

Fifth Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Justice

Chairperson
Mr. Ron Schuler
Constituency of Springfield-Ritchot

Vol. LXXVII No. 1 - 6 p.m., Tuesday, April 25, 2023

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
AL TOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne, Hon.	Lac du Bonnet	PC
FONTAINE, Nahanni	St. Johns	NDP
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	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek, Hon.	Interlake-Gimli	PC
JOHNSTON, Scott, Hon.	Assiniboia	PC
KHAN, Obby, Hon.	Fort Whyte	PC
KINEW, Wab	Fort Rouge	NDP
KLEIN, Kevin E., Hon.	Kirkfield Park	PC
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
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REYES, Jon, Hon.	Waverley	PC
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SANDHU, Mintu	The Maples	NDP
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SMITH, Andrew, Hon.	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James, Hon.	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
<i>Vacant</i>	Morden-Winkler	

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON JUSTICE**

Tuesday, April 25, 2023

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Ron Schuler
(Springfield-Ritchot)**

**VICE-CHAIRPERSON – Mr. Reg Helwer
(Brandon West)**

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Messrs. Goertzen, Smith (Lagimodière)

Messrs. Helwer, Sandhu, Schuler, Wiebe

PUBLIC PRESENTERS:

Bill 19–The Provincial Offences Amendment Act

David Grant, private citizen

MATTERS UNDER CONSIDERATION:

Bill 6–The Manitoba Public Insurance Corporation Amendment Act

Bill 12–The Minor Amendments and Corrections Act, 2023

Bill 15–The Court of King's Bench Amendment Act

Bill 18–The Legislative Security Amendment Act

Bill 19–The Provincial Offences Amendment Act

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Clerk Assistant (Ms. Katerina Tefft): Good evening. Will the Standing Committee on Justice please come to order.

Before the committee can proceed with the business before it, it must elect a Chairperson. Are there any nominations?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): I nominate MLA Schuler.

Clerk Assistant: MLA Schuler has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Schuler, will you please take the Chair.

Mr. Chairperson: Our next item of business is the election of a Vice-Chairperson. Are there any nominations?

Yes, sir. *[interjection]* Oh, I have to—I'm sorry. It's different than caucus.

Hon. Andrew Smith (Minister of Municipal Relations): I nominate MLA Helwer.

Mr. Chairperson: Mr. Helwer has been nominated, and I guess he acquiesces.

So, any further nominations? Calling once, twice, three times—gone. Well done, you won another election.

Hearing no other nominations, MLA Helwer is elected Vice-Chairperson.

The meeting has been called to consider the following bills: Bill 6, The Manitoba Public Insurance Corporation Amendment Act; Bill 12, The Minor Amendments and Corrections Act, 2023; Bill 15, The Court of King's Bench Amendment Act; Bill 18, The Legislative Security Amendment Act; Bill 19, The Provincial Offences Amendment Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill except by unanimous consent of the committee.

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process of speaking in committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations with another five minutes allowed for questions from committee members.

Questions shall not exceed 30 seconds in length and no time limit for answers. Questions may be addressed to presenters in the following rotation: first, the minister sponsoring the bill; second, the member of the official opposition; and third, an independent member.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list.

If the presenter is not in attendance when their name is called the second time, they will be removed from the presenters' list.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it is an MLA or a presenter, I must—have to say the person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Thank you for your patience.

Bill 19—The Provincial Offences Amendment Act

Mr. Chairperson: We will now proceed with public presentations.

I would like to call for Bill 19, Mr. David Grant, private citizen.

Mr. David Grant, would you please come forward. Mr. David Grant, I will call your name a second time. Mr. David Grant, would you please come forward and make your presentation. He has been dropped to the bottom of the list. I'll call one more time. Mr. David Grant, to make a presentation.

As he is not here—oh, that concludes the list of presenters I have before me.

* * *

Mr. Chairperson: In what order does the committee wish to proceed with clause-by-clause considerations of these bills? *[interjection]* Recommendation's numerical order.

Mr. Matt Wiebe (Concordia): I apologize; I sort of had indicated I wanted to speak prior to this part of the proceedings and it might be, I guess, maybe a point of order, just asking the indulgence of the committee.

