

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

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

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CHIEF, Kevin	Point Douglas	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	PC
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew, Hon.	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron, Hon.	St. Paul	PC
SELINGER, Greg	St. Boniface	NDP
SMITH, Andrew	Southdale	PC
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian, Hon.	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, October 17, 2016

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

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

Please be seated.

### ROUTINE PROCEEDINGS

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

### TABLING OF REPORTS

**Hon. Heather Stefanson (Minister of Justice and Attorney General):** I am pleased to table the annual report of Legal Aid Manitoba, 2015-16 and the 2014 annual review of the Office of the Chief Medical Examiner.

**Madam Speaker:** Ministerial statements?

### MEMBERS' STATEMENTS

#### Jean Oliver

**Mr. Alan Lagimodiere (Selkirk):** If every citizen in Manitoba contributed just a quarter of what Jean Oliver contributes to her community, we would surely live in near utopia. Alas, there is often just too few who carry the bulk of the load. Jean Oliver is one of them.

A trustee and chair of the Lord Selkirk School Division, Jean was first elected to the board in 1992. Jean was the first female to be elected chair of the board in 1998.

Jean has contributed to her community in so many ways. She is the founding member of Selkirk & District Community Foundation, a board member for south biz, clerk of session for Knox Presbyterian Church, as well as a member of the Rotary Club of Selkirk.

Over the years, Jean has been president of Selkirk figure skating club, grand guardian for

International Order of Job's Daughters, co-chair of the closing ceremonies for the Western Canada Summer Games and chair for the Selkirk general hospital board.

She was awarded Citizen of the Year and Entrepreneur of the Year in 1994. She was once nominated for YWCA woman of the year.

In 2012, Jean was a recipient of the Queen Elizabeth II Diamond Jubilee Medal for her outstanding and exemplary contributions to her community.

Described by one of her children as a tireless worker for a better education for the youth of our community who always strives to find the positive in everyone she meets and everything she does, this makes her a role model to her family and to all of us.

We can all learn from Jean Oliver's glowing example and encourage ourselves and others to help carry the load. By helping others, we ultimately help ourselves.

Thank you.

#### Pan Am Place and Youth Boxing Program

**Ms. Flor Marcelino (Leader of the Official Opposition):** Madam Speaker, I recently met with Pan Am Boxing President Harry Black, Pan Am Place Manager Adam Jacobson and Club Manager Dylan Martin. We had a great discussion about the success of their two programs: Pan Am Place and the youth boxing program.

Pan Am Place is a transitional youth housing and recreational facility project that expanded into Pan Am housing. The program, located in my constituency, offers different housing options to at-risk youth. Currently there are almost 30 youth that benefit from the space, which promotes high levels of self-esteem, self-respect, and respect for others through activities like exercising and volunteering. The housing facility's goal is to extend its community involvement to those who need a healthy, safe and positive place to stay.

The Pan Am youth boxing program is a free program for kids ages 13 to 17. It offers more than just boxing. Revolutionary roadwork, fighter training

and pre-season dry landing are other programs 80 to 100 youth take part in and benefit from.

Thank you to Harry, Dylan and Adam and all other staff and volunteers who have made this project a success. You have given these youth space to explore, learn, grow and stay out of trouble. Our NDP team believes in creating more opportunities for our young program, and these programs do exactly that.

Thank you, Madam Speaker, and thank you, team.

### **Bjarnarson Family Donation to STARS**

**Hon. Eileen Clarke (Minister of Indigenous and Municipal Relations):** Madam Speaker, it gives me great pleasure to stand in the House today and recognize Gladstone-area residents Randy and Shelley Bjarnarson and their three children, Broddi, Tristinn and Sveinna. The family have travelled to Winnipeg today to make a very special donation to Shock Trauma Air Rescue Society.

The Bjarnarson family are cattle ranchers with a commitment to hard work and an incredible track record of giving back to their community. This young family has made a positive impact in Gladstone through their many donations to local organizations close to their heart and home. Following in their mother Shelley's footsteps, the Bjarnarson children have all been active in their local 4-H club, and through the 4-H program they have learned that hard work and discipline truly pay off in the end.

Every year when they sell their steer, they each donate a portion of those sales to a local club, organization or project. They have helped support walk paths, park benches, Handi-Transit, firefighters and a green space in Gladstone.

This year Broddi, Tristinn and Sveinna have chose to make their donation to STARS. Although STARS is not a local organization close to their community, it is certainly close to their hearts. The air ambulance provided emergent care to their community in this past year and touched the lives of people that they know. They feel it's important to give back to those that served their community, touched their hearts and saved the lives of a loved one.

It is inspiring to witness the way that this young family works together, sets an example and makes a difference in rural Manitoba.

Madam Speaker, I ask that all members recognize and acknowledge the Bjarnarson family, the STARS Manitoba base leadership representatives Grant Therrien, Michael Kowalson, flight nurse Jennifer Fosty, transportation physician Dr. Julian Regehr and STARS pilot Jason Johnson, who have entertained and shown these children and family through their facility this morning and spent the whole day with them.

I'd like to welcome them to our Legislature and thank them.

\* (13:40)

### **World Food Day**

**Ms. Amanda Lathlin (The Pas):** This past Sunday, Manitobans celebrated World Food Day, an opportunity to raise awareness about world hunger.

Access to affordable, nutritious food is a basic human right. Still, this is a serious challenge for many families in Manitoba, including families in my own community. Sometimes up to 75 per cent of people cannot access healthy, affordable food on a regular basis in remote northern communities.

To help solve this issue, members Opaskwayak Cree Nation partnered with South Korean businessmen to start the pilot project, Plant Factory. This Plant Factory is similar to a greenhouse, but uses LED lights and controls moisture and carbon dioxide. This allows different kinds of plants to be grown all year round, and the system costs only a fraction of the price of a traditional greenhouse. Now families in the community will have easier access to fresh fruits and vegetables. This is one important step towards bringing healthy living and food security to northern communities.

Our former government also created AFFIRM, Affordable Food in Remote Manitoba, a program that is trying to help resolve food security. AFFIRM promotes healthy eating and subsidizes healthy groceries by partnering with businesses in northern communities. For example, in Churchill, a four-litre jug of milk that used to cost over \$10 now costs half as much.

Investing in affordable, healthy eating is an investment in the whole health of our communities. Whether it's across the world or here in Manitoba, no child should ever have to go to bed hungry.

Thank you.

### School Bus Drivers

**Mr. Wayne Ewasko (Lac du Bonnet):** Madam Speaker, Manitoba school bus drivers provide a very important, though often overlooked service. Every day they safely transport students in all parts of the province to and from school, sporting events and field trips. That's an immense responsibility, one which they carry out professionally. Manitoba parents know that they can have confidence in the school bus to get their kids to school safely and on time.

In some remote and rural areas without the school bus access to education for some children would be extremely difficult. I think it's important to everyone here to ensure that all Manitobans have access to a good education, regardless of where they live and school bus drivers make that possible.

I had the pleasure of passing Bill 214, The School Bus Driver Day Act, on June 30th of 2015, which recognizes the third Wednesday in April of each year known throughout Manitoba as School Bus Driver Day.

School bus drivers are many of our students' first and last points of contact with the education system on a daily basis.

I want to take the opportunity to remind all Manitobans of the need to be careful around school busses. Please remember to stop when they stop—when the stop sign is extended and to watch for kids crossing the street, and remember that they stop at all railway crossings.

One of those bus drivers, Madam Speaker, was Mr. Arthur Luszeck who drove me to and from school for 13 years, kindergarten to grade 12. He was a great role model, teacher, advisor and eventually a friend.

Unfortunately, Mr. Luszeck passed away on September 6th, 2013, at the age of 79. He will be sadly missed by his children, his grandchildren and all of us who rode his bus.

School bus drivers provide a truly important service, and one that deserves to be recognized. The Progressive Conservative caucus and, indeed, I think, the entire House, thanks our school bus drivers for their hard work.

Thank you.

### Introduction of Guests

**Madam Speaker:** Prior to oral questions we have some guests in the gallery that I would like you to be introduced to.

We have seated in the public gallery from Steinbach Regional Secondary School 25 grade 9 students under the direction of Ward Kay, and this group is located in the constituency of the honourable member of Health.

On behalf of all honourable members, we'd like to welcome you here today, and to all our other guests.

### ORAL QUESTIONS

#### Hydro Review Report Costs and Tendering

**Ms. Flor Marcelino (Leader of the Official Opposition):** This government has been asked on three different occasions what the American Hydro review cost and whether the contract was tendered. We continue to ask because the American consultants' report infers that burning fossil fuels is an appropriate solution for Manitoba's energy needs.

We strongly disagree, and with a \$50-per-ton carbon price, we think clean, green hydro is more important than ever.

Will the Premier finally tell us, tell the House, how much the report cost, whether the contract was tendered and, most importantly, why they put stock in a report that infers that burning fossil fuels is an appropriate option?

