifications, what training, what work experience will be necessary for an individual to be able to become this kind of designated provider of services.

And so we will leave that up to the Law Society. But, as I indicated, when you think about what paralegals do in Manitoba, that could be a profession that becomes interested in also undertaking to fulfill this other role. That would not mean exclusively paralegals, but that could be a category of people in Manitoba who gravitate towards this work.

Ms. Fontaine: Does the minister have an idea of—when this bill receives royal assent when this—the Law Society would develop and have up and running this certificate program?

Mr. Friesen: Well I would first like to know if the opposition parties will allow for the speedy passage of the bill, in which case I would be able to give more certain to the idea of when. But it is a good question that the member asks, and I would say I have not become aware of any intent of the Law Society to pause on this. They are interested in this work; they've seen the extrajurisdictional comparatives; and we see the merit of the bill, so we certainly would want to see the work to develop all of that criteria proceed appropriately and rapidly.

Ms. Fontaine: So, you know, for the—I appreciate that the Law Society will be developing the qualifications and the criteria and maybe the execution of this certificate program in the development of a limited practitioner complement of folks that can do that work. That, I'm assuming, is going to cost money. Is the government providing any additional dollars to the Law Society to undertake this work or—and if not, where are those dollars coming from?

Mr. Friesen: The discussion of costs centres—pertaining to the work has not been the centre, the focus, of the Law Society's work. Nevertheless, I

would say this: we're interested in this concept very much. The Law Society has advanced these proposals. Whatever cost will be associated with getting this work done and the designation accomplished and the practice established, we're very interested in getting that done.

Ms. Fontaine: So, is the minister saying if they're very interested in getting this job, that perhaps there is some opportunity for funding towards the Law Society to undertake this work?

Mr. Friesen: We will wait for that request to be made.

Ms. Fontaine: Okay, well, I appreciate the answer, and I think it's important for the Law Society, if they are watching this, to know that the minister is okay and prepared to look at a proposal.

Does the minister at this point—and I know that we're in the beginning stages; we haven't even passed the bill, and I know that the Law Society is undertaking the vast majority of that work—but does he have a sense of how many individuals we're looking at for these limited practitioners?

Mr. Friesen: I've asked that question myself. It's difficult to be able to speculate on how many people may become interested in this type of work. But we know that in Ontario and BC and elsewhere, there has been a significant translation of people into this established new category of workers. And so I won't speculate for today, but I will say I think the opportunity is there in Manitoba for this designation to be well-used. I think there's every opportunity here to deliver services better, quicker, at a more affordable rate, and it has the support of the Law Society and many, many others in Manitoba, and that's why we're recommending these changes.

Ms. Fontaine: So, I guess, coupled with that question of, like, how many folks we're maybe thinking about—and I know it's probably difficult to answer that in any definitive way—but I guess the other question would be the type of folks that we're looking at. I mean, I think that it's really important, and I've said it many, many times in this House, that representation matters. And so I'm curious if the minister, in all of this, has had those discussions with the Law Society to ensure that those individuals that have that limited practitioners, that they represent Manitobans; i.e., Indigenous limited practitioners, Black limited practitioners, Muslim limited practitioners. So, have they had those discussions as well?

Mr. Friesen: The member is referring to the work that the Law Society of Manitoba undertook. A very broad

consultation with many people in Manitoba, as a matter of fact even—they even had a multi-page questionnaire that they sent out to membership and many Manitobans, and so, yes, questions about diversity were also asked, and a diverse number of Manitobans responded.

So I would say to the member that they can take comfort in knowing that a broad array of opinions was received by the Law Society in the development of these proposals.

Ms. Fontaine: So, you know, I appreciate that, but that—there's a difference between the consultation that the Law Society undertook in respect of diverse communities—I really hate that word diverse because it's always juxtaposed to non-Indigenous or non-Black.

* (16:30)

But what I'm asking is if there's been any discussion on—to ensure that the folks that are—receive that certificate, that are trained to do that work, if there has been discussion on that representation.

It's not enough to do consultation with groups and then not have any of those groups actually 'represented' in those limited practitioners and so that was the question that I was asking.

Mr. Friesen: I think the member misunderstands, so I'll clarify the record. So, law firms hire their staff. It's not up to the government of Manitoba to do that for private-bar lawyers. And the Law Society won't hire staff.