The reason I interject at this point is I know that this is a slightly different format that we've had in the past with regards to virtual participation and in-person participation. I'm wondering, is there a way and maybe it's to the clerk as much as the Chair, that we can, if the presenter was to come, that we could, maybe we could leave bill—sorry, it was Bill 19, leave that potential for a presentation on Bill 19 until we get 'til—to Bill 19. In other words, we deal with the business of dealing with the other numerical bills—bills in numerical order. When we get to Bill 19, call for another, you know, opportunity for the presenter, maybe if he's joined late. Just wondering if that would be something the committee would entertain.

Mr. Chairperson: Is that agreed to by the committee?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): Yes, only for Mr. Grant who's pre-registered.

Mr. Chairperson: Okay. Only for Mr. Grant. And we'll start going through the—*[interjection]*

It has been agreed by the committee that we will go in numerical order, and when we get to Bill 19, if Mr. Grant were to show, he will be allowed to make a presentation at that time. I see no further disagreement on that.

I'm moving on. Mr. Helwer has a question.

Mr. Reg Helwer (Brandon West): So, is it possible that this is a one-time exception, not a precedent that we can set for other committees?

Mr. Chairperson: That is—as this was done by leave, this is a one-time. This is not written in any rules.

Bill 6—The Manitoba Public Insurance Corporation Amendment Act

Mr. Chairperson: So, all right. We are going to go by numerical order, and the first bill that we are going to have is—does the minister responsible for Bill 6 have an opening statement?

Hon. Kelvin Goertzen (Minister responsible for the Manitoba Public Insurance Corporation): So, what I normally do is if there's questions at second reading, I provide the answers at committee; I don't sort of go through the second reading speaking points again. And there weren't any questions, I understand, at second reading.

So, you know, I'll just—suffice it to say that these are additional benefits that are being added for those who might fall under the Personal Injury Protection Plan, and so, it—and income replacement indemnity coverage, it provides greater coverage in a relatively small class of areas as described at second reading.

Mr. Chairperson: We thank the minister for his opening statement.

Does the critic for the official opposition have an opening statement?

Mr. Wiebe, the official critic, for a statement.

Mr. Matt Wiebe (Concordia): That's quite official, and I appreciate your making sure you introduce me in such a dignified manner.

Just a few comments with regards to Bill 6. Of course, we know that Bill 6 brings forward three main changes. It expands the ability to reclaim funds from

people who have made fraudulent claims. It changes the criteria for qualifying for income replacement due to an accident; those with only part-time—a part-time job or a—in some cases a job offer would still be eligible under this bill to receive some kind of income replacement. And it allows MPI to pay funds in trust to a person on behalf of someone with impaired and cognitive functioning.

While we certainly don't take any issue with any of the changes that are made in Bill 6, I would be remiss if I didn't point out the ongoing mismanagement and lack of information coming forward from MPI. This government's mismanagement of the technical upgrades and computer system upgrades that are happening at MPI, with regards to Project Nova, are a major concern. And we do hope that we can get further information on exactly how deep this issue goes, so we'll look forward to bringing that up at every opportunity we can and look forward to more information forthcoming from the minister.

Thank you.

Mr. Chairperson: We thank the official opposition critic for his opening statement.

During the consideration of a bill, the enacting clause and title are postponed 'til all other 'causes' been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 12—The Minor Amendments and Corrections Act, 2023

Mr. Chairperson: Bill 12, The Minor Amendments and Corrections Act, 2023.

Does the minister responsible for Bill 12 have an opening statement?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): Just briefly, again, significant comments made at second reading on this bill; no questions were left to be answered at the committee.

This is an omnibus bill, but not an ominous bill. It's a—minor corrections that is the usual course in the Legislature, where departments compile relatively small changes or typographical errors or changes to translation, and then every year, a minister is assigned to bring forward the bill and have those changes made. And I have been fortunate enough to be assigned this task for a number of years, and I bring forward the minor amendments bill for 2023.