**Hon. Brian Pallister (Premier):** First of all, Madam Speaker, if I could put on the record our condolences to the family and friends of Jim Prentice, a fine parliamentarian and a fine Canadian, and to his wife Karen and their children. We're thinking of them. All of us here join in the sadness that is shared, I think, by not only all Albertans but by all Canadians, in particular, the indigenous people of Canada who Jim worked so closely with as—in his role as a minister in the federal government. It is a tragedy, it is a shame, and we offer our greatest condolences to his family.

In terms of the member's question, I appreciate the question, and I thank her for raising it. The previous government embarked on a strategy to Americanize Manitoba Hydro. They borrowed billions of dollars on the promise of us competing with American suppliers of energy at low cost. And

this has resulted in tremendous pressure on Manitoba's economy and on our hydro utility, that will continue for decades to come.

Where they imperilled Manitoba's jewel with their Americanization strategy, we will strengthen it for the good of future generations.

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

**Ms. Marcelino:** Madam Speaker, clearly the Premier is not interested in answering questions about the future of Hydro. We now have asked four times the cost of the American consultants' report and whether it was tendered.

Madam Speaker, the Minister of Crown Services (Mr. Schuler) has confirmed that it was his government that decided to host open houses on Hydro's development, yet he has not been forthcoming about how a \$50-a-ton carbon price will increase the need for clean, green hydro generation.

Will the Premier explain why his government has launched these discussions based on a false premise?

**Mr. Pallister:** I appreciate the member's question.

In her preamble she, of course, references consultations, and I would want the record to show that I have repeatedly extended to the NDP an opportunity to participate in open prebudget consultations, sharing the views of Manitobans, listening to those views and doing it from an all-party standpoint, something the Liberal Party agrees with. The Liberal Party is fully participating in the process along with the government.

And so I would encourage the member—I'm very disappointed to receive communication from her this very morning saying that on behalf of her party that she does not wish to be part of listening to Manitobans. This is disappointing, I'm sure, not only to me, as I have made repeated efforts to try to encourage all-party co-operation. This is an opportunity for the NDP that they're passing by, and I fail to understand how it could possibly benefit their constituents to do so.

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

**Ms. Marcelino:** For the fourth time our question was not answered, Madam Speaker, and I don't know if the Premier has received our letter stating that we are

participating as members of the public and we will participate in the deliberations of the—during the prebudget consultation.

Madam Speaker, the American consultants' report suggests that there are delays in major Hydro construction, yet we're hearing reports that this government froze bipole construction for months. Manitoba Hydro knows this line is needed for reliability. And the American consultants' report affirms this.

Can the Premier confirm that even though the bipole is needed for reliability they halted its construction?

\* (13:50)

**Mr. Pallister:** Well, I appreciate the member raising a question which gives me the opportunity to explain to the member opposite that she and her party overtly ignored the experts at Manitoba Hydro in constructing a bipole west line, what some call a bipole waste line, which has thrown \$1-billion-plus away that could have been used for many other things in Manitoba, not least of which assisting Manitobans to have shorter wait times for their health care or lowering their taxes or having a reduced deficit; a record level of deficit was inherited from the party opposite.

So from a party that tried to Americanize Manitoba Hydro, that ignored the experts at Manitoba Hydro, that ran the cost bill up on Manitoba Hydro projects through overt politicization, to hear that they're now concerned about openness and transparency when they proceeded to cover everything up is hard to accept, Madam Speaker.

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

### **Freedom Road Construction Update**

**Ms. Flor Marcelino (Leader of the Official Opposition):** So looks like they have delayed the construction of bipole.

Madam Speaker, the construction of Freedom Road is a project that is long overdue. This road is important for what it represents to the community of Shoal Lake 40. It represents access to the rest of the goods and services that we in Canada take for granted, and it is a symbolic step in repairing the harm that was done over 100 years ago.

Can the Premier give the House an update on steps taken to build Freedom Road?

**Hon. Brian Pallister (Premier):** Where the previous NDP administration failed in their obligations to First Nations people in the Shoal Lake First Nation for 17 years, we will get it done. We'll lead the process of constructing the Freedom Road. I want the member opposite to understand, though, that the way in which she proposed going about that was to hand extra money to an administration that was in overlap and duplication, the East Side Road Authority.

And the Auditor General has commented, clearly, on the amount of waste and duplication that was inherent in that misguided practice. And so we will not be following their practices, Madam Speaker, because we like to get it done and get roads built, not just put up steady growth signs all over the province and claim they're doing something, as the previous administration did.

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

**Ms. Marcelino:** We know that Freedom Road is vitally important to the citizens of this community in that they represent a small step towards reconciliation for historic wrongs.

Will the Premier commit to building Freedom Road today and not hold up the road in procedural arguments with the federal government?

**Mr. Pallister:** Well, Madam Speaker, what's the best evidence of the NDP's incompetence when it comes to building roads? I—there are many examples, but I would think one that is a shining example and a sad example would be putting a half a billion dollars into the East Side Road Authority and finishing less than 90 kilometres of actual road. Now, this is not getting the job done for the people of that area, nor is the way they were proposing to go about doing the Freedom Road was it an indication of their ability to get things done effectively for First Nations people.

Now, in opposition, they claim that this is urgent and important, but for 17 years, did nothing to address it, Madam Speaker. I think that states very clearly—that's evidence, very clearly, of the lack of authenticity and integrity in the approach that the members opposite are advocating now.

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

**Ms. Marcelino:** The ferry which acts as a lifeline for Shoal Lake has been out of service for nearly two weeks now. People are frustrated in the community. Freedom Road would help the community be able to access the goods and services we take for granted. It would be a first step in addressing the boil advisory this community has been living with for nearly 20 years.

Will the Premier commit today to concrete action to build Freedom Road?

**Mr. Pallister:** First of all, Madam Speaker, that commitment has already been made, and the commitment will be achieved in partnership with the federal government and by working closely with the First Nations community itself, something the previous administration failed to do and has continued to fail to do, fails to understand, in fact.

When we spoke to chiefs and councils from the east-side road area, they said the previous administration didn't co-operate with them, in fact, attempted to bully them and push them into signing agreements that they hadn't had time to consider or even to deal with effectively. And so we're not going to take that kind of approach; we'll take an inclusive approach, just as we're taking in the prebudget consultations. Unfortunately, the members opposite choose to continue their previous misguided practices of isolating themselves from the process that would allow them to know what Manitobans are really interested in.

I congratulate the Liberal members for joining with us in a genuine way and co-operating on getting the best interests of Manitobans served, something that didn't happen for the last 17 years under that government.

#### **Northern Manitoba Communities Healthy Food Accessibility**

**Ms. Amanda Lathlin (The Pas):** Yesterday celebration of World Food Day is a stark reminder of the lack of food security and unequal access that still exists in our own province.

Winter roads, isolation, unreasonable food prices and harsh weather conditions have made it nearly impossible for northern communities to make healthy eating choices. With the closure of the HBR line it's even harder for indigenous families living in isolated communities to access fresh food.

Under the NDP government, investments in communities such as the plant factory or long-term

initiatives like Northern Healthy Food or AFFIRM were helping to mitigate these challenges.

Will the minister commit to continuing to fund these programs and invest in innovative solutions to this human rights crisis?

**Hon. Eileen Clarke (Minister of Indigenous and Municipal Relations):** I thank the member opposite for her question.

Our department actually did a really good presentation at an FPT meeting recently in Iqaluit on the northern food strategies within Manitoba, and it was a very well received report, and a lot of questions were asked, and Manitoba was actually recognized as doing really good work with northern communities.

And we expect this to be a collaborative approach. We will continue working with our northern communities and ensuring that we continue on with this.

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

**Ms. Lathlin:** The community of Shoal Lake has been under a boil water advisory for nearly 20 years. Winnipeg's aqueduct has cut them off from basic amenities and forced them to walk across the lake every time they have to buy groceries, which becomes even more dangerous every spring and fall.

Now that the federal government has demonstrated their commitment, will this government take real action to move the Freedom Road project forward?

**Ms. Clarke:** I thank the madam—or the member opposite for her additional question.

Boil water advisory is something that is certainly very prevalent in our northern communities. But it's also known throughout the province of Manitoba in other municipalities as well. It's a huge issue, and you would think in 2016 that we wouldn't be, you know, dealing with clean water.

But I know that our government is very committed to ensuring first and foremost that there is clean, healthy drinking water for all communities, and especially in our northern communities, and we will continue to strive towards that goal.

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

**Ms. Lathlin:** For northerners the cost of food is already more than many can manage. High prices and lack of access mean northerners aren't able to always make healthy food choices.

With the one rail line shipping in groceries scaled back to once a week, the already limited supply of fresh produce, dairy and healthy foods is significantly cut back.

And with the hundreds of jobs in limbo from Tolko and OmniTRAX closures northerners are struggling to keep their economy afloat.

Will this government step in and keep healthy, affordable food travelling up north?

**Ms. Clarke:** We do understand the needs and—of food that's affordable, most specifically, but healthy foods in the northern communities. And, I think, within your own community is a very fine example of the gardens that have been started, and this is actually taking place in other First Nations and indigenous communities. Interesting in the presentations that I've heard in regards to harvesting their own meat and fresh vegetables.

I think there is a lot to be done, for sure, with northern food strategies, but there have been strides made, and they will continue.