In all of these cases, it will be up to those law firms and I know that law firms across Manitoba, small, large, in various areas of legal practice work hard to make sure that their staffs are reflective of Manitoba and I would have every confidence that they will continue to do so.

Saying that, I would say that this new designation, should we accomplish it here in the House, will allow for new opportunities that didn't hitherto exist for Manitobans to seek this type of work and that excites us.

Madam Speaker: The time for this question period has ended.

Debate

Madam Speaker: The floor is open for debate.

Ms. Nahanni Fontaine (St. Johns): Thank you very much to my colleagues.

So, I want to just go back to what the minister just said in respect of legal firms, lawyers' offices doing their own hiring. I get that, obviously. But what I'm trying to get at is the establishment of this new roster of legal professions.

It's important to recognize that, you know, the justice system as it exists is not representative of the folks that unfortunately find themselves quite often accessing the justice system. And quite often you can go in a courtroom where you have someone who is conflict with the law and in a trial, an Indigenous person or Black person, and they'll be the only person, the only non-white person in a courtroom.

And so what I was asking was—and let me be clear: I support Bill 24. I actually really enjoyed the questions from the minister and getting the answers, which is shocking, but I actually really did enjoy it and I did learn a lot. And so I appreciate the questions and the answer period.

But like I was saying, I think that supporting this bill, but being very clear that when we're developing this new, limited practitioners, that they have to be representative of the community that they will serve.

And so the question was—and, I guess, maybe it's better to pose that question to the Law Society itself about, you know, what are the assurances or mechanisms that will be put in place that assure that the individuals that apply—and we don't know what it's going to look like right now, we don't know if they go to limited-practitioner school to get their certificate or is it, you know, I don't know what it is. I'm assuming there's going to be an application process to get that certificate.

But there has to be some assurances that the individuals that will receive this training and get that certificate and then be employed represent Manitobans. And so that's all I was putting on the record. I think that it is important that folks are representative of the Manitobans that they will serve.

I agree with the minister. I agree that it's, you know, the justice system needs to adapt to meet the needs right now contemporarily. I agree with that. I think that if systems stay stagnant and stay status quo too long, there is inherent dangers in that. And we see the inherent dangers within the justice system and the discriminatory, systemic racism inherent in that system. We see examples of that every single day.

And so I do think that it is a good thing to push the system into another direction. I have to say, I think the concept of limited practitioners to be able to do

some services like, you know, being present with individuals at lawyer meetings or court meetings, drafting documentation, drafting affidavits, filing documents, service of documents—I'm sure that there's others. Those were just some that the minister noted. I think that that's a good thing, particularly if it will decrease the costs to Manitobans.

We know that legal costs can be quite extraordinary, depending on what you're facing—divorces, selling your house, whatever—whatever it may be. There's all kinds of things that folks go to our courts, and lawyers' fees can be quite expensive and can actually quite overwhelm individuals and families and, quite often, folks who do not have the means will not pursue those legislative frameworks because they simply don't have the money to do so.

And so, you know, hopefully, this actually helps to contribute for folks accessing justice and, hopefully, it acts as a means towards a more just and equitable system.

I don't think it's the end-all and be-all. We have a significant way to go in some real ways to ensure that there's equitable justice within our system, obviously not only in Manitoba, but, you know, across Canada, particularly when you look at Indigenous peoples' experience within the justice system. And I spoke about it earlier, about trying to get some of those files off of the dockets and into community through restorative justice means. I think that those are really important.

So we have a long way to go, a significant way to go to kind of unpack and deconstruct the justice system so that it is more equitable—I don't—was about to say truly equitable—I don't think that the justice system will ever be truly equitable, certainly if—not for Indigenous peoples. Let me just put that on the record. You know, the justice system that we have here in Manitoba and across the country is a colonial justice system; it's not our ways of doing justice.

So I think that this is a good start. I'm actually shocked that the minister and I are on the same page. I'm actually really excited about this, too. I'm really looking forward to seeing this unfold. I think that this is a good thing.

So, I want to congratulate the Law Society. I think that they've done some significant work and, you know, not only on this, bringing forward this concept of, you know, limited practitioner services. I think that they do some really good work and I know that there are individuals that have, as their focus or centre, the

work towards an equitable justice system. I know that there are folks in the Law Society that work towards that, so I do want to just take this moment, if they're watching, to say miigwech for your work and I appreciate that. I am always around to meet and discuss this even more if there are folks that would like to discuss.

