

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

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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, April 6, 2021**

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

**Madam Speaker:** Good afternoon, everybody.

Please be seated.

**ROUTINE PROCEEDINGS**

**MATTER OF CONTEMPT**

**Hon. Audrey Gordon (Minister of Mental Health, Wellness and Recovery):** I'd like to rise on a matter of contempt.

There are two conditions that must be satisfied in order for a matter raised to be ruled in order as a prima facie contempt. First: was the issue raised at the earliest opportunity? And second: has sufficient evidence been provided to demonstrate that a prima facie contempt has occurred in order to warrant putting the matter to the House?

On the question of the first opportunity: this matter concerns remarks that were made in the House the evening of Thursday, March 25th. As you are aware, the terms of the Sessional Order governing this spring sitting require that any matters arising during one of the second reading backstop nights be considered at 1:30 p.m. on the next sitting day. Therefore, this is my first opportunity to raise this issue.

On the second question, Madam Speaker: the issue at hand is remarks made by the member for St. Johns (Ms. Fontaine) during debate on Bill 56, The Smoking and Vapour Products Control Amendment Act. During debate on that bill, the member for St. Johns shouted at me that, and I quote, you all colonizers should be ashamed of yourself. She did so while the Acting Speaker was standing and after he had repeatedly asked for order. And that's clearly audible at 6:45 p.m. in the video archive, or the YouTube timestamp is five hours, 41 minutes and 30 seconds.

Madam Speaker, this is obviously personally offensive to myself as a first-generation Canadian. I know very well the impact of colonialism on communities here in Canada and elsewhere. And we have to be careful not to minimize that as legislators by using it in a flippant fashion to criticize a policy proposal that we disagree with.

Now, Madam Speaker, growing up here in Manitoba I have many wonderful and happy memories of my time as a child, but I do have some sad ones as well, and one of those that has left an indelible mark on me is the display of behaviour that I often experienced myself on the playground and saw other individuals experience as a result of the colour of their skin, the shade of their hair, their eyes and their religious beliefs. Things that would not be acceptable today, I witnessed those first-hand.

And Madam Speaker, I'm bigger now, as younger kids say, but—you know, I can't necessarily remember all of those memories, but I know how it made me feel, and I remember that.

One of the happiest times for me was going for Sunday drives with my father. And I can remember distinctly the first time we drove by this building, and I pointed out the window and I said to my father, what is that place? And he said that's the Legislative Building. And I said why is that Golden Boy at the top of the building? And he explained to me that the people in this building provide us with all of our rights, freedoms and privileges, and we had to respect them.

And over the years, as I drove by this building or walked along the grounds, I always revered and had high respect for the individuals working here. But, Madam Speaker, what was displayed on the evening of Thursday, March 25th, took away a lot of that for me.

And I've shared many times with the media and my colleagues on both sides of the House that it was my father's wish for me to be elected to this Manitoba Legislature and to become a Cabinet minister. I'll share even more personally that the day my father died, it was the last thing we spoke about. And the first time since my father died three years ago, on Thursday, March 25th, I was glad that he wasn't here to witness the conduct and behaviour of the member from St. Johns and other members from the opposition.

Madam Speaker, I know that we tend to give a lot of leeway in this House for heckling and for members to express their views, but debate on a bill is not question period. There's an expectation that members will conduct themselves in a more measured way, and

that this debate will proceed with decorum and be relevant to the topic at hand, and Thursday evening, March 25th, it clearly did not happen.

The UK Parliament's Joint Committee on Parliamentary Privilege, in 1999, provided a list of some types of contempt for the House, and the very first example on their list was, quote, interrupting or disturbing the proceedings of or engaging in other misconduct in the presence of the House, or of committee. That's from chapter 6, paragraph 264 of that report.

And that is precisely what members opposite did, led by the member for St. Johns (Ms. Fontaine), when trying to shout me down.

In further precedent from the UK, Erkstein [*phonetic*] May states on page 68 of the 19th edition: Each House claims the right to punish actions which, while not breaches of a specific privilege, are offenses against its authority or dignity.

In the Canadian context, Bosc and Gagnon, Madam Speaker, wrote that the House of Commons enjoys very wide latitude in maintaining its dignity and authority through the exercise of its contempt power. In other words, the House may consider any misconduct to be contempt and may deal with it accordingly. That is on page 81.

Further, Joseph Maingot, in the second edition of *Parliamentary Privilege in Canada*, writes: Misconduct or misbehaviour in the traditional sense would include acts that disrupt or have a tendency to disrupt or interrupt the House of committees by such acts as shouting, throwing objects or raising placards. And that is on page 238.

Madam Speaker, to try to shout over another member of the House is a flagrant case of disrespect for the House no matter when it occurs. To do so when the Speaker or Acting Speaker is standing is an affront to the dignity of this place. It shows contempt to the Chair and therefore to the House as a whole.

Therefore, I move, seconded by the member for Agassiz (Ms. Clarke), that the member for St. Johns be asked to apologize to the House for her actions in disregarding of the authority of the Chair and showing contempt of this House.

Thank you.

**Madam Speaker:** Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether

the alleged matter of privilege has been raised at the earliest opportunity, and whether a prima face case has been established.

**Ms. Nahanni Fontaine (Official Opposition House Leader):** Allow me just to put a couple of words on the record in respect of the member for Southdale's (Ms. Gordon) matter of contempt.

Madam Speaker, the member for Southdale brought up colonization, and the very definition of colonization is when the state—and in this case, the Manitoba government—does things that impact on the lives and self-government and sovereignty of Indigenous peoples, more specifically, First Nation communities here in Manitoba.

\* (13:40)

The bill that was in question in debate—Bill 56—fits, quintessentially, the definition of colonization. I remind the House that on that said evening, the minister—the member for Southdale—said in her responses for questions that were posed by the member for Point Douglas (Mrs. Smith) that, in fact, she had not consulted with First Nation communities in any regard in respect of Bill 56.

Bill 56 specifically will impact on the right of Indigenous leadership and communities to decide what occurs in their sovereign territories and boundaries. That is by definition an act of colonization, Madam Speaker, and it is an act of colonization by the PC caucus in 2021.

And we see that in a variety of different pieces of legislation that the Premier (Mr. Pallister) has made as part of his legislative agenda, beginning in 2016 to this very moment. We see a very deliberate and strategic attack on Indigenous peoples' sovereignty and the right to govern ourselves.

And so, Madam Speaker, I know that the member shared in her comments right now about her father. I appreciate those comments. My own mother would have loved to have seen me in this House but, because of colonization, she did not get that opportunity. And so many Indigenous peoples do not get the opportunity to see Indigenous members in this House because colonization has very real, tangible, physical consequences in the lives of Indigenous people.

And so, to imagine that in 2021, Indigenous members who are elected in this House are just going to sit by idly while the government continues a legislative agenda that attacks Indigenous peoples is quite simply not to be had, Madam Speaker. There's a

reason why Indigenous peoples are elected; it is simply to fight legislative agendas that aim to squash and not adhere to the sovereignty of Indigenous peoples.

So, Madam Speaker, I would suggest that the member did have an earlier opportunity to present this, and I would also suggest that the comments in question that the member is bringing forward today are not in Hansard.

And so I thank the member—or the minister—the Speaker for this opportunity.

**Hon. Jon Gerrard (River Heights):** Madam Speaker, what we're debating here is the behaviour and whether or not the behaviour showed respect—contempt for the Chair and the House.

The member for St. Johns raises important points but it is—when we are debating here, there is an opportunity to raise those points and to talk about the situation, but we need to be able to do this in a manner which is respectful to the Chair and to the House. Indeed, we need to be respectful of others, whatever their race, whatever their circumstances and we need to be mindful of the history of Canada and of colonization.

But, in this case, the fact is that when the—I think it was Deputy Speaker rose in the Chair to ask for order, the member for—MLA for St. Johns continued to speak loudly. And in that, I agree with the MLA for Southdale that we need, in this Chamber, to have respect for the Chair and for the House and that this, indeed, would be a matter of contempt, not because of whether this was due to colonization or some other matter, but rather the behaviour, which is what the contempt accusation is based on.

It is something that we all in this House need to be cognizant of and that we need to recognize that when the Speaker or Deputy Speaker rises, that we all need to be silent and pay attention and that we have adequate opportunities to debate the substance of matters during the debate.

**Madam Speaker:** A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and will return to the House with a ruling.

\* \* \*

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

## TABLING OF REPORTS

**Madam Speaker:** And I am pleased to table the annual report of the Legislative Assembly Management Commission for the year ending March 31st, 2021. Copies of the report have been placed on members' desks.

Ministerial statements?

## MEMBERS' STATEMENTS

### Easter Season

**Mr. Josh Guenter (Borderland):** Madam Speaker, this past weekend, constituents of Borderland reflected on the past and looked forward with hope.

Easter provides a time of reflection and celebration as we mark the crucifixion of Jesus Christ on the cross of Calvary, his burial and his triumphant resurrection from the dead on the third day.

This Easter was an opportunity to think about God's holiness and His love, in that He gave his only begotten son, that whosoever believeth in him should not perish, but have everlasting life.

And this is why Easter ultimately is a season of great hope and rejoicing. It's because of Christ's atonement for our sins, and his free gift of salvation if we accept it, that we can have eternal life.

In the constituency of Borderland, the good news fills billboards beside our roads and advertisements in our community newspapers, it populates Facebook feeds and text messages. It transforms our lives, lifts our spirits and causes us to give thanks for the good we can celebrate in the face of adversity.

Madam Speaker, while things looked a little different this year, the beautiful weather provided an opportunity for us all to spend some time outdoors, and in the spirit of the season, I know constituents of Borderland can look forward with hope to celebrating Easter next year with family and friends and the large gatherings we miss so much.

Thank you, Madam Speaker.

### Manitoba Nurses

**Ms. Nahanni Fontaine (St. Johns):** Nurses are fundamental to our health-care system and must be recognized for their hard work. Not just in words or bad campaigns, but with actions.

Prior to COVID-19, this government fired nurses, cut ICU beds, closed emergency rooms and shuttered clinics. In January 2020, the vacancy rate for critical-

care nurses was as high as 31 per cent. Nurses are at their breaking point, and they're exhausted.

When things got really bad this year, the Premier (Mr. Pallister) and previous disaster minister could have relied on the expertise of nurses and other health-care professionals. But they didn't.

It took this government months to get PPE on the front lines, only to find out that the masks were expired.

The former failed Health minister questioned the motives of health-care professionals who brought forward concerns about this government's handling of the pandemic. They were trying to save lives and he questioned that.

If the Premier truly respected nurses and other front-line workers, he wouldn't freeze their wages and fight against the right to collective bargaining.

Manitoba nurses have been without a contract for four years. Four years, Madam Speaker. And why? Well, because nurses are predominantly women. And we know the Premier does not prioritize women in this province.

Manitoba nurses and other health-care workers deserve a government that will make the necessary investments in keeping our health care strong. They don't need a Premier and a succession of failed Health ministers actively working against them.

Manitoba nurses were heroes before COVID-19, and they'll be heroes after COVID-19. It's not enough to say nurses are heroes while forcing them to work without a contract. Pay them.

I call on the Premier and the new Minister of Health to immediately stop interfering in the collective bargaining and get to the table and give Manitoba nurses a contract.

Miigwech.

### **Kraft Hockeyville Contest**

**Hon. Ron Schuler (Minister of Infrastructure):** Madam Speaker, I rise today to recognize the community of St. Adolphe in their pursuit to become the next Kraft Hockeyville.

For those who may not know, Kraft Hockeyville is an annual nationwide competition in which communities from across Canada compete to demonstrate their passion and commitment for the sport of hockey. It brings me great joy to announce that St. Adolphe has been chosen as one of the four finalists in this

year's competition. The grand prize winner will receive \$250,000 in arena upgrades and the opportunity to host an NHL pre-season hockey game.

\* (13:50)

Much like many of our great rural communities here in Manitoba, St. Adolphe used its hockey rink as not just a sporting facility but a vital gathering place for the community. The rink in St. Adolphe was originally built by community members taking out loans to finance the arena, with volunteers putting in hundreds of hours of labour to get it built.

This year, after the ice plant failed in January, the community rallied and responded by nominating St. Adolphe for the Kraft Hockeyville competition. The prize money would go towards repairing the ice plant, fixing a wall with significant mould damage and starting the process of expanding the dressing rooms to accommodate the growing female hockey program.

Voting will take place starting on April 9th at 8 a.m. and will run until April 10th, at 4 p.m. Anyone over the age of 13 can register to vote at [www.krafthockeyville.ca](http://www.krafthockeyville.ca), and can cast unlimited votes during the voting period.

Madam Speaker, I ask all members of this House, as well as all of my fellow Manitobans, to support and cast their vote for St. Adolphe to become the next Kraft Hockeyville.

Thank you.

### **Dr. Alan Gardiner**

**Ms. Amanda Lathlin (The Pas-Kameesak):** Northern education would not be what it is today without the years of hard work by Dr. Alan Gardiner. Dr. Gardiner was recently recognized for his outstanding work and dedication to a better education environment for all students when he was awarded the Manitoba School Boards Association Presidents' Council Award. He is also one of the very first recipients to hail from northern Manitoba.

The Presidents' Council Award recognizes exemplary service and outstanding achievement, innovative thinking, personal initiative and lasting and persuasive impact in the field of public education. Dr. Gardiner was nominated by his peers, demonstrating just how respected he is and his years of work are in the community.

Over nearly four decades, Dr. Gardiner has made immense contributions to Kelsey School Division where he worked as a teacher, a counsellor and a

principal and eventually becoming the school division superintendent.

After his retirement from the division, Dr. Gardiner became the dean of education at the University College of the North and oversaw the implementation of Kenanow teacher education program. Implementing this program was a massive task, and Dr. Gardiner proved to be the perfect person for the job. The transition has since been widely regarded as a massive success.

Dr. Gardiner continued in this role for seven years and oversaw the implementation of the educational assistant and early-childhood education programs, to name a few. The university now boasts over 100 students graduating a year, with 94 per cent remaining in northern Manitoba, in part to—thanks to Dr. Gardiner's extraordinary contributions.

Please join me in congratulating Dr. Alan Gardiner on receiving the MSBA Presidents' Council Award and for his lifelong commitment to educating students, including myself, with love, compassion and professionalism.

Thank you.

#### **School Performance of Manitoba Children**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, the government has raised concerns that our students' performance on international tests could be better. The government has settled on elected school boards as the scapegoat and is acting to abolish them. This is not the answer.

All the evidence shows 10 to 20 per cent of Manitoba children struggle in school because of a learning disability or a behavioural issue or because their family has a low income or is disadvantaged or marginalized.