\* (14:00)

#### **Synergy Inmates Phones Inc. Correction Facility Contract**

**Mr. Andrew Swan (Minto):** The people of Brandon are living with a wave of violence rare in that city's history. The other day a Crown attorney told the court, I don't know what's going on in Brandon lately, but all hell is breaking loose. There's no other way of putting it. People are raining shots out into the streets. It is not safe out there right now.

Arlington Street in the West End of Winnipeg was closed last night and into this morning due to a standoff related to gun violence.

Why is this Minister of Justice more interested in finding ways to charge inmates ridiculous amounts for phone calls than in keeping our neighbourhoods safe?

**Hon. Heather Stefanson (Minister of Justice and Attorney General):** I want to thank the member for the question.

And, you know, it's a very important issue, and, of course, after more than a decade of decay within

our justice system, it's going to take more than just overnight to fix some of the various, very serious situations that are taking place within our justice system.

But I will assure members opposite that we will move forward on that, and where they failed, we will make sure that public—members of our public are safe.

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

**Mr. Swan:** Well, Madam Speaker, the previous government reduced crime in Manitoba in half in 17 years.

Prison phone providers charge fees to inmates several times greater than the actual costs of providing the services. Even inmates who work as trustees in laundry or food services will earn barely enough from one full day's earnings to deposit their money and make a phone call.

There's great concern in the United States and now Canada about the practices of prison phone companies and the deals they cut with correctional services.

Will this minister commit today to releasing a copy of the five-year contract she signed with Texas-based Synergy Inmate Phones Inc. so concerned Manitobans can know the full story?

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

Of course, we do know it's an opportunity to put some facts on the record based on some of the things, the falsehoods, that he has said.

Madam Speaker, it's—I think it's—this is an important issue. Where the previous telephone system used to charge inmates, especially from northern Manitoba, significant long-distance charges, this new phone system doesn't. So we believe it offers that balance to those, and especially offers an option for those in northern Manitoba to be able to call home without incurring those extra charges.

**Madam Speaker:** I would just like to urge a caution to members in the House that the word falsehood is not one of those words that's acceptable in the Chamber here, and a caution to all members.

**Mr. Swan:** That answer is the opposite of openness and transparency.

Inmates who are serving sentences in provincial jails will return to our communities. Restricting phone contact between inmates and their partners, their parents and their children is not only cruel, it's been demonstrated to make inmates' return to our communities more difficult and will increase the risk that they will reoffend.

This government's already made clear by its words and by its actions that it'll place return on investment ahead of the well-being of Manitobans.

I ask the Minister of Justice: What is the rate of return on giving a Texas company control of our jail telephone system and preventing mothers from having contact with their children?

**Mrs. Stefanson:** Of course, the former minister of Justice should know that under the system that he ran, those women inmates who live—from northern Manitoba and who are placed in the Remand Centre in Winnipeg, at that time had to pay long-distance charges, which was prohibitive, at times, for them to be able to contact their loved ones.

We have now a system in place that will not charge those people anymore. They also have free access to legal services and to the Ombudsman as well, so it's an increase in the access to services within our justice system, and that's where we want to go. We also want to protect victims as well in all of this, and we believe that this system will do so. Thank you.

### **Social Service Agencies Funding Timeline**

**Mr. Mohinder Saran (The Maples):** Josh Brandon from the Social Planning Council has said that the Conservative budget did little to help low-income earners. EIA basic needs budgets are staying where they are, and the minimum wage freeze will cost workers \$400 in lost annual income.

With such little help coming from government, dozens of programs like Neighbourhoods Alive! become so much more important for low-income earners, but hundreds of social service organizations don't even know if they are going to be funded.

Can the Minister for Families say when these important funding decisions will be made?

**Hon. Scott Fielding (Minister of Families):** I can tell you that ensuring that people are living—have as much money as they can, is something that all Canadians, all Manitobans, would like to ensure. This government has done a number of things,

including increasing Rent Assist, which is something that the last government refused to do until the dying days of their administration to do that puts more money in the pockets of Canadians and Manitobans. We think that's part of the answer.

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

### **Programs Agencies Funding Timeline**

**Mr. Mohinder Saran (The Maples):** This Premier (Mr. Pallister) paraded boxes of funding applications before the 'presonal'—in a publicity stunt, but these boxes represent important programs for children, for families and for communities.

When will this Premier and this minister give these families the support they deserve?

**Hon. Scott Fielding (Minister of Families):** As mentioned, this government has done more than the opposite government did in 17 years in terms of providing freedom for people in terms of people that are in poverty, people on social causes, whether it be Rent Assist, whether it be things that can be done in terms of basic personal exemptions that we think will make a difference for Manitobans.

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

**Mr. Saran:** Dozens of organizations are in limbo as they wait for this government to come through with the needed supports, but this government will not measure the costs and damage it will cause in taking so long to make these important decisions. [*inaudible*] is standing up for what's right.

When will this government stand with our social service agencies?

**Mr. Fielding:** Above and beyond some of our policies related to poverty is in terms of our investment in housing. You don't have to look as far as what we were left by the NDP government, the NDP government where there was over \$500 million in deferred maintenance costs on housing alone.

This government is investing substantial amounts of money in terms of housing parameters, which obviously is a key factor in terms of poverty. We're also—something—we forced the previous government to address Rent Assist program, which we think will make a difference for most Canadians and most Manitobans. Thank you.

### **Ambulance Fee Reduction Government Election Promise**

**Ms. Cindy Lamoureux (Burrows):** I would like to continue on the discussion of ambulance fees.

During the election the government promised Manitobans that ambulance fees would be cut by 50 per cent. What they failed to share was that this reduction was an idea that would be implemented over the course of the next eight years.

My first question to the government is: Why were Manitobans misled during the election in believing that 50 per cent off ambulance services would be implemented immediately, rather than eight years down the road?

**Hon. Cameron Friesen (Minister of Finance):** Well, I thank the member for the question, and as the member knows, this new government of Manitoba has inherited significant challenges, but that didn't stop our government from going down the road immediately to bring relief to taxpayers, to Manitobans. This is among the highest taxed jurisdictions under the NDP. We sought to address that immediately.

We're very proud that we are bringing relief immediately and relief in time, again, for all those people who pay ambulance fees. It's too much; we must address that; we are doing that work.

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

### **Ambulance Fees Case Concern**

**Ms. Cindy Lamoureux (Burrows):** Madam Speaker, during the Throne Speech response, I provided this House with examples of Manitobans on low income who could not afford to pay their high ambulance bills.

Today we are joined by my friend Janina, who is up in the gallery. Janina was at the crisis centre on Bannatyne Avenue where she blacked out and was taken by ambulance less than 800 metres to the Health Sciences Centre. Shortly after, she received a bill of \$522. Janina can barely afford her prescription medicine.

What would this government advise her and others in this situation to do with this \$522 bill, given she's on low fixed income and cannot afford it?

**Hon. Cameron Friesen (Minister of Finance):** I thank the member for the question, and I share her concern and I share Janina's concern.

\* (14:10)

I remember talking to a woman in my constituency just a few months ago who talked about making a decision to not take her husband to ER because they simply felt they could not afford the trip, and I thought how horrific that any Manitoban should be put in that situation. That's why we did not wait. We have brought relief but we contemplate and will deliver on additional relief. This is a serious issue left unaddressed under the NDP. We will address it.

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

**Ms. Lamoureux:** Madam Speaker, I'm glad that the government recognizes this, but we need some further action taken. Janina is not alone. Many of these Manitobans on low income that are finding it difficult to be able to cope and keep up with the cost of living.

Will this minister or someone from his department meet with Janina and myself immediately following question period to discuss potential solutions for people on low income and the critical need for cheaper ambulance services?

**Mr. Friesen:** Well, again, I thank the member for the question. It's a very important issue.

This new government has brought the first reduction in ambulance fees, in years, in this province. And we will do much more, but I also invite the member and Janina and other Manitobans interested to come tonight to the Canad Inns Transcona, 826 Regent Avenue, for the very first of a series of public consultations. We want to hear from Manitobans.

We are glad that the Liberal members are participating. We are going around the province. We are listening. We need the help of Manitobans to help us address the significant challenges that face all of us and face—and affect all of our affordability in this province.

#### **Post-Secondary Education Sexual Violence Awareness Act**

**Ms. Janice Morley-Lecomte (Seine River):** Last week Bill 15, The Sexual Violence Awareness and Prevention Act, was tabled.

Can the minister please provide additional details on how this legislation will protect Manitoba students from sexual violence on campus?

**Hon. Ian Wishart (Minister of Education and Training):** I'd like to thank the member for her question.

All students must feel safe, both on and off campus, to ensure a prosperous and successful learning environment. Bill 15, The Sexual Violence Awareness and Prevention Act, represents a significant shift in how we support the safety of students on campus in Manitoba's post-secondary education system. A sourced and well-constructed definition of sexual violence, the inclusion of social media, for the first time, is within the bill's scope, and including the nearly 50 private vocational institutions in addition to our public post-secondary schools, we will help protect Manitoba's children from sexual violence on campus no matter where they were.