I do want to just quickly go back to the member for River Heights (Mr. Gerrard). He does bring up some good points in respect if something goes wrong. And so I do think that that—I would imagine and I would hope that the Law Society would have that more mapped out what would look—how that would play out.

But I think that is something that needs to be ensured, that if something does go wrong, or if a Manitoban doesn't get the service that they need, or if something, you know, somehow falls through the cracks, that there are mechanisms to deal with that.

And, let me just see, Madam Speaker. I think that that was all that I wanted to put on the record. I would be curious—I know that it's—we don't have any of those numbers—I would be curious to know, you know, what the salary for these folks with certificates and doing this limited practitioners would be and what that would look like. But I think that that's all my comments for today on that.

Miigwech.

Madam Speaker: Is—does the member for Borderland (Mr. Guenter) wish to speak to this?

The honourable member for Transcona, does he wish to speak to this?

* (16:40)

Mr. Nello Altomare (Transcona): We do, as the member from St. Johns indicated, we do support this bill. We want to thank the legal people that have put this together.

There's a couple of things that are particularly interesting to me. It is our hope that these practitioners come from backgrounds that are typically impacted by the justice system. And it is our hope that they are sought out so that they can have their voices heard because, as we know, voice is very important. And this is a real opportunity to show our—how much we mean by actually giving voice to individuals that do access the legal system.

We also know that there is a lot of work that has gone into this, and we appreciate the law society for

putting in the effort to get this off the ground and to get this rolling. And as the member from St. Johns also indicated, it is our hope that if something does go wrong, that there are mechanisms in place to mitigate that and to assist when—and how to straighten that out.

So with that, Madam Speaker, those are some of my brief comments.

Thank you very much.

Hon. Jon Gerrard (River Heights): Madam Speaker, I have a few comments on Bill 24. In general, it seems reasonable that there should be individuals who can provide limited practice of justice or support lawyers by providing limited practice of justice.

It is not entirely clear to me some of the structure behind this, and perhaps that is an area which could be clarified by individuals coming at committee stage or on another occasion. For example, we are told that the goal here is that the individuals will be supervised. Now, I don't see anywhere in this Legal Profession Amendment Act a requirement that there be supervision. That, therefore, is interesting. Is the intent different from what's in the act or was there an error in not making this specification of there being a supervisor?

The supervision becomes particularly important when it—one deals with, for instance, liability around problems that may occur. If the individual is acting independently, that individual would need to have insurance coverage and it would need to be recognized that the individual would be completely responsible for decisions or actions taken during this limited practice.

On the other hand, if the individual is to be supervised, then the supervising lawyer would presumably be the one who carries the responsibility and would need to have the insurance.

So I think this quite an important point which needs to be clarified and probably should be clarified in the act itself, so that there are not misunderstandings and so that individuals who take up this limited practice don't get themselves into troubling situations because there is not this clarity right at the beginning.

It is, certainly, a potential advantage to have individuals who are able to provide limited practice capabilities and I think we can certainly look forward to that. I would be interested, at the committee stage, if there was an individual presenting who is from Ontario who could provide all of us an education of

what is happening with the system there, how it is working. I think that would be highly desirable and I hope the government will reach out to somebody in Ontario who could provide that perspective on this bill and how it compares with what's happening in Ontario.

Certainly, this is an important step in the evolution of legal practice in Manitoba. It is a step which we're certainly willing to support, but certainly would like to have some better clarity and better understanding of how this has actually worked in Ontario, where the pitfalls or problems are so that we don't get into problems here that we could have avoided.

So with those few comments, I look forward to this bill going to committee and to further discussion at that stage.

Thank you, Madam Speaker.

Madam Speaker: Are there any further members wishing to speak in debate?

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is second reading of Bill 24, The Legal Profession Amendment Act.

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

**Bill 31—The Horse Racing
Regulatory Modernization Act
(Liquor, Gaming and Cannabis Control Act
and Pari-Mutuel Levy Act Amended)**

Madam Speaker: As indicated earlier, we will now move to second reading of Bill 31, The Horse Racing Regulatory Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended). So I will now recognize the honourable Minister of Justice for second reading of Bill 31.

Hon. Cameron Friesen (Minister of Justice and Attorney General): I move, seconded by the Minister for Municipal Relations, that Bill 31, The Horse Racing Regulatory Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended), be now read a second time and be referred to a committee of this House.