Many school boards have been active to help such children. The board of the Seine River School Division puts extra resources into schools where many students struggle. It has made a difference. They have moved the school division from once being below average to one that is now above average.

School boards are the solution, not the problem. Manitoba should keep elected school boards.

The provincial government can and should take other methods to improve student performance. For example, the government should recognize the role that lead exposure plays in decreasing children's potential. Last September, Manitoba Liberals released

a report on this. In January 2020, the government released a report from Intrinsik. It predicted a high proportion of children in some areas of Winnipeg will have high blood lead levels in the range where the lead exposure will decrease their potential, but no action has been taken.

Many children in other jurisdictions are screened early in life to detect high blood lead levels, and then such children are helped. In Manitoba, the former NDP government hid information on lead exposure. The current government is continuing to hide information by not formally screening children who are at high risk for lead exposure.

I call on the government to act to screen children now to reduce the impact of lead and to improve the school performance of Manitoba children.

#### **ORAL QUESTIONS**

##### **COVID-19 Vaccine Rollout Vaccination Rate and Unused Doses**

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, today Dr. Roussin said: We are in a race. Our third wave is pending. That's a direct quote. But, sadly, it's a race that Manitoba seems to be losing.

Manitoba is the second worst among provinces and territories to get people vaccinated their first dose.

Less than 9 per cent of Manitobans have received the shot. I'll table the document for the Premier and for the Minister of Infrastructure (Mr. Schuler). Seniors, essential workers, vulnerable Manitobans, everyone wants this campaign to succeed, yet it doesn't seem like it is—at least not yet.

Manitoba has thousands of doses—nearly 160,000—in freezers right now.

How many more people is the Premier going to hire to get people vaccinated?

**Hon. Brian Pallister (Premier):** Well, I think there—I appreciate the member's question, and I think it's important to give credit where credit is due to our vaccination team. This is a group that has worked diligently and continues to work diligently to do the job of getting Manitobans protected and safe. We thank them for that effort and we thank them for starting with the high priority issue of our personal-care homes, Madam Speaker, and making sure that we got that second dose, as well, to our vulnerable seniors in personal-care homes and to our front-line staff

across government who care for those vulnerable people.

And so we do rank second in the country on getting those second doses out and we do rank fourth if the numbers were upgraded, and they have been upgraded, Madam Speaker. We rank fourth in getting total doses out as of today.

So the ranking isn't really the issue, is it? We're not competing against other provinces. What we're doing is we're competing against COVID, and, Madam Speaker, I think, with the work of our vaccine group and all Manitoba front-line workers, we're going to succeed in that battle.

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

**Mr. Kinew:** Well, Madam Speaker, speaking of those hard-working people delivering the vaccine shots, they're now reporting that there is underbooking happening in the supersites just to prevent a political embarrassment of having those long lines appear yet again.

At the current rate of vaccination—because, again, if the Premier doesn't want to talk ranking then perhaps we should be talking pacing—but at the current pace of vaccination we won't vaccinate 70 per cent of the eligible population until February 2022. I think we would all like to see it succeed much faster than that, especially when there are thousands of doses sitting in fridges and freezers right now.

It's even more frustrating to hear about vaccine doses being wasted. More than four months ago, we asked the Minister of Health to come up with a plan to prevent vaccine wastage.

Will the Premier tell us today what the plan is to ensure that no precious dose of the COVID-19 vaccine is wasted?

**Mr. Pallister:** Well, the member raises two questions, Madam Speaker: he raises the question of why there are vaccines that are refrigerated, and then he raises the question of vaccine wastage.

If they weren't in the refrigerators, they would be wasted. They need to be in the refrigerators so that they can go to First Nations communities all over our province and they can be applied into—*[interjection]*

**Madam Speaker:** Order.

**Mr. Pallister:** —the arms of folks who are vulnerable. They need to be in refrigerators so that they can go out to our ready team locations and our quick vaccination

centres around the province. They need to be in refrigerators, Madam Speaker, because that's where they're stored.

So if the member is linking vaccines in refrigerators with a problem—*[interjection]*

**Madam Speaker:** Order.

**Mr. Pallister:** —he needs to rethink, Madam Speaker, because if they weren't in the fridges, that would be a real problem.

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

**Mr. Kinew:** Madam Speaker, the location where Manitobans want to see these vaccines is in their arms. Manitobans want to see the vaccine rollout succeed, and the Premier is evading the answer. He doesn't want to face the accountability question as to why the pace of vaccination is going so slow.

\* (14:00)

Now, we just heard a stern warning from Dr. Roussin, just about an hour and a half ago, saying that there is a third wave pending. And yet, what was the Premier's response over the long weekend? Was it to ramp up vaccinations?

No. In fact, the opposite. The Premier chose to ramp down vaccinations. While he may claim that someday they'll reach 20,000 vaccinations a day, it was certainly very disappointing to hear that there was only 4,000 delivered this past Sunday. At the same time, you have doctors and other health-care professionals standing ready to help.

Will the Premier finally listen to those on the front lines of the health-care system and implement their ideas to improve our vaccination program dramatically?

**Mr. Pallister:** I'm pleased to see the member now interested in supporting public health rules that he previously violated, Madam Speaker, and broke, in fact. I appreciate the fact that he is now, as I have made him aware in my first response—*[interjection]*

**Madam Speaker:** Order.

**Mr. Pallister:** —of the fact that his assertion is completely false, Madam Speaker. And although we'd all love to see all the vaccines given out in the next week or so, we don't have enough to do that. Nowhere in Canada do we have enough to do that.

See, important thing is, Madam Speaker, to remember that we are keeping the curve flat here in



Manitoba. When you see numbers like we're seeing in BC: seven-day average up 136 per cent; Alberta up 209; Ontario up 179; and here in Manitoba, we're flat. The member should be complimenting Manitobans; I'll do it now.

Thank goodness for Manitobans. Thank goodness for our vaccination team. Thank goodness for Dr. Roussin. And thank goodness for the member opposite now agreeing that he should follow the public health rules, too.

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

### **Manitoba Hydro Labour Dispute Collective Bargaining Negotiations**

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, I just want to point out quickly that the Premier has completely abandoned trying to blame the federal government for supply issues, so it seems that that was never the explanation all along.

When we speak about the IBEW members, though, that he tried to invoke in that answer, we do have to point out that the strike continues to this day. These IBEW workers have a simple request and it won't cost the government anything from their budget tomorrow: all they're asking for is for the Premier and his Cabinet to get out of the way and allow them to negotiate fairly with Manitoba Hydro.

We've seen that the Premier is desperately trying to conceal billions of dollars in export revenue, just so he could engage in bad faith negotiations with the members of IBEW. Clearly, this charade should come to an end.

Will the Premier simply stand in his place today and announce that he will stop interfering with IBEW and Manitoba Hydro negotiations so that they can arrive at a fair deal?

**Hon. Brian Pallister (Premier):** Well again, Madam Speaker, I'd just encourage the member to get out of the way and let IBEW union leaders to do the work that they've been doing for years without the NDP leader's help.

The fact of the matter is Gary Doer, Howard Pawley, Eddie Schreyer—none of them ever, ever took the bold and risky step that the member has taken of entering into the process of encouraging a strike.

Madam Speaker, the member's encouraged a strike, and he's trying to score partisan political points

on the backs of Manitoba ratepayers in the middle of a COVID pandemic.

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

### **Request for Arbitration**

**Mr. Kinew:** Let's just remind the record that it was the Premier and his Cabinet who raised rates on Manitobans during the pandemic, so if they disagree with that, they should repeal the impacts of last year's BITSA bill.

Now, we know that the prolonged strike is having a big cost on Manitobans and a big cost politically on this government. Repair and maintenance is going undone. We know that the costs are going to continue to soar as Manitoba Hydro brings in so-called replacement workers.

We know that for just one work order, it cost Hydro more than \$750,000—and that was just for a few hours, Madam Speaker. I'll table the document again for the Premier to take a look at.

We're talking about millions of dollars each and every day that is happening because of the Premier's political interference; millions more every day that the strike goes on.

Will the Premier finally step aside, revoke his mandate order to Manitoba Hydro and allow the workers to go to arbitration?

**Mr. Pallister:** The NDP tripled Hydro's debt. They ignored the Public Utilities Board and went ahead, invested billions of dollars without their approval. And now the member talks about the public utilities like it's something he really believes in.

He doesn't, Madam Speaker. His party doesn't. They only believe that Manitoba Hydro's there as their personal play thing. And the member's proven that by taking sides in a labour dispute.

Let the people who can negotiate this do it. Keep out of the way, Madam Speaker, that's what the member has to do now.

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

### **General Rate Application at PUB**

**Mr. Kinew:** I'm so grateful that we have Manitoba Hydro workers to keep the energy flowing, because there's certainly not a lot of energy on the other side of the House today.

Specifically, according to the Winnipeg Free Press, one minister on the other side is saying: When you take into account everything that is going on, I'm honestly not sure if I have the energy to go on. End quote. And note all the ministers suddenly looking at their phones, by the way, Madam Speaker.

So again, we have the energy in Manitoba—*[interjection]*

**Madam Speaker:** Order.

**Mr. Kinew:** —to power our economy. We have the workers 'necessarity' to marshal it to full potential. But what we need is for the Premier and his Cabinet to get out of the way.

Given the fact that we know the Public Utilities Board can settle this dispute and settle the truth of the health of Manitoba Hydro, will the Premier finally announce today that he's going to call for a general rate application at the Public Utilities Board?

**Mr. Pallister:** Well, Madam Speaker, I can only thank the member for raising a question about Hydro.

Madam Speaker, this is the \$10-billion question Manitobans want evaluated: why is it that the NDP wasted \$10 billion on a series of projects that were for Americans, but sent the bill to Manitobans? Why is it that the NDP raised Hydro rates by over 40 per cent when they were in office, and now claims that they're defending the people that they pillaged along the way? And why is it that Theresa Oswald is warming up her campaign team?

#### **Manitoba Hydro Labour Dispute Collective Bargaining Negotiations**

**Mr. Adrien Sala (St. James):** Madam Speaker, IBEW members have been on strike for four weeks now. That's four weeks that this government continues to force its unconstitutional legislation on the striking Manitoba Hydro workers, costing Manitobans millions of dollars. After billions of dollars in Manitoba Hydro's export sales were uncovered last week, we now know much more about the financial state of Manitoba Hydro.

As we approach the provincial government's budget being unveiled tomorrow, Hydro workers want one thing: for this government to get out of the way of a fair contract.

So I ask the minister a simple question: Will you withdraw the unconstitutional wage freeze mandate for Manitoba Hydro workers?

**Hon. Jeff Wharton (Minister of Crown Services):** The member talks about billions of dollars, Madam Speaker. We all know 10 billion reasons why that member's making that number up. We know that \$10 billion was wasted on the biggest boondoggle on Manitoba Hydro under the NDP.

We know that—Madam Speaker, that the NDP will—can never be trusted with Manitoba Hydro. We'll get it right.

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

**Mr. Sala:** The facts are plain and simple: this government's interference is costing Manitoba Hydro millions of dollars as they try to manage the impact of the strike.

The government's interference in the form of a wage freeze mandate has been ruled unconstitutional. The government's continued interference—*[interjection]*

**Madam Speaker:** Order.

**Mr. Sala:** —in Manitoba Hydro's collective bargaining process is expensive, it's hypocritical and it's wrong.

Will this government stop interfering in the collective bargaining process of Manitoba Hydro workers and let them negotiate a fair deal?

**Mr. Wharton:** Certainly, let's talk about facts: the fact that the NDP ignored the advice of the Manitoba Hydro Board, Madam Speaker; the fact that they ignored the experts at Manitoba Hydro and the fact they—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wharton:** —ignored the Public Utilities Board.

We know that the fact is, Madam Speaker, that the NDP had an agenda to Americanize Manitoba Hydro. We'll make sure that Manitobans will continue to own the Crown jewel that they own today. We'll strengthen it.

\* (14:10)

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

**Mr. Sala:** This government's flawed Wall report calls for all manner of contracting out and privatization, but we know—now know it was based on faulty assumptions about the company's revenues.

But the Pallister government persists, setting a tone of fiscal crisis at Hydro when it's just not true.

They're now applying the same logic to negotiations, intervening and applying unconstitutional legislation against Hydro workers. All those workers want is a fairly negotiated contract.

I ask the minister again: Will the government stop interfering and allow Hydro workers to bargain a new contract fairly?

**Mr. Wharton:** Certainly, we know that under the NDP, Manitoba Hydro's debt tripled. We know that Manitobans—and generations, Madam Speaker, of Manitobans—will be paying down a debt that's going to take probably a century or more.

Madam Speaker, we know—again, it's the continuous meddling of the opposition when it comes to bargaining. It was proven two weeks ago, when the member opposite, St. James—pardon me, the member from St. James and the Leader of the Opposition gathered in front of the Manitoba Hydro building to rally up IBEW members who disrespected IBEW members.

They have the right to bargain; let's give them that right to bargain. *[interjection]*

**Madam Speaker:** Order.

#### **COVID-19 Vaccine Rollout Number of Doses Administered**

**MLA Uzoma Asagwara (Union Station):** Manitoba is one of the slowest in Canada in getting the vaccines into arms. On Monday, the Province reported it had received over 370,000 doses of vaccine, but has so far administered barely 210,000, a shortfall of over 160,000 doses.

As Dr. Roussin just said, and I quote: We are in a race. Our third wave is pending. End quote.

Every single day that a dose sits idle in a fridge is a day wasted.

Why does the Pallister government have one of the worst vaccine rollouts in the country?

**Hon. Heather Stefanson (Minister of Health and Seniors Care):** Because we don't, Madam Speaker. And what I will say—just to put some facts on the record, I will table this document for the member opposite that we have administered—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —almost 217,000 doses.

Also, we have allocated out to First Nation partners and medical clinics and pharmacies more

than 95,000 doses that have been allocated to those partners who are administering to their clients out into the community, as well as 60,000 doses booked as well in the next seven days or so for our—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —super centres. So I will table these documents for the member opposite. You add that 'sup'—add that up, it's roughly around 370,000.

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

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

#### **Staffing at Sites**

**MLA Asagwara:** Madam Speaker, right now, today, there's a 160,000 vaccines in freezers, and the Province has been challenged—and they've admitted that they've been challenged—to appropriately—*[interjection]*

**Madam Speaker:** Order.

**MLA Asagwara:** —staff vaccination sites, and that's in part because the staff model the Province has decided upon to staff clinics is, as they describe, flexible and as-when-requested basis. That's a description that comes from the request for proposals, which I'll table today.