#### **Child-Care Spaces Funding Intention**

**Ms. Nahanni Fontaine (St. Johns):** A U of M study entitled Home Sweet Home? An Evidence-Based Analysis of Licensed Family Home Childcare in Manitoba, released just a couple of weeks ago, dismissed this government's preference for family-home child care as a viable means of addressing the current child-care wait lists, which has increased by 3,000 since taking office.

The report urges this government, and I quote, to rethink its reliance on the current family-home child-care model, noting it is a shrinking and troubled sector. The minister has promised he won't abandon public, non-profit centres.

Can the minister advise exactly how many public spaces will be funded?

**Hon. Scott Fielding (Minister of Families):** I can tell you that this government values affordable child care. And that's why we're putting together an important implementation plan. We put forth, we think, a robust—in fact, we think the best plan, a realistic plan, a balanced plan, for child care, and we're absolutely committed—*[interjection]*

**Madam Speaker:** Order.

**Mr. Fielding:** —to addressing child-care needs here in the province of Manitoba.

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

#### Access Targets

**Ms. Fontaine:** Ontario's provincial government recently announced a plan for 100,000 new licensed child-care spaces. According to the Ontario Education minister, this would give approximately 50 per cent of families access to a child-care space. Ontario's investment builds on ongoing work the federal government is undertaking and is focused on quality, affordable, accessible, parent choice and flexibility.

Manitoba needs to more than double our access target rate to match Ontario's 50 per cent coverage.

Can the Minister of Families advise Manitobans what is this government's access target? To be clear, what is the access percentage the minister is committing to on behalf of Manitoba families?

**Mr. Fielding:** What I can say is if you look back into history, in terms of the NDP, when they put the number of child-care spaces online, in 2000—at least 2008, you seen up over a 25 per cent—25 per cent—increase in spaces related to what the NDP had as in terms of a plan.

We think we can do it better. That's why we're put together an implementation plan that works as opposed to having some of the longest wait times in the country for child care.

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

#### Home-Based Child Care Regulations and Training

**Ms. Nahanni Fontaine (St. Johns):** I will point out that I will continue to keep asking these questions until we actually get an answer from the minister.

We've repeatedly heard from the Minister of Families whose desire to see more family-home child care. However, according to this study, only 15 per cent of family child-care providers are trained as early childhood educators. And, I quote: It is troubling that in many regions children have virtually no access to trained family home-care providers.

Given what this evidence-based research tells us, does the Minister of Families still think that there should be more family-home child-care providers in Manitoba and, if so, what actions will he take and what criteria and regulations will he set to ensure that family-home child care is safe for Manitoba children?

**Hon. Scott Fielding (Minister of Families):** One thing is clear. When you see a government that has a 27 per cent—27 per cent—reduction in home-based child care, we know where the priorities are. Home-based child care is one part of our plan in terms of a realistic practical plan going forward. For us, we believe that whether you're at home, whether you're in an—whether you're in a private or public setting, you can have great child-care providers that are there. That's why we're putting together a long-term plan that we think is realistic, we think is practical and we think will make a difference for the children of Manitoba.

#### Defibrillator Program Health Clinic Access

**Mr. Matt Wiebe (Concordia):** Defibrillators save lives. Here in Manitoba we've seen tremendous success by increasing access and awareness of defibrillators, with over 1,000 now distributed to a variety of public spaces. Unfortunately, over the weekend when an individual collapsed at a medical clinic here in Winnipeg, they didn't have a defibrillator and they were left scrambling and had to go to a nearby restaurant and eventually call an ambulance.

With this minister—will this minister commit to expanding the 'defibulator' program to include all facilities where Manitobans receive health services?

**Hon. Ian Wishart (Acting Minister of Health, Seniors and Active Living):** I thank the member for his question.

The clinic he was referring to is a private clinic run by a doctor on his own. So it's a private business, and he is following the regulations as they were put in place by the previous government. He is not required to have one in that facility because it is a private clinic.

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

**Mr. Wiebe:** I'm glad the minister's following along and is able to understand the issue that we're talking about here.

The Defibrillator Public Access Act, as the minister mentioned, was passed by this House. In fact, it was passed unanimously in 2013. It was the first of its kind in Canada. Under that act, public spaces, as he mentioned, are required to have the defibrillator on hand.

But those private spaces is what I'm asking about and what Manitobans would like more information on.

So will this minister commit to strengthening the program by offering funding to interested facilities so that an incident like this doesn't happen in the future?

**Mr. Wishart:** We're certainly concerned about the health and safety of the individual involved, and I hope that in the future, facilities will be improved. But that is the one section of the act that had never been put in play.

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

**Mr. Wiebe:** I'm going to take that answer as meaning that the minister is interested in expanding the act and that he is interested in looking to ensure that public health care in this province is expanded.

(14:20)

We believe that public health care is absolutely essential, that Manitobans deserve the best quality health care no matter where they go for it. We know that public clinics like ACCESS centres and QuickCare clinics, they do offer defibrillators.

And so I'd like to ask the minister one more time: Does the minister agree that all clinics should have access to basic life-saving equipment?

**Mr. Wishart:** I appreciate the question. I know the members is concerned, as are we, for the safety and health of the individual involved.

We will certainly have some discussions with the private clinics, but they had many years of opportunity to do something on this and did not take any action either. We will consult—we will consult—with the individual involved; we will consult with the private clinics to see what the best path forward is.

#### **Sale of MTS to Bell Rate Increase Concerns**

**Mr. Jim Maloway (Elmwood):** My question is to the Premier (Mr. Pallister).

This is a government that's not interested in preserving Manitoba's advantages. We have an advantage in Autopac rates; this government wants to get rid of it. We have an advantage in low tuition rates; this government wants to get rid of that. We

also have an advantage in low cellphone rates; this government wants to get rid of that as well.

Every expert agrees cellphone bills will rise. When will this government put Manitoba consumers first?

**Hon. Cameron Friesen (Minister of Finance):** I thank the member for the question.

And he is in—he is right inasmuch as saying that affordability matters. On that, we agree, and no previous administration did so little for affordability as those members on that side. This is a group that would dangle small increases in front of Manitobans at the same time as they were clawing back hundreds of millions of dollars each year in additional tax revenue because they took, and first widened, and then raised the provincial sales tax.

Where was that concern for affordability when those members were clawing back \$1 billion from Manitobans through an increased PST?

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

**Mr. Maloway:** According to the Consumers' Association of Canada, the Bell-MTS merger will lead to fewer choices, less flexibility and higher prices.

What actual guarantees has this government received that the costs will not go up and services will not go down for Manitoba consumers?

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

This government does not take the poisoned view of the developments that are under way right now with the transfer of ownership to Bell from MTS. We believe that there are powerful investments that will be made with this new partner. We see that there will be a broad-based investment in rural Manitoba, in remote areas where there will be capacity additionally created.

We believe this is good for Manitobans. It's good for the economy. It's good to create higher speed Internet, reliability. That's good for business. So we think—believe it's a good-news story for all of Manitoba, and we support this effort.

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

**Mr. Maloway:** Clearly, Manitobans are not buying this government's arguments. The government cannot let an opportunity go by to cozy up to a

large corporation. Will they listen to the average Manitoban?

Madam Speaker, over half of Manitobans think their bills will go up because of the MTS-Bell merger. Sixty per cent think that the merger will not improve services in rural Manitoba, totally contrary to what he just said.

What actual guarantees has this government received, and what will make sure that Manitoba consumers are put first?

**Hon. Brian Pallister (Premier):** Well, Madam Speaker, it—happy half birthday to everyone here. It was about six months ago this week that Manitobans shed an NDP disadvantage in this province. They reacted to a decade of debt, high taxes, record increases in fees by voting out NDP candidates willy-nilly across the province in a record display of their desire for change. They reacted to a decade of decay in social services, where the previous administration had us at the longest wait times in Canada, the worst poverty problems and the lowest educational outcomes in the country, and they shed the NDP disadvantage in that respect as well.

And after a decade of decline with promotion of waste and self-serving untendered contracts by the previous administration, contracts to pals which were covered up—speaking of benefits to corporations, they were no stranger to giving benefits to corporations for their untendered contracts.

Six months ago Manitobans shed the NDP disadvantage, and they grabbed the PC advantage. We'll make sure that it comes to reality here in Manitoba.

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

### Speaker's Rulings

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

Immediately prior to routine proceedings on October 6th, 2016, the honourable member for Fort Richmond (Mrs. Guillemard) raised a matter of privilege regarding comments made by members of the opposition during a division in the House on the morning of October 6th, 2016. The member stated that she felt her privileges as a member and the privilege of multiple members of this House had been violated. The member indicated that during the vote on second reading of Bill 204, and I quote: "Members from the other side made disparaging comments about female members on this side of the

House. While myself and other women from the government side were voting, the member for Minto (Mr. Swan), the member for Wolseley (Mr. Altemeyer) and the member for Fort Garry-Riverview (Mr. Allum) shamed us for the way we were voting." End quote.

The member further indicated that these comments were only directed at female members of the government caucus.

The member concluded her comments by moving, and I quote, "that my privilege as a parliamentarian has been breached and I ask that an apology be offered at the earliest possible opportunity." End quote

The Official Opposition House Leader (Mr. Maloway) also spoke to the matter raised before I took it under advisement.