* (18:10)

Mr. Chairperson: We thank the minister for his comments on Bill 12 and the fact it's omnibus, not ominous.

Does the official opposition critic have an opening statement?

An Honourable Member: Thank you very much, Mr. Chair. Yes, I guess I should—

Mr. Chairperson: I'm sorry. I have to acknowledge you yet. I thought that was.

The—Mr. Wiebe, the official opposition critic.

Mr. Matt Wiebe (Concordia): Thank you very much, Mr. Chair. I guess I'll get in on the wordplay as well. You know, every time the minister calls this—or says that it's not ominous, I start to maybe realize that I should be reading more carefully because there's got to be something in here that is, in fact, ominous. But, no, I think this is—there's still an opportunity at third reading, as the minister has rightly pointed out.

Otherwise, we know that this bill, Bill 12, as it does every year, corrects typographical, numbering, other drafting areas—errors, as well as making minor amendments to various acts and regulations. And we look forward to seeing this bill move forward.

Thank you.

Mr. Chairperson: We thank the official opposition critic for his opening statement.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call block clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where the members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Shall clause 1 pass?

Some Honourable Members: Pass.

Mr. Chairperson: Shall two—clause 2—[*interjection*]—clause 1—pass; clauses 2 through 4—pass; clauses 5 and 6—pass; clauses 7 through 9—pass; clauses 10 through 12—pass; clause 13—pass; clauses 14 through 16—pass; clauses 17 through 19—pass; clauses 20 and 21—pass; clauses 22 through 25—pass.

Shall clauses 26 through 28 pass?

Some Honourable Members: Pass.

Mr. Chairperson: Clauses 26 and 28 are accordingly passed. *[interjection]* Oh, I ask the committee's indulgence. There's something wrong with my script. So I will repeat that.

Clauses 26 through 28—pass; clauses 29 through 31—pass; clause 32—pass.

Shall clauses 35 to 35 pass? *[interjection]* Clauses 33 through 35—pass; clauses 36 through 38—pass; clause 39—pass; clauses 40 through 42—pass; clauses 43 and 44—pass; clauses 45 and 46—pass; clauses 47 and 48—pass; clause 49—pass; clauses 50 and 51—pass; clauses 52 and 53—pass; clause 54—pass; clauses 55 and 56—pass; clauses 57 and 58—pass; clause 59—pass; schedule 1—pass; schedule 2—pass; schedule 3—pass; schedule 4—pass; schedule 5—pass; schedule 6—pass; schedule 7—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 15—The Court of King's Bench Amendment Act

Mr. Chairperson: Does the minister responsible for Bill 15, The Court of King's Bench Amendment Act, have an opening statement?

He does.

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): The senior master of the Court of King's Bench is compensated at the same level as the associate chief judge of the provincial court. When an associate chief judge completes their seven-year term, if they choose to continue serving as a regular judge, they are entitled to be paid at the associate chief judge level of pay if it is greater than the current pay of a regular judge. But it was recently identified that a senior master does not have the same entitlement under the law.

This will rectify that irregularity. It was identified by the Judicial Compensation Committee, of which we are bound to follow.

Mr. Chairperson: We thank the minister for his opening statement.

Does the critic for the official opposition have an opening statement?

Mr. Matt Wiebe (Concordia): Bill 15 amends The Court of King's Bench Act to establish the salary for a person who resigns as a senior master but continues to

act as a master. By doing this, it would make sure that salary scales align with seniority.

We support the changes made in Bill 15. We're also hopeful that this change will help with the retention of existing staff because there remain significant staffing shortages in our justice system. In some cases, this is causing unacceptable delays in the administration of justice, which must be taken very seriously.

In particular, the high vacancy rates among prosecutors is concerning, especially since it is caused, in part, by high levels of burnout among prosecutors. Much needs to be done by this government to support professionals in our justice system.

Mr. Chairperson: We thank the official opposition critic for his opening statement.

During the consideration of a bill, the enacting clause and title are postponed until other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 18—The Legislative Security Amendment Act

Mr. Chairperson: Calling Bill 18, The Legislative Security Amendment Act. Bill 18, The Legislative Security Amendment Act.