And, unfortunately for Manitobans, this approach hasn't worked. It's simply not working. Last week, the Province admitted that they couldn't reliably staff these clinics.

When will the Pallister government staff up and start delivering 20,000 doses each and every—

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

**Mrs. Stefanson:** We will start to deliver those 20,000 doses to Manitobans as soon as we get it from the federal government.

What I will say for the member opposite—because I know it can be confusing—is that—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —for the doses that we receive today, we will have booked appointments two to three weeks in advance to ensure that those doses are there to be administered this coming week. If we don't do our planning ahead of time, we won't have those doses. They'll be no arms to put—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** –doses in arms, Madam Speaker.

So I want to praise our Vaccine Implementation Task Force for the incredible work that they've done, and I know that they have done the planning that will be—

**Madam Speaker:** The member's time has expired. *[interjection]* Order.

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

**MLA Asagwara:** Madam Speaker, it's disappointing to see the new Minister of Health reflect the Premier's (Mr. Pallister) behaviours and shift blame and accountability elsewhere while clinics here are running below capacity. There's 160,000 shots sitting in freezers.

The Province admits that their staffing model isn't working. Manitobans want and need a much higher sense of urgency from this government. Lives are literally at stake, Madam Speaker.

In addition, there are vaccines that are going to waste every day. We should do everything we can to ensure that every possible shot gets into the arms of Manitobans. When an appointment is missed or a vaccine might go wasted, action needs to be taken.

Will the Province put a plan in place today—

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

**Mrs. Stefanson:** Action has been taken, Madam Speaker, and there are plans in place to deal with those very scenarios that the member opposite is talking about.

But they can refuse to listen to what the facts are when it comes to this, Madam Speaker. We are one of the most 'transparent'—transparent, sorry—

**Some Honourable Members:** Oh, oh.

**Mrs. Stefanson:** –I'm not as perfect as the Leader of the Opposition, and so I apologize for that, Madam Speaker.

But what I will say, Madam Speaker, is that we have one of the most transparent reporting mechanisms in place when it comes—across the country. We actually report the number of doses that we receive from the federal government, as well as those that have been administered. No other province does that across the country.

## Health-Care System Surgery Backlog

**Ms. Malaya Marcelino (Notre Dame):** Madam Speaker, women are bearing the brunt of this pandemic. They have been disproportionately impacted by job losses, many have lost child care, and now they are also bearing an unfair burden from the province's surgical backlog.

The head of gynecology at the Women's Hospital, Dr. Margaret Burnett, says that returning surgeries to Women's Hospital has been, quote, slow compared to many other sites and is disproportionately affecting women awaiting major surgery. End quote.

Why has this problem not been addressed, and when will women get the surgeries they need?

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

Of course, this is something we have been working on for some weeks now, Madam Speaker.

I can say that many of those staff that have been previously redeployed have been returned—up to 77 per cent of those have been returned—to ensure that those surgical procedures can take place.

But that's why the Premier last week announced more than \$50 million to deal with this very issue and other issues as well, to ensure that we have—that we can deal with the surgical backlogs, Madam Speaker.

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

**Ms. Marcelino:** Madam Speaker, Sara Corrigan is one of those impacted by the long surgical backlog. She experiences pain like a never-ending contraction every time she menstruates, and over the last six months she has had surgeries cancelled twice due to staffing shortages. And currently she has no date at all for her surgery.

Sara told local media that, quote, I keep having this light at the end of the tunnel disappear, and I feel like I'm in a void, completely abandoned by my province, with zero options. End quote.

Madam Speaker, our caucus members have spoken with Sara, and I ask the minister on her behalf: When will Sara and hundreds of women get their much-needed surgeries? When will this backlog be cleared?

**Mrs. Stefanson:** Madam Speaker, our thoughts go out to Sara. We want to ensure that she gets the 'spreezy'—

the speedy surgical procedures that she needs, and we are working with officials to ensure that that happens.

We have made significant improvements in the last few weeks, and we will continue to do so over the course of the next little while to ensure that all those who need their surgical procedures are able to get it.

\* (14:20)

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

**Ms. Marcelino:** Madam Speaker, it's always promises down the road with the Pallister government, but the other provinces have already addressed their surgical backlogs.

Other provinces announced funding last summer and got on with the work to drive their backlogs down. Meanwhile, Manitoba had 11,000 waiting at the height of the pandemic and have barely made a dent in this number.

As with so much else in this pandemic, the Pallister government is missing a sense of urgency. The head of gynecology says things are too slow. Sara Corrigan emphatically says that things are far too slow.

Why has it taken the Pallister government so long to get this, and when will Sara Corrigan and hundreds like her get their surgeries?

**Mrs. Stefanson:** Madam Speaker, as I mentioned previously, we are working with officials to ensure that we get those surgical procedures back up and running, which we have been over the course of the last number of weeks. We know that other provinces are increasing their wait lines as—wait times as we speak, which is unfortunate.

We are working in the opposite direction here because of \$50 million that the Premier (Mr. Pallister) announced as of last week. We recognize there's more work to do and we will continue to work towards that goal of reducing those surgical wait times.

### **Provincial Campgrounds Online Booking System**

**Ms. Lisa Naylor (Wolseley):** Manitobans have been desperate to reconnect with nature and parks were well used last summer and throughout the pandemic. The demand for this coming summer was obvious, and I recently raised this in a private meeting with the minister.

Unfortunately, the Pallister government still did not properly prepare. I have heard from many Manitobans who waited for hours yesterday, only to be kicked off the website when their turn finally came, many who were unable to make a booking after waiting hours.

So I ask the minister: Why didn't the Province anticipate this demand and what, if anything, are they doing to fix this when other campgrounds open for registration tomorrow?

**Hon. Sarah Guillemard (Minister of Conservation and Climate):** I appreciate the question from the member opposite, and I do want to acknowledge that every year there have been frustrations when it comes to the reservation system that—if the member opposite did look into this—was developed under her party's government.

And we have been improving it year over year, and as the member noted that there has been increased usage, and I'm glad to highlight that everybody has been able to benefit from our parks being open during the pandemic, to receive that healthy option to be outside in the fresh air.

And, Madam Speaker—[interjection]

**Madam Speaker:** Order.

**Mrs. Guillemard:** —we were able to accommodate over 13,881 reservations in one day.

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

**Ms. Naylor:** Madam Speaker, Manitobans have always enjoyed our parks. The pandemic has only increased people's appreciation of nature and fresh air, and this will probably be a permanent change once the pandemic is over as more and more Manitobans continue to appreciate our parks.

Unfortunately, the Pallister government did miss the mark this year. The booking system was beyond frustrating; it crashed for many people whom I spoke to and many were unable to get anything booked at all.

With the increased demand, will the Pallister government prioritize investment in the booking system to ensure this problem is resolved?

**Mrs. Guillemard:** I assure the member that there have been investments in all areas of our parks under this government that were sorely lacking under the previous government.

And I will say that I mentioned over 13,000 reservations had been made in one day, and that's compared to just over 6,000 the year previous. So as much as there is frustrations, there's a lot of demand and very little supply—[interjection]

**Madam Speaker:** Order.

**Mrs. Guillemard:** —but that was negligence on the behalf of the previous government over years to not improve systems.

Madam Speaker, we'll get this right, and we are working hard to do so.

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

**Ms. Naylor:** Madam Speaker, the challenge this government continues to face is that they won't meet the moment, from an underfunded COVID response, to the chaos of vaccination sites, to the chaos for provincial park bookings yesterday.

During the pandemic, our parks are a reprieve for so many and the demand for an escape this summer was obvious to everyone. Reservations were already way up last summer. This demand should have been anticipated. The demand that is spoken about by the minister today should not have been a surprise.

I ask the minister again, what is she going to do to immediately resolve the issues that happened yesterday to invest in the system for bookings in the future?

**Mrs. Guillemard:** And because the member raised the issue of vaccinations, I do want to note that my parents today received their first vaccination, and it's a huge relief that I just want to note this moment, that—as a huge accomplishment and I am happy for all those who will also receive their vaccinations in the near future.

Having said that, Madam Speaker, we have 34 total cabins, 75 total yurts available, over 10 parks, to reserve and we had thousands of people wanting the same space, and this has been a yearly occurrence. This is why we are reviewing our parks strategy and we are going to make improvements, investments for years to come.

Thank you.

#### **COVID-19 Vaccine Rollout Staffing at Sites and Distribution Rate**

**Mr. Dougald Lamont (St. Boniface):** I table a chart from CTV's vaccine tracker which says that

only 56.5 per cent of the vaccines the government—the Manitoba government has received from the federal government is distributed. It is based on official government websites, news releases and press conferences. It's fully 10 per cent less than the national average.

I also received an email from a pharmacist who said she knows at least 10 people, and they know more, who signed up to be vaccinators, were accepted, hired, did learning modules, got certified, and she wants to know why not one of them has ever been contacted for a single shift?

**Hon. Brian Pallister (Premier):** So, I thank the member for the non-question, Madam Speaker, but the topic is worth addressing.

I think if he looks on the CTV website he used for research, he will note that there are data lags in entry in Manitoba, and that is something that needs to be addressed, because when I ask the question—where are we?—I get the answer that we're fourth and the member gets off a website that we're second last.

That's an important question. I think Manitobans want to know where we're actually at, where the actual numbers are, and the actual numbers are we're fourth, not second last.

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

#### **Expiration of AstraZeneca Doses**

**Mr. Lamont:** The government's dispense seems to—defence seems to be that their communications about the vaccine rollout are the worst in Canada and not the rollout itself.

But when it—but—and the minister seems to be claiming that appointments three weeks from now also count as being dispensed. However, Manitoba has received 84,000 AstraZeneca doses, which this government says are safe to use for people 55 to 64 and a doctor says they are about to expire.

Does the Premier have a plan to use the AstraZeneca doses, or are they going to go down the drain?

**Mr. Pallister:** The member actually refers to communications, Madam Speaker. Two points: (1) the communications is an issue; it's a legitimate issue and a legitimate point to raise. I would say that the greater concern Manitobans have is getting their vaccines. On that front, we're doing very well.

On the communications, I would agree with him. There are challenges in terms of the communications that have to be addressed. So I appreciate him raising that point.

I would also point out that we're still 38th when it comes getting vaccines in Canada and I think that's also a legitimate point to raise that has been raised by many across the country.

I would also point out that we've taken a reconciliation approach in working in partnership with our First Nations and we've been acknowledged as being the most transparent province when it comes to putting honest data forward, in respect of our vaccinations and in dealing with the partnerships that should exist and must exist on working with Indigenous people to get vaccines into the arms of vulnerable communities across our province.

#### **COVID-19 Vaccine Rollout Distribution Rate and Mobile Sites**

**Ms. Cindy Lamoureux (Tyndall Park):** The impact that the COVID pandemic has had on people and our economy has been significant, and I'm sure all can attest to this.

Now, Manitobans are resilient. We are looking forward to the new normal, which is why we have a hard time understanding why the Province is currently sitting on over 150,000 vaccines that could be used and administered today, Madam Speaker.

\* (14:30)

So, given the importance of being vaccinated, can the government provide a guarantee that every vaccine received from Ottawa will be administered within one week of its arrival in Manitoba and consider expanding mobile clinics beyond congregate living facilities in order to get the vaccines out faster?

**Hon. Brian Pallister (Premier):** Well, they're already administered within approximately a one-week time frame, Madam Speaker, and I've shared with the members that, despite the communications, they should not base their research on Free Press articles.

The fact of the matter is that the numbers of vaccines that are going out are incredible, Madam Speaker, and they're going to continue to accelerate as we get more.

So, rather than apologizing for Ottawa, as Liberal members in this Chamber seem to want to do, I would suggest they simply recognize that our Manitoba team

has worked diligently to increase our capacity and that we're ready to go as soon as we get more vaccines, Madam Speaker—as I believe, across the country, other provinces are ready to go as well—and that we need to be excited about the fact that now, as opposed to BC, Alberta, Saskatchewan, Ontario and Quebec, our numbers are flat, including our variant numbers, and their numbers are all accelerating through the roof.

Thank you to Manitobans for their diligent work; thank you to our public health leaders for communicating the need to follow the public health orders; and thank you to all members of the Chamber, including the member for Fort Rouge (Mr. Kinew), for abiding by the public health rules.

#### **New Angling E-Licensing Portal Government Announcement**

**Mr. Rick Wowchuk (Swan River):** Last spring, Manitoba introduced a new online service for the sale of outdoor licences and permits.

Now that spring is here and Manitobans can now purchase their 2021 angling licences online, can the Minister of Agriculture and Resource Development tell us how transitioning to the new Province's 'e-licensing' portal benefits all Manitobans?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I thank the member for this important question.

And our government believes that Manitobans should get the best value for their hard-earned taxpayer dollars, which is why we continue to modernize the way we deliver services.

Our e-licensing portal makes it easier and more convenient for Manitobans to purchase their angling, hunting and park licences 24 hours a day, seven days a week. This will reduce government operating costs by approximately \$1 million through our five-year period while decreasing our carbon footprint.

Madam Speaker, it took me less than five minutes to renew my angling licence and my camp permit.

#### **Education Modernization Act Request to Withdraw Bill 64**

**Mr. Nello Altomare (Transcona):** This past weekend, over 3,200 Manitoba parents signed an open letter to the *[inaudible]* possible terms.

These parents learned about an increased amount of government control of the schools, decreased representation of parents and caregivers, especially

representation of low-income or marginalized parents and caregivers. These parents believe that Bill 64 will dismantle Manitoba's public education system and they want this government to go back to the drawing board.

Will the minister actually listen to Manitoba parents and withdraw Bill 64 today?

**Hon. Cliff Cullen (Minister of Education):** I do appreciate the question on education.

Clearly, the NDP—the party of status quo—they would like us to invest some of the highest amounts in—*[interjection]*

**Madam Speaker:** Order.

**Mr. Cullen:** —education, yet at the same time get some of the worst results across the country.

Madam Speaker, Manitobans have told us it's time for change. Our students deserve better. I hope he takes the time to read our plan. We have a strategy going forward. We have capacity for change and Manitoba, Madam Speaker, we have the energy to make some change for the better—of our students.

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

**Mr. Altomare:** To the minister, there is a ton of energy out there, I will say, and it's all against Bill 64.

Out of every single one of Manitoba's 37 school divisions from over 208 Manitoba communities have signed this letter. This is not isolated or a concern. Manitoba is an incredibly diverse province filled with hundreds of thousands of students who have a wide range of needs.

The letter states, a single, partisan-appointed education authority can never make decisions for the entire province and be truly representative of the diverse needs across this province as large as ours *[inaudible]*

**Madam Speaker:** Could the member just repeat the final question, his actual question, as we didn't hear it. Just the last part.