I would note that the members for Fort Garry-Riverview and Minto did apologize for their behaviour in the House on the morning of October 10th, 2016, and I would again like to thank those members for their sincere apologies. I believe such humility goes a long way to restoring order and respect in this place.

Turning to the case raised, a matter of privilege is a very serious undertaking for any Speaker, and I have considered this situation thoroughly.

I would begin by reminding the House that when ruling on privilege, the Speaker deals only with the technical and procedural aspects of the matter and not in any way with the merits of the situation or the allegations. A Speaker's ruling neither condemns nor condones any actions referred to in a matter of privilege. I will address the consequences of members' actions later in my ruling after I address the procedural considerations.

When a matter of privilege is raised in the House there are two key points on which the Speaker must decide: first, whether or not the member raised the matter at the earliest available opportunity and, second, whether or not a prima facie case of privilege has been established.

On the first point, when raising her matter of privilege the honourable member for Fort Richmond did not address the question of timeliness in her remarks. I must also note that the incident with the division occurred partway through the morning sitting of the House that day and the member could have raised this matter immediately after the division

while the House was still sitting. I recognize that the member may not—may have needed some time to gather her thoughts on this matter, however, I must indicate that I do not believe the member demonstrated that she had raised this matter at her earliest opportunity.

\* (14:30)

As O'Brien and Bosc note on page 143 of the second edition of the House of Commons Procedure and Practice, and I quote: "Members must satisfy the Speaker that the matter has been raised at the earliest opportunity. When a Member does not fulfil this important requirement, the Speaker has ruled that the matter is not a prima facie case of privilege," end quote.

In the future, I would encourage members to raise such issues in a timely manner, as the failure to do so can have an impact on the determination of the orderliness of the issue raised.

Turning to the establishment of a prima facie case of a breach of the member's privileges, as identified by O'Brien and Bosc, on pages 60 and 61 of House of Commons Procedure and Practice, second edition, these privileges include: freedom of speech; freedom from arrest in civil actions; and freedom from obstruction, interference, intimidation and molestation.

In her submission on this matter, the member for Fort Richmond (Mrs. Guillemard) claimed that while she and other female members of her caucus were voting, the opposition members noted above, and I quote, shamed us for the way we were voting, end quote. I believe this could be considered a form of intimidation, and it is certainly behaviour that has no place in this House or any respectful workplace.

There have been many Manitoba Speaker's rulings indicating that the Speaker is not able to rule on comments made off the record. As a point of reference, when members do not have the floor in the House, their remarks are not attributed to them in Hansard and are therefore considered to be off the record. Although the comments referred to by the member for Fort Richmond do not appear on the record in Hansard, they were certainly audible during the vote.

I am certainly aware that this issue has been taken very seriously by all members in this House, and, on that basis, the member may have a valid complaint, or a grievance, or a point of order. However, due to the comments in question being off

the record, and due to the issue of timeliness I noted earlier, with the greatest of respect, I must rule that a prima facie case of privilege has not been established in this case.

While I cannot formally rule on these off the comment—off-the-record comments, I must state, as plainly as I am able, that I do not approve of such behaviour in this place. At the start of this new Legislature, I believe we all have an opportunity to set and maintain a new and better tone of respect and civility in our interactions in this House.

Before I conclude, I must address some other aspects of this situation which have caused me great concern.

After I took this matter under advisement, on October 6, 2016, members from both sides of the House referred to the matter on numerous occasions outside of the House, in spite of the convention that matters taken under advisement by the Speaker should not be discussed inside or outside of the House until the ruling has been delivered. I will acknowledge that we have many new members this year and that some may not have been aware of this important convention. As you are now all aware of it, I will look forward to your future co-operation.

I would also like to note for all members the importance of decorum during a division. Our clerks and pages take their roles very seriously in this place and do their utmost at all times to ensure that we follow the rules and practices of this House. As it is the most formal process for capturing a decision of this House, conducting a recorded vote is among the most important tasks our table officers undertake. To have to do that work amid heckling and other disruptions from members is unacceptable. Our House staff are professionals, and they can and do accomplish their tasks in such unfavourable conditions, but they should not have to deal with such disturbances.

More than that, however, I would ask members to imagine themselves at the age of 16 or 17, several weeks into a fascinating new job, standing before this intimidated Assembly, reciting the names of 56 members by memory. Imagine, then, having to perform such a daunting task amid distracting chatter from members.

I believe you can now understand why I am taking this point so strongly. During a recorded division in this House, the only sounds that should be heard are the voices of the page and our Clerk or

Deputy Clerk. I will expect complete co-operation from all members in this regard as long as I am Speaker of this House.

\* \* \*

**Madam Speaker:** And I have another ruling for the House.

Shortly after the daily prayer and the raising of two points of order on the morning of Tuesday, October 11, 2016, the honourable Government House Leader (Mr. Micklefield) raised a matter of privilege regarding comments that he said were attributed to the honourable member for St. Johns (Ms. Fontaine) in the media that appeared to be a reflection on the Speaker.

The comments dealt with a potential change whereby certain areas in the Legislative Building and on the Legislative grounds might come under the purview of the Speaker's office for booking these spaces, and the comments complained of—appear to indicate this change could lead to a crackdown on protests.

The honourable Government House Leader also stated that the remarks in the media made reference to departmental staff being non-partisan while the Speaker is an elected Progressive Conservative.

He concluded his remarks by moving, and I quote, that my privilege as a parliamentarian has been breached and that the member for St. Johns should retract her statement and apologize to the House. End quote.

The Official Opposition House Leader (Mr. Maloway) also offered advice to the Chair.

I took the matter under advisement in order to consult the procedural authorities. There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege.

First, was the issue raised at the earliest opportunity? And second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached in order to warrant putting the matter to the House?

On the issue of timeliness, the honourable Opposition House Leader indicated that the article in question appeared in print on Thursday and concluded on that basis that the timeliness factor had not been met.

This issue was covered by a number of media in online and print editions that appeared at some point late on Thursday afternoon and on Friday.

It is virtually impossible to know when print editions carrying the story were delivered on Thursday or when members may have had a chance to read the material online. So I cannot determine whether the issue was raised at the earliest opportunity or not.

On the second issue of whether a prima facie case of privilege has been demonstrated, the comments that are the subject of this complaint were made outside of the House, and I must advise the House that comments made outside of the Chamber are not the basis for parliamentary privilege.

O'Brien and Bosc state, on page 614 of the second edition of House of Commons Procedure and Practice, and I quote: The Speaker has no authority to rule on statements made outside of the House by one member against another. End quote.

Similarly, Beauchesne's citation 31(1), advises that statements made outside of the House by a member may not be used as the basis for a question of privilege. This finding has also been supported in numerous rulings on privilege made by former Manitoba Speakers Walding, Phillips, Rocan, Dacquay and Hickes. On this basis, I must respectfully rule that the matter raised is not in order as a prima facie case of privilege.

That being said, as Speaker, I would like to bring to the attention of the House some concerns I have over actions that have taken place recently, actions that could be very harmful to the office of Speaker in Manitoba. These actions include members from both sides of the House raising in the media issues that have been taken under advisement by the Speaker. One such example is the matter of privilege that I took under advisement on October 6.

Since taking the matter under advisement, members from both sides of the House have either held press conferences or talked to the media about the issue in spite of the convention that matters are not discussed when taken under advisement until the Speaker returns to the House with a ruling.

Even though there is no prima facie case of privilege regarding comments that were attributed to the member for St. Johns in the media concerning the possibility of the Speaker being given the jurisdiction to approve the use of certain spaces in the Legislative Building and Legislative grounds, there is concern

about the attributed explanation that this would be a crackdown on the use of the building by the public.

\* (14:40)

If the comments as reported in the media are correct, then they are a reflection on the office of Speaker and are also a reflection on the non-partisan staff of the Assembly, chiefly the Clerk and her staff, who advise the Speaker.

The comments also do not take into account that the Speaker is not part of the executive and does not take action on behalf of the executive.

I would like to remind members of the steps taken by the Manitoba Legislative Assembly, since 1999, to enhance the independence and neutrality of the Speakership. In that year, the Assembly adopted rules to provide for the secret ballot election of the Speaker, breaking with the practice of the Speaker being the appointee of the premier of the day.

Several years after that, the Assembly changed the practice of having the Government House Leader defend the Assembly Estimates during the consideration of the Committee of Supply and, instead, the Estimates are now presented by the Speaker on behalf of the entire Assembly.

The Assembly also changed The Legislative Assembly Act such that a person holding the office of Speaker now remains as Speaker until a new speaker is elected as opposed to that person ceasing to be a Speaker when the electoral writ is dropped.

In addition, the Assembly also recently changed the rules of the House to remove the appeal of Speaker's rulings on points of order in recognition of the independence and neutrality of the Speaker.

In addition to these measures, Speakers Hickes and Reid also stopped attending caucus meetings and party events, while in office as Speaker, to provide a distance between the office of Speaker and political parties and the executive. And this is a tradition that I, too, have carried on with since my election as Speaker.