Her Honour the Lieutenant-Governor has been advised of this bill, and I table the message.

Madam Speaker: It has been moved by the honourable Minister of Justice (Mr. Friesen), seconded by the honourable Minister for Municipal Relations, that Bill 31, The Horse Racing Regulatory Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended), be now read a second time and be referred to a committee of this House.

Her Honour the Lieutenant-Governor has been advised of the bill, and the message was tabled.

Mr. Friesen: I am pleased to rise and put some brief comments on the record in respect of Bill 31.

We recognize the value of Manitoba's horse racing industry. It has strong roots in Manitoba. The sport of horse racing is woven into the fabric of certain parts of our province—rural agriculture communities. You can still travel around on many of our highways and see all those grandstands and those oval tracks.

And a lot of Manitobans drive by and they wonder does anything ever happen there. And the answer is it certainly does and it creates good jobs for Manitobans. It's an important pastime and pursuit of many people.

But, of course, horse racing serves as an important community event even in the area of the province, Madam Speaker, that I know you come from. I think they did—in certain parts of the province, Parkland included, horse racing was a thing and is a thing. And so, you know, we have these towns that hold race meets throughout the spring and summer.

And so while those tracks are dormant—they won't always be—racing also provides the opportunity for racetrack owners, trainers and athletes at a whole different level, including the horses themselves, to compete at a higher level—the highest level—right here in Manitoba.

And so, horse racing also provides a great entertainment option with opportunities to watch and bet on live thoroughbred racing at 'assiniboian' Downs or standard-bred racing at one of the many local tracks throughout the province. Many people from around the world also tune into Manitoba via live simulcast events, providing an opportunity to showcase local racing to a global audience.

So as with any sport or gaming event, effective regulation is essential to ensure the integrity of racing so that both the racing participants and the betting public trust the outcome of each race. So, despite all this, regulation of horse racing in Manitoba has not

undergone any significant regulatory changes since its inception in 1965.

So, Madam Speaker, Bill 31 modernizes the regulatory framework for horse racing in Manitoba. It creates a foundation for a financially sustainable regulatory model that will reduce red tape for Manitoba's thoroughbred and standard-bred horse racing industries.

* (16:50)

Bill 31 overhauls the current regulatory structure through which the Manitoba Horse Racing Commission would be eliminated and its regulatory responsibilities integrated into Liquor, Gaming and Cannabis Authority of Manitoba's regulatory mandate, or the LGCA, as Manitobans know it. This would create a single, provincial agency responsible for liquor, gaming, cannabis and now horse racing industry. As many of the regulatory functions from the Manitoba Horse Racing Commission are similar to those of the LGCA, we believe that the LGCA is well-positioned to add horse racing to its regulatory framework.

As a modern regulatory agency, the LGCA is able to draw on its vast experience regulating the liquor, gaming and cannabis industries to establish a risk-based approach to regulating the sport of horse racing.

At this point, Madam Speaker, I should probably also mention the fact that I've appreciated my interactions thus far in this role with the LGCA, with its director. I have appreciated their attention, at a board level, to issues of importance in Manitoba. Right now, many Manitobans will know that they have launched a very significant and important consultative process with Manitobans and I believe that Manitobans are getting excellent service by this board.

The member for River Heights (Mr. Gerrard) had spoken earlier this afternoon about the need to appoint good people to boards. We're very, very proud of our record in this government through agencies, boards and commissions. The appointments that we have made—I believe it was only days ago in this House that we referenced the fact that we have reached aggressive targets for the appointment of women, of Indigenous persons, of minority groups to Manitoba's boards, agencies and commissions. Far more, multi-tudes more than the previous government ever did.

We are proud of this work but we are not yet done and so we will continue to tap on the shoulder, through the appropriate means, those Manitobans who can and

choose to give back to their communities their expertise, their background, their knowledge of governance, who do great work, including at the LGCA. As a matter of fact, I believe that just recently we appointed some new members to the Liquor, Gaming, Cannabis Authority and we wish them well as they assume their new duties and come alongside those members who are currently functioning in that capacity.

So Madam Speaker, a risk-based approach to regulation also reduces red tape for the industry. It provides assurance to the spectators who watch and bet on horse racing that that racing is fair and that it is conducted with integrity. Those things are important. Bill 31 supports this effort and intends to bring about regulatory improvements by reducing the number of licensed categories, requiring only those occupations that could affect the integrity of racing be required to hold a licence, streamlining regulatory services to industry, improving transparency in how appeals of racing decisions are conducted, clarifying how testing for alcohol and drugs is administered and reducing unnecessary administrative burden.