**Mr. Altomare:** Can you hear—sorry, Madam Speaker.

The letter states a single—

**Madam Speaker:** No, just the question itself. Just the question itself, at the end.

**Mr. Altomare:** Oh, the question. Got you.

**Some Honourable Members:** Oh, oh.

**Mr. Altomare:** Lots of energy out there, Madam Speaker.

And here it is: Will the minister do what's right and withdraw Bill 64?

**Hon. Brian Pallister (Premier):** No, we'll do what's right and keep it, Madam Speaker.

**Madam Speaker:** The time for oral questions has expired.

## PETITIONS

### Portable Housing Benefit

**Ms. Danielle Adams (Thompson):** I wish to present the following petition to the Legislative Assembly.

The background to this petition as is follows:

(1) The Portable Housing Benefit, the PHB, program, introduced in 2009, provided a modest amount of \$200 per month for those with mental health issues to increase their ability to obtain safe, secure housing, and overall, decrease the level of homelessness.

(2) After the introduction of other housing programs, such as Rent Assist in December 2015, those receiving the PHB were grandfathered in, so they were continued to receive the full \$200 HPP per month.

(3) In early 2019, the Department of Families made a subsequent decision to remove the previous grandfathered participants from the PH program.

(4) In June of 2019, those previously grandfathered-in recipients received a letter stating that they would receive the full amount of the PHB, and as of October 7, 2019, the Families Minister advised the Legislature there were no changes to the PHB.

(5) The provincial—after the provincial election, housing co-ordinators met with recipients and provided them with a letter dated November 1, 2019, that indicated they would no longer receive the benefits under the HPP program.

(6) Recipients, many of whom had serious mental health concerns, including suicidal 'idealations,' were devastated by the information they received personally during these meetings.

We petition the Legislative Assembly as follows:

(1) To urge the Minister of Families and the provincial government to reverse its cut to participants of the housing—Portable Housing Benefit;



(2) To urge the Minister of Families and the minister for health and seniors and active living to undertake—to understand that taking away these benefits from the most vulnerable in our society will cause great hardship—financial, and, more importantly, devastating, long-term and lasting effects on their well-being.

This petition is signed by many Manitobans.

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

### Public Child-Care Grants

**MLA Uzoma Asagwara (Union Station):** I wish to present the following petition to the Legislative Assembly of Manitoba.

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 non-profit, licensed centres, and yet funding has been frozen since 2016. These cuts have resulted in many early-childhood educators leaving the sector.

(3) While child-care centres have faced increased costs associated with lost 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.

\* (14:40)

(4) The government spent less than 1 per cent of the \$18-million temporary child-care grant, and instead gave KPMG 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 petition the Legislative Assembly of Manitoba as follows:

To urge 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 has been signed by many Manitobans.

**Mr. Ian Bushie (Keewatinook):** 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 non-profit, licensed centres, and yet funding has been frozen since 2016. These cuts have resulted in many early-childhood educators leaving the sector.

(3) While child-care centres have faced increased costs associated with lost 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 KPMG double their contract, nearly \$600,000, to conduct a review that will raise parent fees and lay the groundwork for privatization.

(5) Provincial government 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 petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to reverse changes to the nursery school grants and to end the freeze on child-care's operating grants while continuing—while committing to keeping public child care affordable and accessible for all Manitobans.

This has been signed by many Manitobans.

### Cochlear Implant Program

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) People who suffer hearing loss due to aging, illness, employment or accident not only lose the ability to communicate effectively with friends, relatives or colleagues; they also can experience unemployment, social isolation and struggles with mental health.

A cochlear implant is a life-changing electronic device that allows deaf people to receive and process sounds and speech, and also can partially restore hearing in people who have severe hearing loss and who do not benefit from conventional hearing aids. A processor behind the ear captures and processes sound signals which are transmitted to a receiver implanted into the skull that then relays the information to the inner ear, the cochlea.

The technology has been available since 1989 through the Central Speech and Hearing Clinic, founded in Winnipeg, Manitoba. The Surgical Hearing Implant program began implanting patients in the fall of 2011 and marked the completion of 250 cochlear implant surgeries in Manitoba in the summer of 2018. The program has implanted about 60 devices since the summer of 2018, as it is the—only able to implant about 40 to 45 devices per year.

There are no upfront costs to Manitoba residents who proceed with cochlear implant surgery, as Manitoba Health covers the surgical procedure, internal implant and the first external sound processor. Newfoundland and Manitoba have the highest estimated implantation costs of all provinces.

Alberta has one of the best programs with Alberta aids for daily living, and their cost share means the patient pays only approximately \$500 out of pocket. Assistive Devices Program in Ontario covers 75 per cent of the cost up to a maximum amount of \$5,444 for a cochlear implant replacement speech processor. The BC Adult Cochlear Implant Program offers subsidized replacements to aging sound processors through the Sound Processor Replacement program. This provincially funded program is available to those cochlear implant recipients whose sound processors have reached six to seven years old.

The cochlear implant is a lifelong commitment. However, as the technology changes over time, parts

and software become no longer functional or available. The cost of upgrading a cochlear implant in Manitoba of approximately \$11,000 is much more expensive than in other provinces as adult patients are responsible for the upgrade costs of their sound processor.

In Manitoba, pediatric patients under 18 years of age are eligible for funding assistance through the Cochlear Implant Speech Processor Replacement Program, which provides up to 8 per cent of the replacement costs associated with a device upgrade.

It is unreasonable that this technology is inaccessible to many citizens of Manitoba who must choose between hearing and deafness due to financial constraints because of the costs of maintaining the equipment are prohibitive for low-income earners or those on a fixed income such as old age pension or Employment Income and Assistance.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to provide financing for upgrades to the cochlear implant covered under medicare, or provide funding assistance through the Cochlear Implant Speech Processor Replacement Program to assist with the replacement costs associated with the device upgrade.

Signed by Julie Sines, Derrick Griffiths, George Shinak [*phonetic*] and many others.

**Madam Speaker:** The honourable member for The Pas-Kameesak (Ms. Lathlin), on a petition?

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 this 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 a 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 waiting times for services and poorer service in general.

(6) Manitoba residents value the convenience and efficiency of a 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 that Dynacare maintain all 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.

\* (14:50)

**Madam Speaker:** I will revert back to the honourable member for The Pas-Kameesak. Wondering if she's able to connect?

#### Public Child-Care Grants

**Ms. Amanda Lathlin (The Pas-Kameesak):** Can you hear me?

**Madam Speaker:** Now we can. Go ahead with your petition.

**Ms. Lathlin:** 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 non-profit, licensed centres, and yet funding has been frozen since 2016. These cuts have resulted in many early-childhood educators leaving the sector.

(3) While child-care centres have faced increased costs associated with lost 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 KPMG 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.

Madam Speaker, we petition the Legislative Assembly of Manitoba as follows:

To urge 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 Manitoban families.

This petition has been signed by many, many fine Manitobans.

Thank you.

#### Dauphin Correctional Centre

**Mr. Jamie Moses (St. Vital):** 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 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 has been signed by many Manitobans.

Thank you, Madam Speaker.

#### **Public Child-Care Grants**

**Mr. Adrien Sala (St. James):** I wish to present the following petition to the Legislative Assembly.

The background to 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 Manitoban families.

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

(3) While child-care centres have faced increased costs associated with lost parent fees due to COVID-19 closures and spent thousands on PPE, when open, to kids—keep 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 KPMG double their contract, nearly \$600,000, to conduct a review that will raise parent fees and lay the groundwork for privatization.

(5) 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 petition the Legislative Assembly of Manitoba as follows:

To urge 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 Manitoban families.

This has been signed by many Manitobans.

#### **Dauphin Correctional Centre**

**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 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 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 this 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 of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

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.

### Public Child-Care Grants

**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 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 non-profit, licensed centres, and yet funding has been frozen since 2016. These cuts have resulted in many early-childhood educators leaving the sector.

(3) While child-care centres have faced increased costs associated with lost 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 KPMG 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 petition the Legislative Assembly of Manitoba as follows:

\* (15:00)

To urge 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 petition, Madam Speaker, is signed by many Manitobans.

**Madam Speaker:** Grievances?

### ORDERS OF THE DAY

*(Continued)*

### GOVERNMENT BUSINESS

#### House Business

**Hon. Kelvin Goertzen (Government House Leader):** First, a couple of committee announcements.

I'd like to announce that the Standing Committee on Legislative Affairs will meet on Thursday, April 8, 2021, at 6 p.m. to consider the following: Bill 13, The Public Sector Construction Projects (Tendering) Act; Bill 17, The Drivers and Vehicles Amendment Act; Bill 20, The Vehicle Technology Testing Act (Various Acts Amended); Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons); and Bill 28, The Water Resources Administration Amendment Act.

**Madam Speaker:** It has been announced that the Standing Committee on Legislative Affairs will meet on Thursday, April 8, 2021, at 6 p.m. to consider the following: Bill 13, The Public Sector Construction Projects (Tendering) Act; Bill 17, The Drivers and Vehicles Amendment Act; Bill 20, The Vehicle Technology Testing Act (Various Acts Amended); Bill 23, The Highway Traffic Amendment Act (Control of Traffic by Flag Persons); and Bill 28, The Water Resources Administration Amendment Act.

**Mr. Goertzen:** One more.

I'd like to announce that the Standing Committee on Social and Economic Development will meet on Thursday, April 8, 2021, at 6 p.m. to consider the following: Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act; and Bill 61, The Apprenticeship and Certification Amendment Act.

**Madam Speaker:** It has been announced that the Standing Committee on Social and Economic Development will meet on Thursday, April 8, 2021, at 6 p.m. to consider the following: Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act; and Bill 61, The Apprenticeship and Certification Amendment Act.

\* \* \*

**Mr. Goertzen:** Can you please call for debate this afternoon third readings of bills 50, 31 and 24.

**Madam Speaker:** It has been—[interjection]

**An Honourable Member:** Fifty and 31, and report stage amendment of Bill 24.

**Madam Speaker:** It has been announced that the House will consider third readings of bills 50 and 31 and report stage amendments on Bill 24 this afternoon.

#### CONCURRENCE AND THIRD READINGS

##### Bill 50—The Legal Aid Manitoba Amendment Act

**Madam Speaker:** Therefore, I will call third 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 Crown Services, that Bill 50, The Legal Aid Manitoba Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

##### *Motion presented.*

**Mr. Friesen:** I'm pleased to rise and put a few comments on the record in respect of Bill 50, the legal aid amendment act. Pleased to see that this bill has progressed to third reading in this legislative session.

As we all know, it was in 2018-2019 that Allan Fineblit was tasked by the former Manitoba minister of Justice to undertake a review of Legal Aid Manitoba. One of the recommendations at that time was exactly a review of the current tariffs and the associated legislation, and the recommendation was made to say this should shift from being a tariff set by the government, by the minister, to being a tariff set by the Legal Aid Manitoba Management Council. That is exactly what this bill would accomplish if approved. It would essentially allow that the tariff of fees paid to private bar lawyers would be set by the Legal Aid Management Council.

We are pleased to have at committee people like James Beddome for the Green Party of Manitoba who

said that it's logical to do so, to set this mechanism within Legal Aid Manitoba. We had Gerri Wiebe from the Criminal Defence Lawyers Association indicate that ensuring that Legal Aid has the ability to make adjustments quickly and manage services more effectively is a laudable goal.

I also thank Ms. Wiebe for making clear that we need to do what we can to make sure that lawyers in private practice are continuing to choose the important field of practice that constitutes legal aid practice.

*Mr. Len Isleifson, Acting Speaker, in the Chair*

And so, we know the reasons for this amendment and we have the confidence that now is the time. I want to make clear—because there was some discussion by the opposition party about the necessity to raise the rate. I want to remind all members of this Chamber that the NDP had the opportunity to raise the rate when it came to this tariff, that their minister of Justice had the ability, had the legislative capability to do so and declined to do so. And we had multiple speakers at committee talk about the fact that the former NDP government did not, when they had the opportunity, actually make a change to ensure that there was this constant scrutiny placed on the tariff paid to private bar lawyers.

So it is our government once again who is cleaning up after the NDP and cleaning up a mess, and we are doing so here by now moving that decision-making capability from the minister's office to Legal Aid Management Council. We believe they have the capability. It—essentially, at the end of the day, we are asking Legal Aid Manitoba to manage their budget and the setting of this tariff in respect of private bar lawyers should be no different.

So we thank Mr. Fineblit for the recommendations.

We commend this bill and these amendments to the Legislature at third reading and I look forward to the debate.

**Ms. Nahanni Fontaine (St. Johns):** So I'm pleased to stand up today and put a couple more words on the record in respect of Bill 50, The Legal Aid Manitoba Amendment Act.

We did have—a little while ago we had committee and there were some really good presentations that I want to just revisit here for the purpose of the Chamber and for folks that maybe didn't get an opportunity to read Hansard.

I want to concentrate on—well, first, before I get to some of those comments, I do want to just put on the record again how important it is when we're looking at Bill 50. As I said previously in the House and as I said in the standing committee meeting, that it's one thing to transfer the administration of tariffs to the legal aid—the Manitoba Legal Aid board—which is fine. I think that everybody at this stage in the game is supportive of transferring that responsibility of tariffs—increasing tariffs to said board.

But it's an entirely different thing when you—the government, the Pallister government, is transferring that responsibility, but thus far, we haven't seen any dollars that are attached to that transfer. We know, Deputy Speaker, that tomorrow is budget day. We know that the Premier (Mr. Pallister) and several Cabinet ministers have been busy bees all of a sudden in the last little bit, making announcements left and right, almost like they're handing out candies to Manitobans.

I think hoping that Manitobans are going to kind of forget their colossal failure and the continued colossal failure of the way that they've handled the pandemic—which, Deputy Speaker, has—is well evinced in just a recent poll, that noted many, many members of the PC caucus will not be here in 2023 because they're going to lose their seats.

And so we've seen now the government trying to dole out dollars when they've tried to do the pandemic on the cheap. They've tried to do education on the cheap. They've tried to do health care on the cheap since 2016 when they got elected—like, every opportunity that the Premier could take to dismantle a system, or take dollars or fire Manitobans, or force Manitobans to work under a wage freeze, or force Manitobans to take unpaid days off—the Premier has taken every single one of those opportunities. He has taken that.

But now—I mean, it's no coincidence that a poll came out that showed that if an election was held today, the NDP would form a government, and now, all of a sudden, the Premier and the minister are doling out all of these dollars.