Does the minister responsible for Bill 18 have an opening statement?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): Significant comments put on the record at second reading, and I know many members have talked about the need for greater security in the precinct of the Legislature.

There can be sometimes disagreement about the form and substance of which that takes, but we are committed to ensuring that those who work in this building, those who visit this building, those—which would include schoolchildren and others—and those who protest at the building have an expectation of safety.

This will extend the ability for legislative security to act upon issues that are happening on the vast majority of the portion of, but not all, of Memorial Park, across the—across Broadway.

Mr. Chairperson: We thank the minister for his opening statement.

Does the critic from the official opposition have an opening statement?

Mr. Matt Wiebe (Concordia): I just wanted to take this opportunity once again to thank all of our legislative security and peace officers that serve here in the building and on the precinct, many of whom are actually here tonight and probably more so because we're having committee; many members of the public now need to access this building.

And so I wanted to take another opportunity—I did so in second reading, but I'll take the opportunity here at committee to do the same, to just thank them and, you know, talk about how much we appreciate the work that they do. And, ultimately, the work that they do to, as I said, make the building accessible, especially at a important time of year like this where we are having committee and we are inviting people to come to this building.

It's an important part of the job as legislators that we open ourselves up, obviously, to our constituents and to the people of Manitoba as individuals, but that we also do so as a body, as a collective here at the Legislature and that we remind people that this is their building. This is the people's building, and we want to make it as accessible as possible while making sure that everybody stays safe while doing so.

* (18:20)

So, I think this changes that are being proposed in Bill 18 certainly help with some of those concerns. There are some concerns with regards to the actions taken by this government, and I guess my criticism at second reading and—still remains now, that this bill maybe doesn't go far enough in terms of ensuring that we have the correct balance of responsibilities by our peace officers and the co-ordination between Winnipeg police, in this case, and the people that work in this building. But I do think that it certainly is something that we would support otherwise.

The other comment that I would make that I'm not sure if I put on the record for bill—at second reading of Bill 18, was that this includes Memorial Park but does not include, from what I understand, the section of Memorial Boulevard that is right in front of the Legislative Building.

And we know that during times of celebration—certainly we know Pride is coming up, that's a great opportunity for people to gather—it's one of the staging points that we use. But, you know, even during protests, times of protest or times of people gathering to send a message, that portion of the street is used and continues to be a gathering point for people.

And so I'd simply just suggest to the minister that, you know, if we were to, you know, to have any changes to this bill, that would be one that would be I think productive, to include Memorial Boulevard to allow at least that section—I think it's called the mall or has some sort of designation—but directly adjacent to Memorial Park, that there would be some benefit to having that also under the purview of the building security.

So I think these are changes that are needed. They certainly were needed when this—the building was made inaccessible by protests that were disruptive to the point of disrupting not only the people that work in this building, but people in surrounding—the surrounding community.

I think we need to make sure that we send a clear message to those folks that we want to keep them safe but we also want to welcome them to this place. We want to welcome them to the Legislature, to the grounds of the Legislature, as I said, in times of joy and celebration and community gathering, but also in times where they need to express, by gathering together, their dissatisfaction with the government.

So we support this bill, but we look forward to further changes that will enhance the security of this building.

Thank you.

Mr. Chairperson: We thank the official opposition critic for his opening statement.

During the consideration of a bill the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass, clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

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Bill 19—The Provincial Offences Amendment Act (Continued)

Mr. Chairperson: We are going to move on to Bill 19, and as previously agreed to, we are going to allow one presentation to take place. I do, however, have to read the guidelines so that we all know.

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee.

In accordance with our rules, a time limit of 10 minutes has been allotted for the presentation, with

another five minutes allowed for questions from committee members.

Questions shall not exceed 30 seconds in length, with no time limit for answers. Questions may be addressed to presenters in the following rotation: first the minister sponsoring the bill; second, a member of the official opposition; third, an independent member. And the rest we've already covered.

I am calling Mr. David Grant to come forward for his 10 minutes of presentation. Mr. Grant, would you please proceed.