I am the Speaker of the Legislative Assembly not the Speaker of the government. It is therefore disconcerting to see members taking actions and saying comments that are reflections on the office of Speaker.

I would urge members to be mindful of their comments and to be aware that such comments could serve to undermine the independence, neutrality and authority of the Speakership.

## PETITIONS

### Bell's Purchase of MTS

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

The background of the petition is as follows:

Manitoba telephone system is currently the fourth cellular carrier used by Manitobans along with the big national three carriers: Telus, Rogers and Bell.

In Toronto, with only the big three national companies controlling the market, the average five-gigabyte unlimited monthly cellular package is \$117 as compared to Winnipeg where MTS charges \$66 for the same package.

Losing MTS will mean less competition and will result in higher costs for all cellphone packages in the province.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to do all that is possible to prevent the Bell takeover of MTS and preserve a more competitive cellphone market so that cellular bills for Manitobans do not increase unnecessarily.

And this petition is signed by many fine Manitobans.

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

Grievances? Oh—sorry, the member for St. Johns had stood prior to my saying grievances. The honourable member for St. Johns.

### Point of Order

**Ms. Nahanni Fontaine (St. Johns):** I'm not sure if this is a point of order. I'm not sure, but I just want to respectfully and personally apologize for my comments that were made outside this House. And I actually just want to say miigwech to the House Leader for actually educating me on parliamentary protocols. So I was absolutely in contravention, and I just want to say I sincerely apologize, and it will—it certainly won't happen again.

**Madam Speaker:** The member does not have a point of order. But I do thank her for her comments

and appreciate that she has recognized the significance of that issue and appreciate her standing today and indicating her comment.

**Hon. Andrew Micklefield (Government House Leader):** I'd just like to acknowledge and thank the member opposite for the comments and express our looking forward to working together, on all sides, for improved decorum and adherence to procedure as well.

So thank you so much.

**Madam Speaker:** Grievances?

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Andrew Micklefield (Government House Leader):** Madam Speaker, I'd like to call for debate Bill 15, The Sexual Violence Awareness and Prevention Act, for second readings—sorry. Thank you.

**Madam Speaker:** It has been announced by the honourable Government House leader that this House will consider second reading of Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended) this afternoon.

### SECOND READINGS

#### Bill 15—The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended)

**Hon. Ian Wishart (Minister of Education and Training):** I move, seconded by the Minister of Sport, Culture and Heritage (Ms. Squires), that Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended), be now read a second time and be referred to a committee of this House.

#### *Motion presented.*

**Mr. Wishart:** It is truly a 'privilege' to stand here before my honourable colleagues and speak about this bill.

Safety in our post-secondary institutions in Manitoba is of the utmost importance to this government. All students must feel safe on and off campus to ensure a prosperous and a productive learning environment. This conversation includes all

Manitobans: men, women, children, people—young people, seniors, people living with disabilities, newcomers, members of culturally diverse communities, our indigenous peoples, visible minorities and the LGBTTTQ\* community. We all have a voice in ensuring protection of our students.

Bill 15, The Sexual Violence Awareness and Prevention Act, represents a significant shift in how we support the safety of students on campus in Manitoba's post-secondary education system. Post-secondary students in Manitoba should be able to pursue their education in a safe environment. As we have seen across Canada, sexual violence in post-secondary education is a serious problem and it needs to be addressed.

This bill will ensure that wherever students choose to study in Manitoba they will be protected by a policy that prevents and responds to sexual violence. This bill will apply to all universities, colleges, degree-granting institutions and private vocational institutions in Manitoba. It sets new requirements on these institutions to develop an appropriate sexual violence—develop appropriate sexual violence policies in consultations with students. These policies will raise awareness of sexual violence including through the use of social media which is becoming more prevalent and was important enough to be included under this bill.

The policies must address prevention, training, and must establish complaint procedures and response protocols. Furthermore, recognizing that some students face greater risks of victimization, the institutional 'college'—policies will need to be culturally sensitive and reflect the perspectives of those most vulnerable to sexual violence.

Madam Speaker, sexual violence is never acceptable. This bill will support a safe learning environment for all students at all Manitoba post-secondary institutions.

This bill is intended to support the safety of students on campus in all of the post-secondary institutions, not just a select few as was the previous administration's approach. This bill will require all universities, colleges and Manitoba institutes of trades and technologies, degree-granting institutions and private vocational institutions to have appropriate policies and procedures in place to prevent and respond to sexual violence on campus.

\* (14:50)

The bill amends two statutes: The Advanced Education Administration Act, The Private Vocational Institutions Act. It sets new requirements on institutions to develop an appropriate sexual violence policy in consultation with students, and to raise awareness and inform the campus community of the services and supports available and to report publicly on the activities and the results of activities under this policy.

Madam Speaker, some key components of this bill, which we believe will strengthen protection and security on post-secondary campuses, include a sourced and well-constructed definition of sexual violence. How do we properly enforce and educate something if we cannot first define it? It provides for a definition of sexual violence that encompasses a sexual act or an act targeting a person's sexuality or gender. Sexual violent can be physical or psychological.

I'm sure all members of this House can agree that the inclusion of social media within its scope is important, as there is an increase of growing harassment which takes place online. We need to educate young people and even members of this Chamber about the impact that negative social media comments can have on young people.

This bill also includes the nearly 50 private vocational institutions in addition to our public post-secondary institutions and—because our new Progressive Conservative government believes all students should be safe, no matter where they choose to study in Manitoba.

We know that students are increasingly transferring between institutions as well as returning to school to further their education much later in life. This enhanced legislation allows for all Manitobans to be covered under a consistent policy.

We also believe it is important that as—when issues evolve, we can constantly monitor our policies and assure their effectiveness. This bill will require a comprehensive review of the policy at least every five years and that students must be consulted as part of this review.

Madam Speaker, our new government believes in consultation and working with all of our stakeholders and community partners to allow us to make the most informed and best decisions on behalf of all Manitobans. I need to—we need to ensure proper and meaningful consultation with post-secondary institutions. Campus organizations and students are

part of the—of passing this important legislation. The previous government's approach lacked significant consultation, and we have taken the time to consult with our partners and stakeholders in order to bring forward what we believe is strong legislation. The previous government's proposed bill was vague and broad and provided little direction for each post-secondary institution and did not provide protection in all of them.

We have taken the time to get it right, Madam Speaker. This bill includes all of our post-secondary facilities. This bill was not a priority for the previous government. They had 17 years to bring in legislation. Instead, they chose to bring in legislation in the dying days of their government and then not call it forward.

We are pleased to take this positive step in moving towards a more safe educational environment, to work together to better protect our children.

We are making—excuse me—we are making the safety of all our post-secondary students a priority, Madam Speaker. I'm pleased to talk about this issue in the House today.

This bill is a result of extensive consultation, and we look forward to having this bill pass unanimously through the House.

Just a few numbers for those of us who are not following this issue—or for those that are not following this issue as closely as they might. The per capita rate of violence against Manitoba women is almost twice the national average. Under the previous government, Manitoba had one of the worst records when it came to violent crimes against women and nearly—at nearly double the national average, the absolute worst rate of sexual assaults compared to any other province.

According to Winnipeg Police Services Annual Statistical Report, there were over 680 sexual assaults committed in the city, in 2014. And so you don't think this is just an urban issue, there were 1,427 reported sexual assaults in Manitoba during that same period.

Manitoba has the highest self-reported rates of violent crimes against women compared to all provinces at a 161 rate units, which is what they use to measure the reports. The national average is 112.

Manitoba has several acts that provide victims of sexual assault and harassment, but these may not be

enough as we have seen from the statistic above that we are not successful. These are the Victims Bill of Rights, The Domestic Violence and Stalking Act, The Safer Communities and Neighbourhoods Act and the—and—sexual assault awareness month act.

According to a recent CBC article published March 17th, 2016, only about two dozen institutions across Canada now have stand-alone policies out of 100 universities and colleges. Bilan Arte, a national chairwoman of the Canadian Federation of Students, was quoted saying: Stand-alone policies are thought to be vital because they recognize that sexual assault is different from other forms of misconduct, sets out specific procedures for handling complaints and outline support services for victims. Clear policies help reduce underreporting.

Other jurisdictions are also acting. British Columbia, on April 17th, 2016, has introduced Bill 23, Sexual Violence and Misconduct Policy Act, that will require every post-secondary institution to develop—every public—sorry—post-secondary institution to develop a sexual misconduct policy.

Ontario Premier Kathleen Wynne announced in March 2015 a new \$41-million, three-year initiative which would help reduce sexual violence and harassment, including a new law forcing colleges and universities to step up efforts to 'stackle' the problem. She unveiled a 35-page action report entitled It's Never Okay to help stop sexual violence and harassment, and a new advertising blitz to raise awareness and encourage bystanders to intervene. The 13-part action plan is available in 27 languages, emphasizing there are no justifications for sexual violence or harassment.

The Ontario Liberals are also promising to improve and 'expediate' prosecution of sexual assault cases. At the same time, a new law would eliminate the two-year statute of limitations on civil sexual assault claims and claims of sexual assault before the criminal inquiries compensation board. Colleges and universities would be required by law to adopt a sexual assault policy that might be renewed and updated every four years—and this is the Ontario example—with mandatory student input throughout. It would also force schools to publicly report rates of sexual violence and to hear complaint procedures and response protocols.