\* (15:10)

So, in that vein, I would suspect, or I hope—although I did have a bet with somebody, I can't remember who I bet with—that the budget tomorrow wouldn't see an increase for Legal Aid Manitoba tariffs.

Now I can't remember, Deputy Speaker, who I made that bet with—and I made that bet with whoever I made that bet with prior to the poll coming out that's showed that so many members of the PC caucus opposite are going to lose their seats, which, you know, on this side of the House, I'm not going to say that we're going to be overly sad about that. Not in the slightest.

So I did make that bet prior to the poll and so, who knows, Deputy Speaker, maybe in the budget there's going to be dollars for increasing tariffs from \$85 an hour to, I don't know—I don't know what the budget might be. But that's a big if, because what we know about the Premier and all of the Cabinet that follow his lead, to their detriment, is that he likes to do things on the cheap. He likes to do—and that includes the justice system, it includes doing the defence of the most marginalized and criminalized of Manitoba, doing that on the cheap, as well.

And I, you know, I think that we can all agree that we haven't seen from this Premier or any single one of his caucus members or his Cabinet, a great sense of urgency on fighting for those that are struggling, those—fighting for those that are in the grips and midst of abject poverty, or fighting for those that come into conflict with the law. In fact, when we debated this last time, we heard the Minister of Justice (Mr. Friesen), the former failed minister of Health, talk about that he wants Manitobans to come into conflict with the law. He wants them to come into contact with the police. That's the Justice Minister.

The Justice Minister, last time he spoke on this bill, got up in the House and said that he wants Manitobans to come into contact with the police. That is absolutely shameful but it is a glimpse into what are the priorities for this minister. And, you know, I would suggest and I would submit to the House that he's already failing in this new portfolio that he has.

So, I hope—I hope that the Minister of Justice has talking to the—his big boss, his—the big guy, and have said, you know what, we need to ensure that, you know, coupled with Bill 50 is dollars that will strengthen Legal Aid and strengthen the administration of justice in Manitoba, and it'd strengthen the administration of justice, particularly for those that are racially profiled and come more into conflict with the law.

So, I wanted to put those on the record, but I do, like I said when I started this, I do want to just spend a couple of moments just outlining some of the things

that were said at the standing committee, and I do want to just highlight some of the comments from Gerri Wiebe. Gerri Wiebe is a Criminal Defence Lawyers Association of Manitoba. And Ms. Wiede [*phonetic*] had a very good, robust and comprehensive presentation to the standing committee where she really broke down the importance of strengthening Legal Aid. And so I will just take a quick review of the some of the comments.

And so she did talk about how, you know, and I quote, a successful criminal justice system is dependent on the success of a number of separate but interrelated components. These components include law enforcement, prosecution services and the defence bar, courts, Legal Aid, victim services, correctional services and a whole host of other things. End quote, Deputy Speaker. So the judiciary.

And I think that we all in this Chamber can recognize the need to ensure that the judiciary works well together, that it works in the best interests of Manitobans, that it works in the best interest of seeking true and equitable justice, which we know not necessarily—we know is not a guarantee and we know does not necessarily always do that.

Ms. Wiebe pointed out that defence counsel is an integral component to the judiciary, offering counsel to those that come before the courts and are charged with one offence, or you know, a bunch of different offences.

She went on to explain to the standing committee that, you know, the state, and in this case Manitoba, has, at its disposal, many more resources than does a defence counsel. It has more resources for research—all of those pieces. And so—and to investigate and to prosecute.

So when you look at a particular case or file that comes before the court, you have the state and all of its apparatus and everything that it has, and then you have defence counsel. And if you have defence counsel and it is Legal Aid, that is a critical component in ensuring that that individual, that Manitoban that comes before the court and is charged with an offense is getting proper legal representation.

She also—Ms. Wiebe also did point out that the vast majority of individuals who apply for Legal Aid Manitoba for defence counsel make under \$10,000 a year.

And so we're talking about Manitobans that, you know, don't have the resources necessarily on their own to be able to hire, you know, some of the top

defence lawyers in Manitoba or even across the country, as we see with folks.

You know, a good example of that, Deputy Speaker, would be Peter Nygård. So Peter Nygård has hired Jay Prober as his defence counsel. He costs a lot of money. Jay's been around for many, many years, and by all accounts, I think that we can agree that Mr. Prober is a good lawyer. He does good work on behalf of his clients, and Peter Nygård has the money and the wealth and the connections to hire Mr. Prober as his defence counsel.

I can tell you, Deputy Speaker, that, you know, the folks—the vast majority of folks that come before the judiciary charged with offence—cannot afford Mr. Jay Prober. I wouldn't be able to afford Mr. Jay Prober. Very few people can, and that shows the importance of ensuring that we have a legal aid system, that we have lawyers and counsel that are paid for their labour, and properly paid for their labour.

It's important to note that we know that legal aid tariffs have not increased for about 13 years, and certainly haven't increased in the last five years under the administration of the Pallister government.

So she goes on to talk about—again, when you look at the dollars that go within the totality of the judiciary including the incarceration of Manitobans, she shared with the standing committee that to house, or to, yes, to house a Manitoban in a correctional facility is about \$250 a day. And, you know, juxtapose that to the amount of money that is actually given to the defence of that individual there is quite an imbalance.

And so here we are. We have Manitobans that are spending more time incarcerated, costing the Manitoba taxpayers more money, rather than ensuring that the legal aid lawyers that would represent said individuals and keep them out of jail—that is also the legal counsel's responsibility or job is to keep them out of jail—we can see that those dollars are not equitable and that we would fare better if we financially supported and resourced legal aid to be able to do that work.

And she also did point out, and I think everybody knows this, or should know this, that Manitoba has some of the highest incarceration rates across the country, and particularly of Indigenous peoples.

And so, you know, for all the rhetoric that we hear from members opposite about, you know, we support reconciliation and we're moving towards reconciliation and yet we're doing all of these things that are



in absolute direct contravention of reconciliation, including Bill 56, where there's been no consultation or discussions with First Nation communities but will certainly impact on the sovereignty of First Nation communities by legislating what they can or cannot do within their territories.

\*(15:20)

And so, you know, you can't on the one side of your mouth say that you're in support of reconciliation and you're moving towards reconciliation, and then on the other side of your mouth do all of these things that ensure you're so far from reconciliation that there's actually no way to make it back. There's absolutely no way for this Pallister government to even attempt to look like it's pursuing reconciliation. Not even in a iota of actions does this Pallister government look like it's moving towards reconciliation.

And not only by Bill 56, not only by the petty trespassers act, like, we've seen just a succession of bills over the years in which the Premier (Mr. Pallister) and the Cabinet have really attempted to thwart and dishonour and minimize and dismiss Indigenous peoples' sovereignty and rights as the original peoples of what are our territories, and this is a piece of it. Again, you can introduce a bill that transfers the administration, but if there's no dollars attached that fundamentally impact on those that come before the judiciary because of racism and colonization and systemic racism, you are so far from reconciliation.

I want to also say that Ms. Wiebe had shared with us that the tariffs—which right now sit at, as I said, \$85 an hour—aren't necessarily an hourly wage. And I actually thought—I found this quite interesting, is that—and I'm going to actually going to directly quote, Deputy Speaker, from Ms. Wiebe. I quote: Keep in mind the tariff is not an hourly wage. From a—the tariff, a defence lawyer has to pay for office space, supplies, phone, Internet, support staff, bookkeeping, insurance, practising fees and the list goes on and on. End quote.

So when you calculate, then, what defence lawyers working for Legal Aid Manitoba would probably take home as their salary, it is even substantially less than the \$85 an hour because they have all of these different costs in order to work for Legal Aid Manitoba and in order to serve and offer defence counsel to the most marginalized in Manitoba.

So that's quite stunning. I don't know what the amount would be hourly, like, what is the dollar

amount? I would imagine it can't be more than \$25 with all of those expenses an hour.

So, again, Deputy Speaker, you know, providing those resources to Legal Aid is fundamental to ensuring that the judiciary works in its total capacity and works towards equitable justice in Manitoba.

And so, again, I thought it was important to put some of those words on the record from Ms. Gerri Wiebe. She did a really good job and, you know, explaining to the committee, including the Minister of Justice (Mr. Friesen), the needs of an increase to Legal Aid tariffs, and certainly to bring it up to '20-21 dollar amounts so that they can do the job that they need to do.

So I hope that he heard her; I hope that he was listening, and I hope that he went back to talk to his boss and to talk to, you know, who's in charge of Treasury, and I hope that we will see some increase in the Legal Aid Manitoba budget so that we can properly pay Legal Aid lawyers, defence counsel lawyers, the dollars that they should be paid in order to represent and seek justice for the most marginalized.

Deputy Speaker, I think it is also incumbent when we're looking at the dollars that are allocated towards justice—you know, and I, you know, spoke about that earlier, that there's all these interconnected features of the justice system that all are supposed to work together, and one of those is restorative justice.

And we know that since 2016 the Pallister government has, you know, slowly but surely and typically, in typical Pallister government fashion, has decreased the dollars that we've seen go into restorative justice and cut really important programs, which again, Deputy Speaker, I'm sure is no surprise to anyone. He's cut programs and services that go to service the most marginalized of Manitobans, again, Indigenous Manitobans. Has—he's got no issue reducing the amount of dollars that go into restorative justice that work with individuals.

And so I would be remiss, Deputy Speaker, on the eve of the budget, to again, not—you know, not mention the cuts that we've seen.

And, again, for those that are paying attention or keeping tabs—because I know there are Manitobans keeping tabs on this—we know that he cut the Elizabeth Fry by \$50,000. The Elizabeth Fry Society does, first off, just phenomenal work, phenomenal, all across the country. And—but, certainly here in Manitoba, the folks that work at the Elizabeth Fry Society do amazing work. And they work with women

who are coming out of correctional facilities, and they work with women coming out of correctional facilities on a range of different issues: finding housing, dealing with CFS, trying to get children back, dealing with addictions issues, whatever. There are so many issues that women face when they're coming out of correctional facilities, and Elizabeth Fry, for many, many years, has been providing those services.

And did the Pallister government and his Cabinet think that, oh, you know what? Actually, we should be lifting up that organization and working with them positively and, you know, maybe even increasing their budget? No.

The Premier (Mr. Pallister) thought it was good to decrease their budget. And so we also know that the Premier cut the budget from the John Howard Society by \$136,000.

Again, the John Howard Society is an organization that works with men who are coming out of correctional facilities, and helping men in the same way that the Elizabeth Fry Society helps women; they would be helping men find housing, get jobs, doing resumés, dealing with addiction issues, whatever it may be. There's a whole host of issues that these experts that are on the ground, on the front line, that know the community inside and out and know the issues, would be helping individuals. And the Premier decided that that wasn't money well spent, which is quite irresponsible and really short-sighted.

And so, you know, in the same way that the Premier is, simply, in Bill 50, transferring the administrative responsibility of increasing tariffs with no money attached, you know, I hope that tomorrow, the Minister of Justice (Mr. Friesen), you know, went back to the Premier and Treasury and said, you know what? We really need to look at enhancing restorative justice.

We know that restorative justice is a key piece of keeping Manitobans out of the correctional facilities. I know that I've mentioned it here before, that prior to working as the special adviser on Indigenous women's issues here for the NDP Cabinet, I was the director of justice for the Southern Chiefs Organization for under 10 years. And we did a lot of restorative justice programming and participated on, myself personally, so many restorative justice circles and actually taught the concept and theory and history of restorative justice when I was a sessional instructor for the U of M. I taught a course called the Aboriginal peoples in the Canadian justice system.

And, you know, I want to make sure that it's well understood that restorative justice is an Indigenous way of understanding. It's an Indigenous framework dealing with hurts and grievances and when people come into conflict with the law—and the law, with, like, you know, big L. But there's the law, little L, you know, and the way that Indigenous peoples dealt with those things prior to contact when settlers and explorers came to our territories.

\* (15:30)

Restorative justice is fundamentally Indigenous, and, you know, the previous government, under the NDP, under our party, recognized that restorative justice was an important and a key component to the overall justice system and, you know, supported some of the programs like in Hollow Water First Nation.

And I don't know if I've mentioned it here before, but Hollow Water First Nation had an internationally recognized healing program. And I think I did maybe mention it here, but I do remember being at the United Nations in—at the Palais des Nations, probably in 1997. I think it was 1997. And there were delegates—or maybe '99, I'm not sure. But either '97 or '99. And there were delegates from Hollow Water that worked on the healing—at that time, worked on the healing circle. And they presented at the United Nations this concept of how you deal in a holistic traditional, you know, Indigenous healing framework to offer healing to those that, you know, are either the ones that are victimized or the ones that caused the harm.

And so, you know, I'm proud to say that our government understood the importance of restorative justice.

So I hope that the minister is listening somewhere and I hope that he goes back—or if he hasn't already, I hope that he goes back and in the budget tomorrow that they announce that they're going to be enhancing the restorative justice infrastructure here in Manitoba, and reinstating the dollars back to the Elizabeth Fry Society and the John Howard Society. That would be important overall in ensuring justice here in Manitoba.

So I only have a couple of minutes left. As I said, we've seen all of a sudden in the last, I don't know how many days it is, three days, two days, we've seen all of a sudden—where, since 2016, there hasn't been a whole heck of a lot of announcements from the Pallister government. I think—I don't even know, I can't count, but—I can't count how many in totality since 2016, but there hasn't been a lot. There hasn't been a lot of announcements. There hasn't been a lot

of amounts—announcements of, you know, putting money into different programming services.

And then, surprise surprise, in the last, you know, whatever it is, 48 hours, whatever, we've seen all of a sudden, like, all of these different announcements from the government. And we've seen that—and I hope that Manitobans—I know that Manitobans see that for what it's worth. They know that the PC caucus, the Premier, whoever is going to be leader next—which, as I've said, I'm very excited to see that. I have my picks. I have my picks on who I think is going to run and who I think is going to be the next leader, so I'm looking forward to seeing that. We know that they're going to lose government. They're going to lose government and in a very, very—a big way.

And again, am I sad? No, obviously not. But I think that Manitobans are—they see this for what it's worth. They see all of a sudden all of these announcements where now, all of a sudden, they're like, throwing money away. Now they want to spend, spend, spend. We don't know what we're getting back for that.

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

I'm just going to remind everybody that we are here to debate Bill 50, the legal aid amendment act.

So again, just ask you just to bring it back. Thank you.