David Grant (Private Citizen): Thank you. Not used to doing this. I was just thinking back as I waited downstairs that I think my last one here was eight years ago and then 10 years ago, so I don't come often. But there's usually a huge crowd, so this is obviously an off evening.

I guess the idea of The Provincial Offences Act, it makes sense if you've got a \$10 parking ticket that you don't want to waste a lot of officials' time fighting it. So that part made sense.

And, theoretically, even a speeding ticket mailed to you by a machine or that they mailed out tickets, theoretically, don't affect your licence, et cetera, your privileges.

But, in reality they do. So if you have a three—or, if your car with your kid driving has three offences, when you go for a real court session—traffic court—they will look at that and waive any kind of generosity they might have had. So, there are some myths about the system that these aren't just money, they do affect us.

And I guess the other—I guess, since we should be dealing not with photo radar and Provincial Offences Act, but with these specific changes to the act. The idea that a ticket can be edited, I think that's always been the case.

I was with a friend who was a speeder; I had friends like that back then, and—probably late '60s in Ontario. And I remember it took a long—they had delays then too. It's not just our courts that have delays. So, the hearing—it's just, minor thing, but the hearing was many weeks later and there was a 60-day limit in Ontario in those days to edit a ticket. So, when it came through and the address was wrong, you know, the location of the thing was wrong, the court wanted to change it and they couldn't because of the time limit, but then they said, oh, there's a loophole;

we can write you a new ticket. So apparently, tickets can be written months afterwards.

But just the idea that—so, codifying this, as this bill—this modification to bill 21 does—19 does, codifying it may result in changes in real-world practice. I've heard of people in this year receiving tickets that used location: Winnipeg. And if you got a ticket mailed to you that says something happened in Winnipeg, whether it has the date or not, that doesn't really enable you to speak to the issue.

So, if codifying the editing, as this bill does, results in a greater frequency of really vague ticketing, the feeling that people have—I'm not one of them, I'm not speaking for me because I'm fairly careful; I can go five trips across the US, coast to coast, in a year and never see a policeman other than at a coffee shop. But the feeling that people will have, the feeling of injustice, will be accentuated.

And so we—I think that—I'm not sure we're at a good balance between efficiency—because we all want efficiency, we don't want to waste money on courts, on deliberations—but efficiency versus the feeling of justice. So, that's the main reason I'm here is that I think maybe we're headed into the efficient end of the spectrum and have lost track of the number of people that are going to be just seriously annoyed about the process.

And it's one thing—I think there's a huge difference, too, and I argued this before photo radar came in here—came to Winnipeg that a ticket handed out by an officer—you're in a rush and you get pulled over and officer comes up and says, you know, does his stuff, hands you the ticket. You know darn well what you did, and most people tend to apologize at that point.

Two weeks later, you're in your family grouping and somebody's opening the mail and, oh, my God. Well, (a) there's a basic denial because that's what people do, and then there is the real uncertainty: the heck was I doing over there?

You know, so, the feeling of injustice is something we should not be instilling in our people. We want them to not speed and we want more ticketing and so on, and I'm a firm believer in officers with ticket books as opposed to machines because of those reasons. And I'm just saying that that's—by making these changes, we move further from the old ways to the new efficient ways of not allowing arguments and so on.

One of the other big problems with machine-determined enforcement is that Manitoba does not—well, not Manitoba, the City, because that's who does most of it; all their committees don't believe in measurement. Now, I spent many decades as an engineer and we did a lot of measurements and testing and so on, and if there was ever a critical measurement, we would have to check it against some other similar means of measurement.

And I—other regions, other jurisdictions will have a ghost car. So, the ghost car has a calibrated speedo, it goes through what's a known radar trap and it goes through it 13 over, and we just see what the results are. And we do that many times. And if the results are all within a mile or two of the real speed, we have a great system. If we go through there at 13 over and we keep getting 17 and 18 tickets, that's a problem.

But, in Manitoba, we'll never know because Winnipeg doesn't believe in measurement, and courts generally don't either. Courts run on a—some other kind of system than science does on real experiments.