The plan also makes more money available for education initiatives and universities and colleges, and specialized training for school staff, health-care

workers, members of the legal profession and police, increased funding and support for sexual assault centres, update to their province's new sexual assault education curriculum to ensure students learn about consent and respectful relationships and gender inequality through grades 1 through 12.

Madam Speaker, I call on all members of the—this House to support this bill.

### Questions

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

**Mr. Wab Kinew (Fort Rouge):** I congratulate the minister for bringing forward this legislation today. As he may know, the issue of sexual misconduct on post-secondary campuses is something that I've been working on and am happy to play a part in advancing for the benefit of all students.

I'd like to ask, first of all, if the minister could tell the House what an example of a policy on sexual violence being culturally sensitive would be.

\*(15:00)

**Hon. Ian Wishart (Minister of Education and Training):** I suspect that that would be written, of course, by the institutions involved. But I suspect that that would include their background, whether it includes their specific religions or cultural backgrounds. And I would hope that they would—that it would—any policy would reflect that. I think we need to be culturally aware of every individual's rights in this province, and I would hope that this—these regulations would be drafted to reflect that as much as is possible.

**Mr. Kinew:** Does the Minister of Education anticipate that regulations written by him would further define and flesh out what this cultural sensitivity means?

**Mr. Wishart:** Madam Speaker, we are working—and many of the public post-secondaries have many policies in place now, and we are working very closely with them to make sure that we can get

something that we believe is consistent and will reflect that.

We also are working with the private institutions. They have an organization that represents them, and we hope to be able to come up with one standard format that they can all follow.

**Mr. Kinew:** The bill mentions consent in a few different areas.

I was wondering if the minister could tell the House how is consent meant to be understood under this bill.

**Mr. Wishart:** I know there's quite a bit of discussion going on, not only in Canada but in the US in particular, on what is determined by consent. But federal regulation and federal law will probably be the defining factor, so we'll look probably to the criminal act to see how that will be defined. I don't believe it'll be too much different under what we're proposing here.

**Mr. Kinew:** Under the Criminal Code, the federal law, consent can be conveyed either by words or through actions. However, many student groups on campus have been calling for a higher standard of consent to be used on campus, one that they call yes means yes, meaning it has to be a verbal consent.

I wonder whether the minister would consider setting this out explicitly in the bill, that standard.

**Mr. Wishart:** At this point, we are following the discussion. Consensus actually hasn't really been reached on that. That's why we built into the bill the ability to review it on a regular basis. In fact, we require that it be reviewed on a regular basis.

I think that there needs to be further discussion not only provincially but nationally, as to regards to this, and perhaps internationally, because certainly it's coming into play on a lot of US campuses as well.

**Mr. Kinew:** Can the minister please tell the House what the reporting requirements—the public reporting requirements would be for the institutions covered by this bill?

**Mr. Wishart:** We're still working out all of the details on some of the public reporting requirements. I know that in the case of the private institutions a public—a report would be required. Every year, we have to renew their ability to teach, and it would be required before that would be granted. So we will get a report then, and then I guess we'll have to figure

out how we're going to make that public to both here in the Legislature and to Manitoba.

**Mr. Kinew:** What is the minister's preference for how this reporting would look for the publicly funded universities and colleges?

**Mr. Wishart:** Well, certainly, we've—been working very closely with the public post-secondaries for some time, actually, to try and get some consensus on how this should look. We do not have the absolute final version in place, but there will be, at some point, similar to what we just talked about with the private, a point where we would expect them all to report to us—can't have it coming in all 'arlong' the year—and then we would be able to put together a report based on public and private, both at the same time.

**Mr. Kinew:** Given that some of the activities of the various institutions under this bill may have to do with very sensitive personal matters and other cases, potentially even criminal matters, how does the minister plan to protect privacy concerns while still balancing with the need for public disclosure?

**Mr. Wishart:** I certainly share the member's concern for that. That is one of the reasons we're—we've been working very closely for some time. We realize that privacy for both accused and accuser are—is important and that we need to find some way to report incidents without too much detail so that neither will be identified.

I couldn't help but think back to some of the Children's Advocate reports where, of course, you can't report too much detail when it relates to a child that's been involved in the CFS system. But yet they've—still able to—as part of their report to convey the problem. So I think that that might be a not bad model.

Thank you.

**Mr. Kinew:** Thank you, Madam Speaker, and I also thank the minister for that answer.

Will the minister commit to ensuring that the various activities which are reported by the different institutions under this bill will be reported to the public, separated by institution—meaning they wouldn't just be presented as an aggregate, here's how many instances there were at all institutions—but rather here's how many occurred at this campus; here's how many occurred at this institution, at this school, et cetera, et cetera?

**Mr. Wishart:** Certainly, we've had that discussion with the public institutions, and that is our intent. The private ones, because they're—they tend to be very small and often have multiple campuses, we have yet not quite got consensus as to how we're going to do that. We have consulted with them, in fact, quite a little bit, and I think we'll probably find a different approach to deal with them. Their public access is quite different, and yet still there are students there and students need to be protected.

**Mr. Kinew:** Is the minister open to amendments on this bill?

**Mr. Wishart:** Yes, Madam Speaker, I am, and I would encourage the member to bring forward any amendments that he feels strongly about. But, as we pointed out earlier, we don't want to get too far ahead of the curve with some things while the discussion is ongoing on the consent one. I suspect that that might be a little premature to include in that. But we are open to amendments.

**Ms. Judy Klassen (Kewatinook):** Is there a timeline for these institutions to put forth their requirements?

**Mr. Wishart:** We're certainly working towards next fall as—to have this in place and we believe that that's quite achievable.

**Ms. Klassen:** I'm also wondering for students that are coming from the northern communities, how can we let them know? Is there, like, marketing geared, targeted toward the indigenous northern?

**Mr. Wishart:** Well, as the member points out, that's kind of a special set of circumstances, but most institutions have a period of orientation, whether it's a day or even an hour in some cases. We were certainly hopeful that this would become part of their orientation process and that all students would be well educated both not in the—not only in the consequences if an act takes place, but in the—how to prevent the act. So, certainly, that's the approach we want to take.

**Ms. Klassen:** Thank you for the answer.

Most First Nation students that come from reserve, they don't get their funding in time to actually attend orientation. They actually are sometimes even quite late in their first couple of days due to the funding issues.

**Mr. Wishart:** I thank the member for the information.

If that's a problem, I think we would probably have to look for some ways to make sure that that information was passed along and it was separate from the orientation. So we'll certainly keep that in mind in—when we're consulting with the institutions on the policies and how to get them in place. I appreciate that.

**Mr. Kinew:** The bill mentions in a few different sections the requirement for institutions to engage with students and to have student participation in the design of these policies.

I'd like to ask whether the minister can tell us what supports, if any, will be available to ensure that students can fully participate in the design of these policies.

\* (15:10)

**Mr. Wishart:** We're, certainly—I mean, we know there are very strong student organizations in most of the public institutions. There are not such organizations in some of the private and semi-private ones. So we'll certainly have to look at ways how to set up a good consultation process.

I know it may well actually precipitate—give a little push towards organizations being formed in some institutions, and I think that's a good part.

**Mr. Kinew:** And how will the minister ensure compliance with these provisions? How will the minister make sure that the universities actually—and colleges and schools have actually consulted with the students?

**Mr. Wishart:** As to the consultations, well, we'll certainly require some proof of that occurring. But, as I mentioned in answer to one of my earlier question, especially for the private institutions, there is a point when they have to bring all of their course availabilities to us and ask for certification. From our point of view, that'll be our opportunity to deal with the public—or the private institutions and to make sure that they have done an adequate process.

**Mr. Kinew:** Some public institutions in the province have already undertaken to develop policies. Is it the minister's understanding that these policies will be grandfathered in or will they be in compliance with the proposed act?

**Mr. Wishart:** We have certainly been consulting with those institutions, and we're hoping that we can get some type of alignment, that we have a working group that has been meeting between these policies to make sure that every body is, more or less, in

compliance with what we hope to see in terms of regulations.

**Mr. Kinew:** There was quite a lot of media scrutiny regarding reports of the way that Brandon University handled an incident on their campus. They are one of the institutions that have been working towards developing a sexual misconduct policy.

Is it the minister's understanding that Brandon University's policy will fit—will meet the standards of Bill 15?

**Mr. Wishart:** I know that they have made significant changes in their policy. Their previous policy certainly would not have met the standards that we hope to see. And it's my understanding that the new policy they have in place is very close. There may be a few things that need some minor change, but it'll certainly be something I think that we can work with. And I would applaud them for making such significant changes in the policy on their own.

**Ms. Klassen:** The burden of proof is always—seems to be on us—on vulnerable indigenous women. This turns us in—away. In regards to my case where a similar situation happened at Brandon University, where one of us did come forward in our group, they were turned away, not believed, not supported. If this is still the case, what is—what are the options available to us?