**Ms. Fontaine:** Yes, Deputy Speaker, I appreciate that.

And as I'm saying for Bill 50, right in the context of—all of a sudden in the last 48 hours, and we're seeing all of this money flying all over the place from announcements, again, Deputy Speaker, I would hope that the minister will also attach to Bill 50—will, in tomorrow's budget, assure that—assure Manitobans, assure the folks who utilize Legal Aid Manitoba, assure the folks that work for Legal Aid Manitoba that there's going to be an increase in their budget so that they can, in fact, raise the tariffs as they see fit. Because right now, and I said this last time, there was a little bit of a surplus this year. There was a little bit of a surplus where they were able to raise some of those tariffs.

But there was only a surplus because of COVID, right. And so we know that there were a lot of folks that weren't being charged or all of kinds of things that were happening so that there was this little bit of surplus.

But that—the Pallister government has actually asked for that surplus back instead of saying to

Manitoba—or Legal Aid Manitoba, you know what? We're going to allow you to keep that surplus so that, moving forward, we can move forward in a good way and kind of make up for all of those years that there hasn't been an increase.

So, as I was saying, Deputy Speaker, in the midst of the last 48 hours, where the Pallister government is now all of a sudden throwing money everywhere in an attempt to fool Manitobans that they actually care about these things now when they didn't care all of these last five years and they certainly didn't care during the pandemic, I hope that the Minister of Justice (Mr. Friesen) will be announcing or will be interviewed tomorrow that there is an increase to the Legal Aid Manitoba budget, so that this Bill 50, The Legal Aid Manitoba Amendment Act, actually means something; it actually means more than just transferring administration and just pushing paper.

I think that Legal Aid defence lawyers deserve it and I think that the Manitobans who rely on Legal Aid Manitoba deserve to have the best legal representation available to them, so that ultimately, Manitoba has a justice system that is equitable, that is fair and works for all Manitobans, regardless of the amount of money that you have in your bank account or if you even have a bank account.

Miigwech.

**Mr. Doyle Piwniuk (Turtle Mountain):** Thank you, Mr. Deputy Chair, for allowing me to have the opportunity to put a few comments on the record regarding Bill 50, The Legal Aid Manitoba Amendment Act, which really states that legal aid now is going to be—the fees and the tariffs will be paid, not by—through the Province but now the bills will be given to the Legal Aid Manitoba Management Council.

This makes a lot of sense because the fact is, the Legal Aid Manitoba council has the abilities of the members that are on that council, who work in the legal justice department but also as lawyers, different people from the council that would be able to set up fees that are—that would be according to what the, you know, the justice system really needs to make sure that Manitobans get their fair share—fair opportunities to have a defence when they go to court—the Manitoba courts. So, it's important that we bring this amendment act—this act to allow this Bill 50 to be passed.

I just want to sort of respond a little bit to what the honourable member from St. Johns had said, that, you know, we're all—the PC Party—PC government is

on the cheap. And, you know, I think I have to correct her by saying that we're actually more the efficient government here because this is the first time—like, in two—since I was in opposition that I was able to speak twice on debate in one day, and I still remember when we were sitting in opposition, when the NDP were, you know, spending lots of money, and I remember like, a billion-dollar deficit that we inherited after—and the member from St. Johns doesn't—hasn't been around to witness that.

And you know what? Right now, with the efficiencies that we have in our province, with our government—our PC government, we are making a lot of changes. I remember one of the things that the NDP government did in the past was they hired—got the Peachey report for health care and what they did was they never utilized the report and never did—acted on it.

You know, they were more concerned about buying votes before the next—the last election in 2016, when we took over and here we're doing everything that—making major changes. But also, at the same time, we're finding the efficiencies and we're spending more money on health care and justice and education than the NDP did in the past and we're going to continue doing that.

So, with this bill here, Mr. Deputy Chair, that—I think it's important that we'll have the industry take care of what needs to be done. It allows the necessary levers and tools available to manage the service delivered to Manitobans when it comes to justice—legal aid and it's important that we bring this bill forward.

And I commend the Minister of Justice (Mr. Friesen) for bringing this bill forward, and I'm so honoured to put a few words on record here. And I'll give the opportunity for other members in the House to speak on this bill.

Thank you.

\* (15:40)

**Mr. Jamie Moses (St. Vital):** I'm looking forward for the opportunity to speak to Bill 50 and speak a little bit about the criminal justice system, as it relates to legal aid in Manitoba.

Just first, to respond to a comment by the member from Turtle Mountain in regards to efficiencies that he claims the government's making. You know, often, that can also be considered by many people in Manitoba who experience the downside of what

the government calls efficiencies. Those people experience it as falling through the cracks, and many people who have these type of life experiences are in the marginalized communities and the racialized communities, and the poor individuals in our province. They're the ones who end up suffering and falling through the cracks when this government makes, quote, efficiencies, or as we often call them—describe them—as cuts.

And, as it relates to the criminal justice system, I'll give you a prime example, Mr. Deputy Speaker. It was reported in CBC News in June of 2017 that because of cuts—because of provincial cuts to our municipalities, the City had to cut \$75,000 in annual funding from the Gang Action Interagency Network. This was a network that was to help youth access supports to exit GAINs.

Again, this is a program which is trying to get young people out of gangs, to encourage them to not be involved in crime and criminal activity. And it's because of this government's, quote, efficiencies, as the member from Turtle Mountain described, but really it's a funding cut, has direct impacts in the lives of people who are teetering between entering into a life of crime and gangs or could take another path.

And these young people often need a nudge—often need a bit of a helping hand to help them on the path out of crime. And if you think about the long-term effects of this, of a young person who is maybe at the age of 15, 16, 17, and maybe a little bit involved in crime and the impact that it could have on that person not being involved in crime, when it comes to our police force, and not having to worry about and be after that person for the years and years ahead that they may be involved in their crime activity.

And think about that person if we prevent them from getting into crime, the effect that it might have on overall community safety in our neighbourhood and the way younger people might look at the safety of certain neighbourhoods in our city and in our province. Think about the impact that it might have on—that person might have on the growing economy and what that person's potential to add into our economy if they stay out of that life of crime.

Now, that \$75,000 that was cut from that program, that obviously is directly a part of our criminal justice system, and it's aim is to prevent young people from going into gangs, obviously has huge ripple effects over the life of that individual. And if you could prevent one person from going down that path of crime, it has immeasurable positive impacts in

our community. And it's the short-sightedness, which the member from Turtle Mountain says is efficiencies, is the same as this person—as many individuals—as the \$75,000 cut to the gang action inter city agency network—

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

Just so everybody's well aware, too, for the speakers that have spoken and those that are coming up, I've been pretty lenient on getting away from the topic because everybody's been bringing it back, but please, bring it to Bill 50, which we're here to debate. And if the member from St. Vital would continue, please.

**Mr. Moses:** And I didn't want to just start with that, Mr. Deputy Chair, as—is I thought it was important to address the specific claims of the member who spoke before me in debate. And I think that's important to address those from the other side of what the one member might consider, quote, an efficiency, as another individuals might see as a direct cut to a program, which has a huge impact, not only on individuals' lives but also on our communities and our community safety.

Now, specifically on Bill 50 and The Legal Aid Manitoba Amendment Act. This bill goes to changing the fees, the fee structure and how it's paid from the Province to Legal Aid Manitoba.

And, you know, it's obviously that Legal Aid Manitoba—you know, they work to ensure that, you know, eligible Manitobans have access to justice. You know, those include those disadvantaged Manitobans, people who are facing—maybe who are not well resourced, you know, they might have trouble accessing other legal services. Legal Aid is there for them.

You know, this could also include, you know, women who are fleeing abusive relationships; could be newcomers or immigrants into Manitoba. And for so many reasons and so many people who might struggle accessing services in our criminal justice system, but also services across our province, Legal Aid is an avenue for them to level the playing field when they are seeking—and they may be looking at, you know, issues involving the courts.

Now, in my mind, when it comes to legal aid—and I think in many Manitobans' minds when they think about being in court or our justice system—they're thinking about, you know, that kind of iconic statue that we see, Mr. Deputy Speaker.

You know, lady justice blindfolded holding those scales of justice, you know, not judging people on who they are but on their actions, fairly and with balance. And when it comes to finding that balance, that balance is the crux of the issue here.

Regardless of the changes that we're seeing in this—in Bill 50—it's about providing the right supports for people who are accessing legal aid and ensuring that they truly have balanced representation—balanced legal representation—when they are seeking legal aid.

And so, regardless of the changes that are being made here today, Legal Aid must be funded properly so that lawyers who are providing that service—those services to Manitobans who need it—and again, those are the people who are obviously the most disenfranchised or the most disadvantaged.

They, you know, as it were, if you're thinking about balancing the scale, those people would need—Mr. Deputy Speaker, I think it's clear that I'm about to say they would need more support.

If we know that these people are disenfranchised—and we know that often these people who are seeking legal aid earn under \$10,000 a year—if we know that they're often maybe newcomers to our country or may not understand our system, if we know that perhaps they have language barriers, we also know that these people need more support.

They need more help to navigate our legal system. They need more assistance to get a fair and balanced judgment and a fair and balanced due process in our legal system.

And so it's essential that as part of any changes and any review and any action that we're taking in our criminal justice system, in our legal system and as it relates to legal aid, not just what this bill might do for lawyers or for the people seeking their services, but the end result to make it—our system—more fair and balanced for the people who are actually using those services.

You know, one thing that I think is, you know, is often missed in people who are looking at, you know, equalling the scales out in any system—whether it is the criminal justice system or whether it is, you know, a corporation or a group organization looking at racial equality or other issues—you know, oftentimes they look at the process and the things that are done. But it's also critically important to look at the results and look at the results that actually happen at the end of the day.

So, Mr. Deputy Speaker, I ask many—any member on the opposite side, specifically the Minister of Justice (Mr. Friesen): what are the results that we see in our criminal justice system?

\* (15:50)

Do we see higher populations of Indigenous and First Nations people in our jail system? Do we see marginalized people, racialized people, Black, Indigenous, people of colour—do we see them more heavily targeted by police? Do we see people enter in the legal aid system and seek out legal aid, do we see these people get the right help and get a just and balanced verdict compared to a people who have the means to afford to their own lawyer and don't require the legal aid system? Are these fair and balanced results that we're seeing currently in our justice system?

And, Mr. Deputy Speaker, I think you and I and all the members in this Chamber, as well as anyone who's watching at home, know that the results we're seeing today, right now, are not even. They're not balanced; they're not fair.

And as we go through this, as we look at amending and proposing legislation regardless of whether it's just this Bill 50 or whether it is any other bill that is purporting to enhance our justice system and our legal system that fairness and balance of result is a key aspect that must be considered.

It's 2021, and the results of our action, the consequences of our action can no longer be ignored. And so I call on the Minister of Justice (Mr. Friesen) to truly evaluate what the decisions that have been made in the past have had impacted on our communities, on all communities in Manitoba: on the Black community; on communities that have been in this province for generations and generations; for communities that have been here and are newcomers here—are recent immigrants, first or second generation Manitobans; communities that are Indigenous, First Nations, peoples of colour, peoples with disabilities. How does our criminal justice truly make it even and fair for those people?

And I think failing that review, failing such—taking such a critical and important step to ensure that that iconic statue of the Lady Justice holding those scales of justice in her hands, blindfolded—we cannot live up to that until we're honestly looking at how we can take the proper steps to assure our legal system, specifically legal aid, is truly fair and just.

Now—[interjection] Hello, can you hear me, Mr. Deputy Speaker?

**The Acting Speaker (Len Isleifson):** Yes, just hold on.

Someone—if someone could—if you're not speaking, could you please just mute your mics.

Thank you.

And the member from St. Vital, please continue.

**Mr. Moses:** I do want to just continue, also, by saying that the Legal Aid Manitoba, you know, it contributes to, you know, the efficiency of our courts in Manitoba—you know, with positive impacts on the lives of individuals and the overall health of our communities. The alternative to due process and legal aid assistance is to leave people to represent themselves in our justice system, in our legal system. And I think there are so many dangers of that happening.

And we, you know, just to talk a little bit about those dangers, it's that, you know, we could have a clogged court system for everyone that is unrepresented and unable to navigate the complexities and the variety of different legal arguments. You know, it could lead to errors that could result in wrongful convictions and wrongful judgments where someone, you know, innocent could go to jail and that's very, very problematic. Legal Aid and having a properly resourced and funded legal aid system helps to prevent some of this from occurring.

As well as—because of fear of our justice system and uncertainty about what the consequences are and what your options are, without Legal Aid and without a properly resourced and funded legal aid system, there might be individuals—innocent individuals, Mr. Deputy Speaker—who may plead guilty rather than attempting to represent themselves at trial if Legal Aid wasn't there. You know, there might be arbitrary power might be seized to those in authority because there is no one there to really advocate on the behalf of low income individuals.

Now, Legal Aid Manitoba, they fund and they oversee the delivery of services through the Public Interest Law Centre to help ensure that Manitobans are represented in cases that affect groups such as human rights, such as environmental issues or consumer law cases. Now, these types of issues, when it comes to human rights, are, as you know, Mr. Deputy Speaker, beyond individual issues. These are issues that can have a large impact on communities; on municipalities; on regions of our province; on peoples

in our province. And without the proper resources that are provided to Legal Aid Manitoba, these individuals can't—and these groups, and these causes—can't seek the same and equal justice that might—that they might deserve when it comes to advocating for fairness through our courts.

Now, as the member from St. Johns, I think, quite rightly stated in her, you know, question and her ask of the minister presenting the budget tomorrow whether there will be a funding increase for Legal Aid, I too, am quite curious to see whether there will be increased funding for Legal Aid and the important—to help them fulfill the important role that they play throughout our justice system.

And we know that our justice system is very important, but it's been highlighted—as so many other things have been highlighted—through COVID in the last 12 months that we've experienced through pandemic.

With the rise of homelessness there's also been a rise of crime, which has put a pressure on our legal aid system, meaning that funding for Legal Aid is needed now more than ever. It really is.

You know, quite often we see that this government has ignored the advice of experts in our justice system, and it has jeopardized the health and safety of staff and citizens who live here. You know, in the midst of this—in this pandemic, you know, we're seeing that there's a failure to do even the bare minimum in many cases—to keep Manitobans who live and who work in our correctional facilities safe.

We know that—and it's been stated by other speakers—expired masks were sent to correctional facilities, you know. We know that there were reports of inmates being denied testing as reported in the news, you know. There were obvious COVID outbreaks in our correctional facilities, and inmates were put into solitary confinement if they tested positive, you know.

So, this is not necessarily—this is not the best way we should be treating our people involved in our criminal justice system, whether you're serving time or whether you're working in a facility, and this comes down to—as I mentioned right off the top—about the choice that this government's making to fund our legal services, such as Legal Aid and many other services throughout our correctional facilities.