* (18:30)

So that's just one of the problems that the degree to—and we—there are known methods of cheating if you're the photo radar guy. Not going to get into them here, but they exist. And the people that sell the toys—the enforcement tools—they say you can't do this. You know, they have rules. But they're not enforcing it, and our people aren't either.

So that's all. Just, you know, that idea that if we're going to go for the efficient stuff and not allow it to be challenged in court—and I think that's the direction we're going—then it would be nice if it was assuredly accurate. And you do that with a ghost car. There are other means, but that's the simple way.

The people that sell the machines have a button on the front that says calibrate. So you push the button, and it says, yes, I'm right, whether it is or not. And the—when you're using laser away from the road—like, at the side of the road, you measure the exact speed. When you're down a side street, there's a sign—an angle that you have to correct for. If you tweak the angle, you get magnified numbers. So the machine is happily reading exactly what it says it should be doing, but because the guy's changed his position and the machine doesn't know that it got moved, you get inflation of numbers. And that part is up to the guy operating.

So it would be nice if the City was required, you know, in the legislation, to use ghost cars, use some secondary means of calibration.

For that matter, it would be nice if the City actually followed the rules you guys set up for it 20 years ago—more than 20 years ago. Because that was supposed to be—PE is a safety tool. It's used to make intersections like McGillivray and Kenaston safer, and it was there for a while, and then it disappeared.

So the idea the Province had in those days was that if you're going to use this tool, it's going to be for safety, and every place you use it, you're going to have a little report, little paragraph that says we used it at this intersection, and it did these good things. It reduced this kind of collision; you know, the T-bone red light, beginning-of-red-cycle collision. So you can use the tool, but only in the direction of making it safer, and prove it once a year.

I believe that the City has not done that once in 20, 21 years, so that's disappointing. And, you know, that's just maybe an inspiration to go—to revisit the authorization act, because that has never been met, and the City doesn't seem to care that it isn't conforming to what you guys set out for it.

But, anyway, that was all. Just the public perception is something that I think—it'd be nice if we weren't thoroughly annoying 100 people a year who didn't realize that they were speeding and so on, and I think I heard the chief say recently that the only cost-effective way of controlling speed—

Mr. Chairperson: Mr. Grant, you have one minute.

D. Grant: —oh, okay—is with machines. And I think that there are places in North America that have half the fine regime we do, and they make a profit at it. So I think it's hugely profitable, photo radar.

But, getting back to the act at hand. I don't think there's any chance you're going to back down on any of these changes, but just to keep in mind that the edit—the sanctifying edit—could result in some really vague ticketing by people that are too whatever to do it right, and you'll really vex a few more people.

So that's about it. Thank you for—

Mr. Chairperson: Thank you very much, Mr. Grant. If you would please stay at the podium.

Minister, do you have a statement or a question?

Hon. Kelvin Goertzen (Minister of Justice and Attorney General): More of a comment. Thank you, Mr., for—Grant, for being here tonight. I won't sort of delve into the photo radar comments; that largely exists in another department, in transportation. But I want to give you some assurance that this isn't purely or even substantially about efficiency as it is more about, you know, standardizing how tickets change between—or, tickets and information. So there's, you know, similarity between the two. And then also clarifying what can be used as an addendum or an attachment to a ticket as evidence. Because I think that there's different applications that sometimes maybe can happen in the court system—

Mr. Chairperson: Minister, that was your 30 seconds.

D. Grant: Okay, thank you very much for that. And, yes, I think my comments stand and I appreciate that it isn't all for efficiency; it's for—and there is an efficiency in having written stuff instead of having a whole bunch of uniformed officers—like decades ago, we'd have a room full of uniformed officers just in case they were called for as witnesses. And that's a huge waste of time. And so I do support the bill from that point of view.

Mr. Chairperson: Thank you, Mr. Grant.

Mr. Matt Wiebe (Concordia): Thank you very much, Mr. Grant. Thanks for taking the time to come down here. I appreciate that it sounds like you read the bill, you're quite knowledgeable about it, so I appreciate your perspective tonight.