Bill 31, as the legislation shows, also amends the Pari-Mutuel Levy Act with the continued goal of supporting and promoting horse racing in the province of Manitoba. Amendments will ensure that the pari-mutuel levy continues to fund industry programs, such as race purses and breeder programs, while streamlining the process for collecting and distributing these monies. This will further reduce red tape for Manitoba's horse-racing industry.

In considering this bill, I remind my colleagues in the Legislature that it is focused on modernizing the regulatory framework for horse racing, in simplifying how the pari-mutuel levy is distributed. As a neutral regulator, the LGCA will not provide advocacy or funding to the industry. The LGCA mandate will be to ensure fairness and transparency in horse racing and oversee the conduct of racetracks that provide pari-mutuel wagering.

Members of this House often speak to what consultations took place. I would want all member of the House to know that consultations have indeed taken place with the Manitoba Jockey Club, the Manitoba chapter of the Canadian Thoroughbred Horse Society, Manitoba Harness Racing, and the Horsemen's Benevolent and Protective Association, one I wasn't aware of before this process was undertaken. Those discussions and that dialogue was undertaken to ensure that industry perspective was

factored in, was taken into consideration in the development of this legislation.

So, I thank all those stakeholders for their thoughts, for their views and for their representations on this important matter.

As a final comment, as I noted earlier in my comments, horse racing is an important industry, sport and entertainment option here for many here in Manitoba.

And so Bill 31 ensures that the horse-racing industry will benefit from a modern, risk-based approach to the regulation. Most of all, we want to make sure that those who are participating in or enjoying watching or betting on horse racing can trust that races are conducted fairly and with integrity. And we believe that this bill accomplishes those measures. So, I am pleased to sponsor this legislation in the House. I am pleased to have the bill at second reading and I am looking forward to the discussion and the debate that we have in the Legislature this afternoon.

Who knows, we may go for hours more as we discuss this important bill, but that would be at your call, Madam Speaker. Otherwise, I cede the floor to others who will want to speak on this important bill—as I said, the Horse Racing Regulation Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended).

Questions

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

Are there any questions?

Hon. Jon Gerrard (River Heights): Yes, my question, let me begin by how will this be financed? Will it be self-financing or not?

And second, I note under the act that this is replacing that there are some pretty rigorous inspection powers. Are the inspection powers carried over into the new act, and who will be doing the inspecting and employing the inspectors?

Hon. Cameron Friesen (Minister of Justice and Attorney General): I thank the member for the question.

As I indicated in my remarks, the LGCA will not provide advocacy or funding to the industry, so any costs that are incurred are incurred by the industry. The LGCA does not in any way underwrite those things. As the regulator, their mandate will be to ensure fairness and transparency in horse racing and oversee the conduct of racetracks that provide pari-mutuel wagering.

On the other question of the member, I'm just asking that he would repeat it so that I could hear clearly what the second question was pertaining to.

Madam Speaker: The honourable member for River Heights, was there another question?

Does the honourable member for River Heights have a clarifying question as the minister just asked? Could the member for River Heights just repeat his last question, or the part of it?

Mr. Gerrard: It had to do with the inspection powers. These were present under the old act.

Who will be doing the inspections? Are these going to be carried over? These are inspecting offices, racing stalls and various things like that.

Mr. Friesen: So, this oversight and inspection function is what we believe the LCGA is well poised to undertake.

I would also add to the member's previous question, he asked about cost. But I want to make clear that, when it comes to the horse-racing industry, these regulatory changes are actually intended to achieve financial efficiencies and reduced red tape and that aids the industry's long-term sustainability.

So it's about less costs involved, not more.

Madam Speaker: Are there any further questions? Are there—oh. The question period, then, has ended.

Debate

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

Are there any members wishing to speak on debate? If not, is the House ready for the question?

The question before the House—*[interjection]*

Hon. Jon Gerrard (River Heights): I think this is—I was just surprised that there was nobody else jumping up to speak, and it seemed to me that—

Madam Speaker: Order, please.

When this matter is again before the House, the honourable member for River Heights will have 30 minutes remaining.

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, March 9, 2021

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