Fund them to a proper level so that they have the resources necessary to properly serve Manitobans, regardless of what state or stage they're in during their

criminal justice. Whether they're dealing with the policing or whether they are dealing with the actual court system through Legal Aid; whether they are being sentenced or whether they are going to a correctional facility or dealing with the many people they might be involved with, they ought to be a fair and balanced approach, regardless of how much money they are; regardless of their background.

And I think, sadly, we've seen a track record over the last five years of this government failing to provide enough resources for people to truly have that balance and fair regardless of their income.

Now, it was clear that, just over the last year, there are so many more examples I can give, Mr. Deputy Speaker, of this, you know. We saw that all the provincial and correctional facilities had COVID-19 during the height of our second wave in the fall. You know, we saw that, you know, there were independent investigations that were requested into correctional facilities, such as Headingley. But, you know, there was no response given by this government.

\* (16:00)

We saw that, you know, due to lack of action, there's a significant loss of trust and confidence between our correctional staff and our provincial Justice department and, you know, it's quite clear that, as the Justice department stepped in and intervened in the plan by Prairie Mountain Health authority to give first doses to inmates in Brandon Correctional Centre in the first round of congregate—the living facilities. You know, they used the—and I will say this—that the government appeared to truly use the COVID-19 as a guise to permanently suspend direct lockups in provincial remand centres.

Instead, citizens will be held in policing holding cells, which are not designed for long-term custody. And it's clear that, you know, having those proper resources as part of our legal aid system, as a proper justice system, as a proper—resources in our criminal justice system, is truly needed.

But I think one piece that—of our entire criminal justice system that, I think, Mr. Deputy Speaker, needs to be clarified, is the part where we spend more money and more time and more emphasis on the crime prevention aspect. And this happens long before, as the Minister of Justice (Mr. Friesen) puts it, people have encounters with police and run-ins with police. This happens long before that.

This part of our justice system is providing justice in many areas that keep people and keep communities

safe. This is in the aspect of providing proper housing for individuals so that they don't live on the streets, and affordable housing for peoples.

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

Just a reminder to the member that we are here to debate Bill 50, The Legal Aid Manitoba Amendment Act, and I'd just like to ask that you bring it back on topic, please.

**Mr. Moses:** Thank you, Mr. Deputy Speaker, and this goes, I think, quite closely with my argument that having a well-resourced legal aid system is important, that in order to prevent an overburdening of our legal aid system, resources also need to be spent on keeping people—preventing people from getting away from our legal system. And that's done by spending money on and helping people to get services and get the resources they need to keep them safe in their own communities.

Things like housing: we know that people who live homeless are more likely to be involved in the illegal activity. Things like raising people out of poverty, because we know, again, people who live in poverty are also more likely to be incarcerated for crime. This also involves people who are involved in drugs and addiction services because, again, Mr. Deputy Speaker, we know that when people are involved in drugs and crime and addiction that they are more likely to be incarcerated and involved in our legal system. And that's why that if we spend money on these, our legal aid system in Manitoba would have a different level of resources that it would require to actually fulfill its goal of providing balance in our system.

And so I think it's a strong—a very, very strong correlation between what we do as a community and as a society to keep people safe and provide affordable housing for people, and what we need to be doing to make sure that there's a fair and balance from our legal aid system.

There's a direct correlation between how we prevent and help people out of poverty and whether those people end up using services in Legal Aid. There's a direct correlation whether—as to the services that we're able to provide to people with addictions or drug use and the people who end up using Legal Aid services, Mr. Deputy Chair. There's a direct correlation between when we cut funding for education and those people who fall through the cracks and end up in crime and need, at some point, Legal Aid services.

These are all critically important issues that I don't think should be lost in any one of us in this Chamber, and I think that taking that step back and looking at, again, the impacts of our issues—of these issues—not just as Bill 33 describes as this Legal Aid amendment, but total impacts and the total results of these choices that this government's making on whether our criminal justice system is truly fair; whether our legal system is truly fair.

And so I argue, Mr. Deputy Speaker, that making these investments early not only go to benefit the quality of life of so many individuals in our province, but will go to lessening the resources needed on our policing force, lessening the resources needed in our legal aid system and consequently throughout our justice system. This is a way to lift people up in their own communities, by community members, and at the same time, prevent downward costs in our justice system.

Because it's quite clear that this bill is just a way for the government to spend less money. Let's be frank about that, Mr. Deputy Speaker. This is another way for the government to cut funding and to, you know, take the dollar-store approach to, you know, as they've done—shown in our health-care system, the dollar-store approach that they've shown in our education system. This is now another step to do this in our justice system.

But instead, let's make truly impactful investments in individuals, in individuals' lives, and make sure that their lives have worth and have value and that we invest in the quality of their life by investing in antipoverty strategies, in housing strategies, that will translate to less resources needed in our criminal legal justice system.

So I'll just wrap up, Mr. Deputy Speaker, as I do want to ensure that other speakers have time to speak on Bill 50, simply by saying that, you know, in response to the changes in Bill 50, you know, we are, you know, happy that Legal Aid Manitoba will have some say in, you know, in the fees and the tariffs that are, you know, being proposed for Legal Aid in Manitoba.

But we are very concerned about what this means in terms of overall cuts to funding for Legal Aid and throughout our justice system, particularly in the part of community services to prevent people from entering into crime, particularly in services at the community level that will help keep people safe, increase their quality of life and, in turn, reduce the impacts in our legal and justice system.



So thank you very much, Mr. Deputy Speaker.

**Hon. Jon Gerrard (River Heights):** I want to talk for a few minutes on this bill which deals with allowing—

**The Acting Speaker (Len Isleifson):** Sure, could you turn your video on for us please before you continue?

Excellent.

So, the member from River Heights, go ahead.

**Mr. Gerrard:** Yes. I want to talk for a few minutes about this bill, which will allow the council at Legal Aid Manitoba to set the tariffs and this, I think, is a good step.

It is important that there be enhanced flexibility at the level of Legal Aid and that the Legal Aid itself has the jurisdiction to have some flexibility in setting tariffs. There can be a wide range of effort depending on the complexity of the case and the time that has to be spent on the case and so it is reasonable for Legal Aid to have this flexibility. And we will support that and we will support this bill, as I've said at the—at second reading.

Now, we had a number of important presenters come to committee stage, and two of these presenters in particular talked about how it is not only important to make this change to have Legal Aid Manitoba set the tariffs but also how it is critically important that there be an increase in funding in the Legal Aid budget.

*Madam Speaker in the Chair*

Indeed, one of the presenters, Mr. James Beddome, talked specifically about what his suggestion was. He suggested that the Legal Aid budget be doubled, and he said it's probably the best \$40 million you could spend right now in the pandemic. Now that's saying a lot.

And while Mr. Beddome mentioned that something like 90 per cent is criminal cases, that there's also a need to expand civil litigation and expand on family matters.

\* (16:10)

Ms. Gerri Wiebe took this a little bit further and went on to indicate that even if the increase was not doubling, that any penny more would make a difference and would be really important.

She emphasized the fact that the Legal Aid funding and the actions of Legal Aid lawyers is extremely important to the having justice in Manitoba and having justice in a reasonably fair way. She

pointed out that the state—that is, the Province—has virtually unlimited resources to investigate and prosecute those charged with a 'chiminal' offence and that the funds available to Legal Aid are very limited, but the Legal Aid lawyers play a really critical role in helping individuals, who are on low income—very often individuals who are marginalized, racialized, living in poverty and often of Indigenous identity—and that is really important that they be well represented and are fairly represented.

She also pointed out how important it is for the costs of the legal aid system to be considered in the context of the whole justice system, so that proper representation by Legal Aid lawyers has the potential to save significant overall costs by making the justice system a little bit more efficient; in some cases, by making sure that individuals—the wrong individual is not convicted.

Wrongful convictions can be extraordinarily expensive if they're not identified and treated early, as we have seen in quite a number of cases over the last two decades. A cost of incarcerating individuals in Manitoba is very expensive and Manitoba has the highest incarceration rates in Canada, so that it is really important to have good Legal Aid lawyers.

The Criminal Defence Lawyers Association of Manitoba, of which Ms. Gerri Wiebe is president, indicate that they're not opposed to devolving the control of the tariff to Legal Aid management and, in fact, find that the government's objective of ensuring that Legal Aid has the ability to make adjustments quickly and manage services more effectively is, in fact, laudable.

But it hinges on adequate and reliable funding to Legal Aid, which needs, clearly, a substantial increase in funding for Legal Aid, in order to achieve equal access to justice, procedural fairness and a just and equitable criminal justice system, as whole. So this aspect of funding of the Legal Aid budget is really, really critical.

There were a number of presenters who presented with respect to the fact that this was the first bill of a number of bills which have been categorized as mystery bills—that is, that they were introduced for first reading on November the 2nd and that the contents of the bill didn't see the light of day for more than four months later. This was brought up in very strong terms by these presenters and it was argued correctly, I believe, that this is a—an affront to democracy to have such bills hidden in this kind of cavalier fashion for so long, and that we need to be

working, as we will in the Liberal Party, to ensure that in the future, if at all possible, that bills are tabled the day that they are presented at first reading.

Mr. Falconer pointed out how important it was for the long-run justice and fairness of our democracy that this happen, as indeed, we in the Liberal Party, have argued.

I want to talk for a few minutes on the prevention aspects of crime, which were touched upon by the MLA for St. James. And, clearly, this is important, and my comments, which will be fairly brief, but relate to this aspect.

One of the problems under the NDP government over 17 years was that they did not pay attention to the problem of high lead levels and lead poisoning. And as Silbergeld, he—a strong advocate for understanding the implications of high lead exposures—indicated a number of years ago, lead poisoning is the most significant and prevalent disease of environmental origin in US children. As Emer, in Milwaukee, studied, I think, close to 100,000 individuals and followed them from their lead screening tests done in their early years through to their 20s that what she found was a remarkable observation: that she was looking at violent firearms offences and came to the conclusion, after a very careful and exhaustive evaluation, that more than 50 per cent of the reason for violence—violent crime is related to lead exposure.

That's an extraordinary finding. Perhaps it is unique to Milwaukee, but other studies would suggest that it is not. And as we well know, in Manitoba we have had a history of significant lead pollution from industry from years ago and continuing gasoline in the soil, lead in water pipes, and lead paint. And because of this concern of the impact of lead exposure on crime and a careful look at the evidence which has emerged, I will give a couple of quotes here.

This is from 2016: We can either attack crime at its roots by getting rid of the remaining lead in our environment or we can continue our current policy of waiting 20 years and then locking up all the lead-poisoned kids who have turned into criminals.

And another quote: Cleaning up the rest of the lead that remains in our environment could turn out to be the cheapest, most effective crime-prevention tool that we have.

Those who want to find out more can look on my Jon Gerrard MLA web page, where we have written an extensive report which includes those quotes and the evidence to back them up.

And so, with those remarks and the comments for the MLA for St. James following up on his comments, I will pass it on to others to comment at this juncture. And I expect that we will move on to complete third reading.

Thank you.

**Madam Speaker:** Is the House ready for the question?

**An Honourable Member:** Question.

**Madam Speaker:** The question before the House is concurrence and third reading of Bill 50, The Legal Aid Manitoba Amendment Act.

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

I declare the motion carried.

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

**Madam Speaker:** We will now move to third reading of Bill 31, The Legal Aid Manitoba Amendment Act.

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** I move, seconded by the Minister from Municipal Relations, that Bill 31, The Horse Racing Regulatory Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended), reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

*Motion presented.*

\* (16:20)

**Mr. Friesen:** I'm pleased to put a few remarks on the record at third reading for Bill 31, The Horse Racing Regulatory Modernization Act.

As we indicated at second reading and debate, we have not undergone any significant regulatory changes to horse racing in Manitoba since 1965. So, perhaps our commitment as a province should be that every 50 years, whether it's required or not, we look into the regulatory possibility of updates.

So, all kidding aside, it is time for us to evolve and change with the times when it comes to the horse-racing issue and horse-racing industry.

Bill 31 is a long time overdue, but we are pleased to bring forward changes that would shift the responsibility for regulatory oversight when it comes

to Manitoba's thoroughbred and standard bred horse-racing industries, essentially as we explained at earlier parts of debate.

The legislation would amend The Liquor, Gaming and Cannabis Control Act. It would expand the Liquor, Gaming and Cannabis Authority of Manitoba's regulatory mandate to include horse racing.

As a result, that would mean that 2021 would be the last year for the Manitoba Horse Racing Commission, and it would be wound down at the end of this season. That would be the end of an era, but those who work at the commission would then be transferred to the LGCA.

We have confidence that this is the way to proceed. We have the right regulator in place right now. These duties would be—would fold very well into the existing mandate of the LGCA, and so I commend this bill to the Legislature for debate at third reading and look forward to its passage.

**Ms. Nahanni Fontaine (St. Johns):** I do just want to put a couple of words on the record in respect of Bill 31. The minister has indicated that horse regulation and the horse industry has not changed in over 65 years. Perhaps that's something that we could agree on that it is probably time to review some things.

And so, what I would put on the record is this past February 8th, it was -40° outside and there was horses that were kept on the tarmac at the airport, and those horses were on their way to slaughter.

You know, I—Madam Speaker, I have a degree in—my bachelor of arts is in environmental studies and international development. Everybody knows—everybody and their dog knows—I love animals. I'm a vegetarian; I support so many of our animal rescues and try to lift up the work that's done, and have been an advocate for animal rights—again, for many, many years.

I actually didn't know that. I didn't know—naively—I'm really ashamed to say that I didn't realize—and I don't know why I didn't realize—that—and I would suspect that many Manitobans don't realize—that every year, there's about 3,000 to 5,000 horses that are shipped to different parts of the world, predominantly Japan, that are shipped live for slaughter in a different country.

There were folks that, on that February 8th evening, were at the airport and videotaped those horses who stood for hours in -40 weather on the

tarmac on their way to slaughter. And, if you know anything about horses—which I'm not an expert by any stretch of the imagination—but you know that horses are sentient beings.

They are extraordinarily smart; they're family-oriented; they're so aware of their surroundings. They get scared, they get hurt, and it is absolutely heart-breaking to see that video footage of horses who did nothing but be horses to be stuck on the tarmac for so many hours in the freezing, utter, utter cold that none of us would be able to stay out there for that long. They were terrified.

And I do want to just put that on the record that, you know, somebody in this House is aware of that and I—certainly, I agree with Dr. Jonas Watson and Brittany Semeniuk, who have been advocating for the complete ban on the export of live horses. So I want to put that on the record.

I want Manitobans to know that every year, 3,000 to 5,000 live horses are shipped across—aboard—on their way to slaughter, and certainly, in 2021, I think that that's something that we need to address here in Manitoba.