Just a question: Do you think that this bill makes our streets safer, our—you know, in terms of traffic? Do you think that this is—enhances safety on our streets, makes things—you know, encourages people to be, you know, following the rules? And if not, is it—what would you suggest would be the best path to ensure that people follow the laws on the road?

D. Grant: My position is, as it was before PE came, that more uniformed officer enforcement is the key, because it comes with points that if you're—if you have the money, you can collect up a zillion photo tickets and it doesn't affect your ability to drive. You just pay them and you're done. And—I mean, that's going to cost you a lot of money, but it doesn't change behaviour.

And I think that the enforcement by real people would make a huge difference. And I think that the driving I've done around Winnipeg in the last

20 years, very seldom see a uniformed cop with a radar gun.

And the one thing that we could do instead of this kind of change and instead of efficiency there, is build little hiding places for traffic cops. If you have bushes or a big welcome-to-Fort-Richmond sign and a good place for a patrol car to sit and zap the speeders, because that would really change behaviours.

And that's what the police did when I—in the '60s when I was a teenager, and we got to know—and we smartened up right away. So that—if you want an improvement, it would be build little duck blinds for cops.

Mr. Chairperson: Further questions?

If committee—no further questions, thank you, Mr. Grant, for coming out this evening.

* * *

Mr. Chairperson: Does the minister responsible for Bill 19 have an opening statement?

Mr. Goertzen: At second reading question period, MLA Wiebe asked the following question: So, what I was asking about was the number of tickets that would be otherwise quashed because of minor, you know, issues with the ticket that could now be corrected by the magistrate. And appreciate the minister if he could just bring that information to the committee stage.

This is the answer I've received from officials: Under section 11 of the act, a justice currently has the ability to correct an irregularity or minor error in the form or substance of a ticket as long as it does not prejudice the defendant. Bill 19 will standardize the rules and language for amending and quashing tickets so that it is consistent with the provisions for amending and quashing and information. It clarifies that a justice can delete, add or change the wording of a ticket and grant an adjournment if necessary for the matter to be fairly decided.

The department does not track the number of tickets that have been quashed due to minor irregularities; there is no way to determine hypothetically whether a justice who quashed a particular ticket under the current regime might have corrected the ticket instead under the amended wording. However, it is likely the outcomes would not differ in most cases because, as noted, the power to correct minor errors and irregularities in tickets already exist. Bill 19 simply clarifies the language to make it consistent with information.

Mr. Chairperson: We thank the minister for his statement.

Does the critic from the official opposition have an opening statement?

Mr. Wiebe: I appreciate the answer coming from the minister and appreciate that he's passed that along from his department. I think that's helpful in understanding how this bill is potentially useful or helps clarify the situation.

And you know, ultimately, I think what we're trying to do or what this bill is attempting to do is to help with some of the clerical errors and some of the small errors that could—can occur based on human error by our peace officers, right? This is pretty common stuff.

And it's funny, the reason I asked the question at second reading and made the statement in my comments there was because anecdotally, in talking with a lot of people, this is a situation that many are aware of; either it's happened to them or somebody that they know.

So it was quite interesting to me to know that this will be further codified. And again, anything that would support our peace officers I think is something that we want to pursue.

* (18:40)

I do take note of Mr. Grant coming here tonight and I appreciate his insight and his perspective as well. I do think that there are a number of people who want to know that any changes that are made with regards to traffic tickets are done so primarily with a focus on safety and with a focus on making sure that ultimately our streets are safer and that, you know, people are following the rules.

And any time somebody thinks that there's a change that is being made simply to collect a few more dollars with regards to fines, I think they become skeptical as to the purpose of these. And I think the minister would agree that these are primarily used to make our streets safer; that is the most important thing that we can do.

So I hope that Bill 19 furthers that endeavour and that it, again, ultimately supports our law enforcement who are out there, who are doing their best to keep our streets safe, and it supports them in their work if they do make an error that it will be corrected in a judicious way.

Thank you very much.

Mr. Chairperson: We thank the critic from the official opposition for his opening statement.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; clause 7—pass; enacting clause—pass; title—pass. Bill be reported.

Committee rise. Oh—[interjection] I get another script.

The hour being 6:42, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 6:42 p.m.

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