Miigwech.

**Mr. Scott Johnston (Assiniboia):** I would just like to put a few words on the record and speak briefly in support of Bill 31, The Horse Racing Regulatory Modernization Act.

I am proud, Madam Speaker, to have Assiniboia Downs located in my constituency of Assiniboia. Assiniboia Downs has been a staple to our community as well as a proud venue complementing the province of Manitoba.

Assiniboia Downs is a world-class horse racing facility and continues to serve our province for well over 63 years. Assiniboia Downs sets professional standards as a gaming facility. The Downs also adheres to the regulations ensuring the welfare of the horses' safety that do participate in racing. I am very aware of, certainly, animal welfare, and I concur with the member of St. Johns in wanting to support the safety and welfare of the animals that do participate in racing. And the Assiniboia Downs board currently has a veterinarian on that board who is very, very instrumental in ensuring that the obligations of animal welfare are being met.

And so, speaking to how the animals are treated within the facility of Assiniboia Downs, I would say to the member that she can rest assure that all

precautions are taken for the animals' well-being while at that facility.

Madam Speaker, I enjoy the communications that I have had as the MLA with the Manitoba Jockey Club board as well as the Assiniboia Downs senior administration. They're very, very accommodating with any information that I've always wanted to ascertain in regards to the operations of Assiniboia Downs, and I've always been very appreciate of that. The Assiniboia Downs authorities do endorse Bill 31.

Madam Speaker, our government is committed to ensuring the long-term sustainability of horse racing industry in Manitoba, which is a key part of our cultural fabric. The Assiniboia Downs horse racing certainly does attract a great deal of tourist dollars, and certainly, the Province is always wanting to protect that interest. As well, certainly, horse racing does contribute a significant amount of gaming revenue to the province.

Current horse racing regulatory framework has—was established in the '60s, as the minister has indicated, and certainly is long overdue for a review. Upon review, we are transitioning the regulation of horse racing into the Liquor, Gaming and Cannabis Authority. The LGCA already regulates other forms of gating—gaming, and the LGCA is well placed to take on this additional role. The LGCA will apply a risk-based approach to regulation to find meaningful efficiencies and red tape reduction for the horse racing industry. The industry does support this initiative.

\* (16:30)

Our government continues to reduce red tape and unnecessary regulatory requirements to enhance the economic potential of horse racing in Manitoba. Our government is committed to ensuring a strong, stable future for horse—the horse racing industry. This bill modernizes the regulatory framework for horse racing, creating the foundation for eventually sustainable models for the Manitoba's thoroughbred and standard bred horse racing industries.

This bill will overhaul the current structure. The Manitoba Horse Racing Commission will be eliminated and its regulatory responsibilities will be integrated into liquor, gaming and cannabis for the reasons that I had mentioned. This will align the responsibilities for the regulation of gambling activities into one more universal agency.

As many of the regulatory functions for Manitoba Horse Racing Commission are similar to those of the LGCA, the LGCA is well-positioned and this is really

a common sense move for the long-term viability of the industry.

So, Madam Speaker, with those brief comments I do wish to certainly indicate that this initiative is well overdue and certainly makes common sense from a regulatory point of view.

Thank you, Madam Speaker.

**Hon. Jon Gerrard (River Heights):** I want to just put a few words on the record on this Bill 31, which fundamentally puts the regulation of the horse racing industry under the Liquor, Gaming and Cannabis Authority.

We're in agreement with this move, but have concerns because it's going to be very important that there is the appropriate expertise within the Liquor, Gaming and Cannabis Authority to do this well. This is—regulating the horse racing industry is very different from regulating alcohol or cannabis, and we are a little bit concerned that the horse racing will get mixed up by accident with the other things that are being regulated.

However, that being said, we hope that the Liquor, Gaming and Cannabis Authority will do a fair and just job.

I note in the bill that there's provision for the minister to make distribution of the funds. One presumes that this is—distribution of the funds will be overseen very carefully and not just in the hands of the minister himself.

But that being said, we're looking forward to this moving forward and very much hope that there's a successful horse racing season this year, and that the horses in Manitoba are cared for as lovingly as I know many in the horse racing industry do.

Thank you, Madam Speaker. Merci. Miigwech.

**Madam Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is concurrence and third reading of Bill 31, The Horse Racing Regulatory Modernization Act (Liquor, Gaming and Cannabis Control Act and Pari-Mutuel Levy Act Amended).

Is it the pleasure of the House to adopt the motion?

Agreed? *[Agreed]*

## REPORT STAGE AMENDMENTS

### Bill 24—The Legal Profession Amendment Act

**Madam Speaker:** As indicated earlier, we will now move to report stage amendments of Bill 24.

And I understand there is an amendment.

So I will call report stage amendments, Bill 24, The Legal Profession Amendment Act.

I understand that the honourable member for River Heights has an amendment. The honourable member for River Heights?

Could he unmute, please.

**Hon. Jon Gerrard (River Heights):** I also need to have my colleague, the MLA for Tyndall Park, open her video 'sho' she can be seen. Okay, she's present. Thank you.

I now move, Madam Speaker, seconded by the MLA for Tyndall Park,

*THAT Bill 24 be amended in Clause 6, in the proposed subsection 25.2(1),*

*(a) in the part before clause (a), by adding, "at the request of the society," after "Lieutenant Governor in Council"; and*

*(b) by adding the following after clause (b):*

*(b.1) specifying when a limited practitioner may be—must be supervised by a lawyer;*

**Madam Speaker:** It has been moved by the honourable member for River Heights, seconded by the honourable member for Tyndall Park (Ms. Lamoureux),

*THAT Bill 24 be amended in Clause 6, in the proposed subsection 25.2(1),*

*(a) in the part before clause (a), by adding—and I quote, "on the request of the society," after—and I quote, "The Lieutenant Governor in Council may"; and*

*(b) by adding the following after clause (b):*

*(b.1) specifying when a limited practitioner must be supervised by lawyer.*

The report stage amendment is in order.

Debate can proceed.

**Mr. Gerrard:** Yes. Madam Speaker, I will explain the rationale behind this amendment.

When we had the presenters at the committee stage, one of the presenters was from the Law Society of Manitoba and the suggestion was made that there be input from the Law Society into the regulations or changes in regulations. And so this, at the request of the society, refers to the Law Society, is added there so that there can be a source from the Law Society for changes which are requested.

The second piece here is adding, after clause (b), specifying that a limited practitioner must be supervised by a lawyer. It was suggested by—I think it was two presenters—that the limited practitioners be supervised by a lawyer rather than saying that in all circumstances, the limited practitioner needs to be supervised by a lawyer because there could be some circumstances where this may not be necessary.

That giving, under the bill, the provision that it be clear when there needs to be supervision by a lawyer and clearly for many circumstances that a limited practitioner would be working there will need to be supervision by a lawyer and this clears an ambiguity in the bill as it was initially presented.

One of the—when we initially requested, the request was made that there be two amendments, our legal counsel put both amendments into one. If it were to happen that the government would accept one but not the other, it might be we would be okay with all-party consent to one but not the other of these two changes.

So, with those few explanatory remarks and those comments, I move it on to members of the government and the members of the official opposition to comment.

**Madam Speaker:** Is there any further debate on this amendment?

**Hon. Cameron Friesen (Minister of Justice and Attorney General):** Madam Speaker, I'm pleased to respond to the amendment as proposed by the member for River Heights.

\* (16:40)

We were pleased to bring this bill in to bring the changes and to do so on the basis that the—that there was broad support for changes to essentially articulate a new role in the field of law: for practitioners with a limited scope to be able to provide services. Why? Because in our justice system, we have found that too often, people have to wait for justice, people have to wait for legal services. People can spend too much time waiting. They can spend too much money in

getting those legal services. And this proposal to bring a new category of legal provider then helps to alleviate and directly address some of those concerns.

I do want to catch up the member, though, and indicate to him that subsequent to that committee, of course, members of my department have been in contact with the Law Society of Manitoba. I can tell that member that there was lots of consultation with the Law Society of Manitoba regarding the bill, as it was developed, prior to first reading, prior to second reading, prior to the committee stage.

So I would want to also make clear that subsequent to the committee, there have been renewed discussions by the Department of Justice with the Law Society of Manitoba to address concerns. My own deputy minister has been in contact with the Law Society of Manitoba to re-engage with them and to seek to understand the concerns that they were making.

I want to make clear that we believe there is nothing that needs to be amended in order to satisfy the concerns of the Law Society of Manitoba. We have continued to engage and will continue to engage, and we commit to resolve any concerns that they have with this particular section of the act.

Thank you, Madam Speaker.

**Madam Speaker:** Is there any further debate on this amendment?

Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is the amendment brought forward by honourable member for River Heights (Mr. Gerrard).

Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

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

#### Voice Vote

**Madam Speaker:** All those in favour of the amendment, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

I declare the amendment lost.

\* \* \*

**Hon. Kelvin Goertzen (Government House Leader):** Could you please call for third reading of Bill 24?

#### CONCURRENCE AND THIRD READINGS (Continued)

##### Bill 24—The Legal Profession Amendment Act

**Madam Speaker:** It has been announced that the House will now move to third 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 Agriculture, Resource and Mineral Development—Agriculture and Resource Development, that Bill 24, The Legal Profession Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

**Madam Speaker:** It has been moved by the honourable Minister of Justice, seconded by the honourable Minister of Agriculture and Resource Development (Mr. Pedersen), that Bill 24, The Legal Profession Amendment Act, reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

**Mr. Friesen:** I'll put some brief comments on the record at this third reading of The Legal Profession Amendment Act.

As I stated in my comments just previous, we know that access to justice is a concern of this government. It is a concern to the legal community and it is a concern to the public.

So, the provision of law in Manitoba is complicated. It takes time. It is undertaken by lawyers and it will continue to be that way. It's the responsibility of the Law Society of Manitoba to protect the public interest in the delivery of law services in this province, and that will not change.

However, the Law Society has been exploring better ways to deliver legal services, and they have noted these unmet legal needs. So there's a need to innovate, as there has been in other provinces where we have seen similar but not identical moves to provide new categories of workers, who can provide some legal services that are carefully scoped, and scoped by the Law Society, in order to provide

affordable alternatives for legal information, for advice and representation in Manitoba. So, again, I want to underscore that we have been in careful contact with the Law Society of Manitoba throughout the development of the amendments to this bill, and that these amendments are designed—or these legislative changes are designed to be able to create that new practitioner category of non-lawyers who would be able to provide certain legal services.

It would be the Law Society that would determine exactly what these services would be. We can anticipate, though, that these additional individuals working in this new field would be able to offer additional services, would be able to accelerate certain legal requirements, would be able to operate in some cases under the direct supervision of lawyers. There would be all kinds of careful consideration to how to safeguard the public during all of these things, and the Law Society would continue to ensure that the requirements and safeguards are put in place and that would be proportionate to the kind of legal services being provided.

So, Madam Speaker, we support this bill. We believe it's here for good reason. We do not believe it needs amendment today. I wanted to simply reinforce again that even subsequent to the committee, we have once again re-engaged with the Law Society of Manitoba. We are—we have confidence that we can meet and address whatever concerns the Law Society continues to have outside of legislative amendments. We want to see these changes passed because it is Manitobans who will benefit from the changes that are being proposed here today.

Thank you, Madam Speaker.

**Ms. Nahanni Fontaine (St. Johns):** I'm going to just put a couple of words on the record.

First, I do want to thank everyone that made presentations at the Standing Committee meeting—not last week, the week previous—in respect to Bill 24, The Legal Profession Amendment Act.

There seems to be—obviously, there was support for the creation of this new limited practitioner to operate within the justice system here in Manitoba. And so it would be a limited practice, and folks would be required to work under the guidance and expertise of a lawyer. And so, as I said previously in second reading debate, certainly I think that it's important to recognize that the justice system needs a little bit of help. We know that things are backlogged. We know that—especially, I think that COVID has really shown

us that we need to do things a little bit, perhaps, differently.

My concern still remains, and I hope that this will be something that is addressed. I hope that the minister will take these concerns seriously, and that is in the establishment of this new crop of folks, these limited practitioners that will be working. My hope is that there will be criteria or that there will be a concerted effort to ensure that all kinds of Manitobans are trained in this new limited practitioner field. And by that I mean, you know, as I shared here in the second reading, so I'm not going to rehash it.

I think it is important that the judiciary is representative of all Manitobans, which includes Indigenous peoples being trained as limited practitioners, Black Manitobans, people of colour Manitobans, Muslim—I think that everybody gets the gist of what I'm saying. It's important that people, when they come before—when they're accessing justice services that they see themselves reflected.

And so I hope that this will be something that the minister keeps an eye on, and, if need be, does help to ensure that there is those representative Manitobans that are working and operating within this new apparatus.

\* (16:50)

Again, Madam Speaker, like I said, I think that there was general consensus and appreciation for this from the folks that presented at committee. And I will leave my comments there.

Miigwech.

**Madam Speaker:** Is there any further debate?

**Hon. Jon Gerrard (River Heights):** Just a few comments on this law now at third reading.

We're certainly in favour of having limited practitioners who will work in the legal system in certain specified areas following education and training requirements as regulated by the Law Society. This will allow the Law Society to make rules that prevent specified classes of people who are not lawyers to provide certain specific legal services as set out in the rules. And the Law Society may impose conditions and restrictions on people who are permitted to provide these legal services.

Clearly, it is really important that the government—Province is working very closely with the Law Society in this respect. I had brought in an amendment earlier on which attempted to clarify the relationship

between the Law Society and the government, that it was very important for the government and the Law Society to be on the same page, and that the government, you know, could get into trouble by making changes without working closely with the Law Society.

We also noted that there are concerns which were expressed as committee stage with regard to the extent to which those who were limited practitioners would need to be supervised by a lawyer. And the general impression from presenters was that there would need to be supervision by a lawyer, although there could potentially be some areas of practice where this might not be necessary.

That being said, I take the minister at his word that he and his department have looked very carefully at these relationships after the committee meeting, and hope that the result will be beneficial to the practice of law to helping to improve the speed and the efficiency of the provision of law to help to improve the work of lawyers, but to do that in a way that will be fair and just and help our overall legal system.

So with those few comments, Madam Speaker, I look forward to these changes being enacted and to the arrival in Manitoba of limited practitioners in the area of law.

Thank you.

**Madam Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is concurrence and third reading of Bill 24, The Legal Profession Amendment Act.

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

**Hon. Kelvin Goertzen (Government House Leader):** Madam Speaker, is it the will of members to call it 5 p.m.?

**Madam Speaker:** Is it the will of the House to call it 5 p.m.? *[Agreed]*

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



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, April 6, 2021**

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