**Mr. Wishart:** I certainly share the member's concern that people often do not report incidents, which is why we hope to have policies in place that are fair and even-handed and are removed enough that people are comfortable with the reporting process. It was also one of the reasons that we made the reference to culturally appropriate, that perhaps we may have to put some special circumstances—special clauses in there to make sure that it's—everyone is comfortable in the reporting process. This is not about excluding; this is about including.

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

And I don't know if I'm out of line in saying this, but the question and answers during this last 15 minutes were excellent and very effective, I think, in what we're trying to accomplish here. So congratulations to the members that were asking and answering. That was excellent and very effective.

## Debate

**Madam Speaker:** The debate is now—the floor is now open for further debate.

**Mr. Wab Kinew (Fort Rouge):** Madam Speaker, I do appreciate your comment after the question period. There is, of course, one question that I didn't have time to ask, which is, of course, where did you get the idea for this great piece of legislation. Ran out of—a question, perhaps, for committee.

Anyway, all joking aside, this is a very serious matter. This is a matter that affects many of our colleagues in the House here very closely, and it has affected me over the course of my previous professional life and also as a parent of two young boys. And one of the topics and concepts that I am working hard to ingrain in my sons' minds is a thorough understanding of what is meant by consent. It is an idea which can be understood at a very early age as the requirement to get someone's permission before engaging in an activity with them. And it's helpful in speaking to young people in the elementary school years insofar as we might want to prevent bullying and make sure that our children and their friends are safe from bullying, be that bullying in the classroom, bullying in the schoolyard or even cyberbullying.

And so I talk to them and I tell them, well, you know, consent is something that you have to have. If you're doing something with somebody and you don't have their consent, then you're probably bullying them and that's not good. That's not acceptable behaviour. And then as they get a little bit older, and my older son is at the age where things are beginning to change for him, and, you know, life is starting to get more complicated. Consent is an important standard for him to understand at that age as well, as he should know that he ought to be safe from any sort of inappropriate relationships or inappropriate actions from people around him. And so I, you know, remind my sons that consent is also something that they need to grant before they engage in any sort of, you know, activities with other people.

And then, of course, once they get to university age, college age, the age where they start to enter the workforce, hopefully these conversations around what consent is will have provided for them a baseline of knowledge, a baseline of expectations around behaviour that they will be able to carry forward with them in their lives, both so that they would know how to keep themselves safe from any sort of unwanted advances, but perhaps, most

importantly, that they would understand as young men that they have a requirement, an obligation, even a duty in our society to work towards the elimination of sexual violence and sexual misconduct.

*Mr. Doyle Piwniuk, Deputy Speaker, in the Chair*

And so it is through actions like that that we can start to build a culture of consent, a consent culture. You know, I share this example here with the House today as perhaps how we can build a culture of consent at home. But working at a post-secondary institution prior to the election this year, for a few years I was also privy to many conversations about the work that is being undertaken to build a culture of consent on campuses, both at campus here in Winnipeg but also as part of a national initiative by leaders in the student movement to build a culture of consent on campuses right across Canada. And so I believe that this is an important societal goal.

\* (15:20)

One of the things that we all ought to understand is that the work to ending sexual violence, the work to ending sexual misconduct is too often understood to only be advocacy work undertaken by victims or prospective victims of those unwanted advances. But we ought to understand that the real work, the real change, needs to be undertaken by those who might be the victimizers, those who might be the aggressors. And that's the real importance of this notion of fostering a culture of consent on campus. Because it is one thing to do the important work of providing supports to victims. It's one thing to do the important work of ensuring that there's proper access to counselling and to health care, possible remediation through the criminal justice system where necessary. And all that work is important, but it is another thing for us to actually tackle the attitudes of permission that allow both the individual aggression and acts of sexual misconduct to take place, but also the systemic structures which permit things like misogyny, homophobia and oppression to continue to permeate our society.

And so I'm happy to stand up in the House today and to speak to this bill, because I believe that it is an important step towards challenging, you know, those bad behaviours. And it is also a step towards fostering a culture of consent on campuses here in Manitoba.

However, I do think that we all ought to understand that the work is not done if this bill

passes. We all, as individuals, have work to continue. And particularly, those of us engaged in the educational system and in the post-secondary sector know that there is more to be done to ensure that every student is free from sexual violence, that every TA or RA is liberated from unwanted advances from their supervisors, that actually anyone passing through a campus knows that they're safe, whether they're a student, a teacher or just a member of the public.

And so, that's why some of the questions in our QP here with respect to this bill did focus on the idea of fostering a consent culture on campuses. Because it is true that there is a legal definition of consent in Canada, but under the Criminal Code, Mr. Deputy Speaker, the definition of consent says that consent can be given by words or actions—words or actions—and one of the concerns that has been raised by students that I've spoken to, both male and female, both by—well, by student leaders who identify across the spectrum of sexual identity and gender identity. One thing that they have repeatedly and consistently identified to me is that this standard, which, when I was in university, was called no means no. Somebody says no, that's it; you have to stop. But what these students and leaders have said is that this standard of no means no is not enough. It's not good enough, because while it may be in keeping with the Criminal Code, there's still a grey area whereby some unwanted actions, some forms of sexual misconduct may still be permitted.

And that's why the student leaders in this province, in 'allyship' with student leaders from across the country, have begun to advocate for a stronger standard, a standard that they call yes means yes. Under this standard of consent, the idea is that the person initiating some sort of sexual activity or some sort of relationship has a requirement to seek the consent—the enthusiastic consent, some people say, of their prospective partner.

And so, the Minister of Education shared that he believes that there is not a consensus around this yes-means-yes standard; however, I respectfully disagree. I've spoken to enough students to know that they have, you know, formed a consensus on this subject and are advocating for this.

And, indeed, in my previous life as a post-secondary administrator, I played a role in developing anti-sexual misconduct policy for a publicly funded institution here in our province, and we explicitly defined consent under that policy. And

the standard that was used was the standard of yes means yes. And so there is a precedent in our province here for us to use yes means yes as the standard of consent because, well, when it gets down to it the importance is this: we ought to ask ourselves, what kind of province do we want our children to live in? What kind of schools, colleges, universities do we want our children and our grandchildren to go to?

And, when I ask myself that question, I answer, well, I would like my sons to go to a university or a college or a school where they know that unless they explicitly and enthusiastically consent to participating in an activity that it won't be thrust upon them, or that they won't be forced into it. And so I think that that is a good standard for us to work towards.

Perhaps it's not necessary that the bill be amended and it be put into the proposed law here. Perhaps this could be accomplished under regulation, or perhaps this could merely take the form of a concerted outreach effort on the part of the Ministry of Education to convey some of these definitions of consent of the yes-means-yes standard towards the schools, the colleges and the institutions that would be covered by Bill 15.

My time at the University of Winnipeg, unfortunately, I had cause to become quite well acquainted with the very real and the very ugly face of sexual violence and what it can look like on campus. You know, there were students who did suffer very real and very awful abuses. Sometimes it was another student who was the accused perpetrator. In other instances it was a member of the public who was accused of some form of sexual misconduct, and it's very difficult to watch a student suffer. And so the bill, if it is to become law, will represent some progress towards addressing that.

But I think that my colleagues in the House today should also understand that this isn't just about protecting students, that is a very important objective; and it isn't just about protecting employees of colleges and universities, though that is also a very important objective. In some ways this bill may actually go to protect people who are members of the public and may actually help to protect other people even off campuses in Manitoba, and I think that that's a good aim. Anything that we can do to spread a consent culture is important work. Anything we can do to potentially insulate people from being

victims of sexual violence and sexual misconduct is an important endeavour.

\* (15:30)

I'll give you an example, Mr. Deputy Chair. Many of us in the House are familiar with, you know, the case of Rinelle Harper who was brutally attacked and left for dead in our city here, and through her own strength and resolve—she was also—she was able to save herself from an early death and also, due to the heroism of some bystanders, some people who she turned to for help in the immediate aftermath of this attack, she was able to be taken to hospital and has made a recovery and has continued on with her education. She's also done some very important work to advocate for missing and murdered indigenous women and, in fact, she has a book which is slated for release in the near future. And we very nearly missed out on those great contributions that she has made to our society. But we're lucky that she was strong enough to be able to save herself and that there were good people in the immediate environment who were good enough to help her.

Unfortunately, while I was at the University of Winnipeg, I met the young man who was accused of attacking her, met him before this incident took place. And at the time I had no knowledge of, you know, that this young man was capable potentially of the things that he's been accused of, and I saw him in the public computer lab that the University of Winnipeg has. And he come up and greet me and asked me, you know, this and that, and I conversed with him. And that was the extent of our interactions, really, just a hey, how's it going, nice to see you sort of thing.

But it was later that year, when our—well, not our, but this former institution that I was involved with developed this sexual misconduct policy, that I reflected on the following. If we had a policy around sexual misconduct at the time that this young man was using the facilities at the University of Winnipeg, perhaps we could have made an intervention with him. Perhaps we could have reached out to him and forced him to think twice. Perhaps we could have had that—perhaps I could have had that, instead of just saying, hey, how's it going, I could've said, hey, before you use the computer lab, let me talk to you about consent. Let me talk to you about what yes means yes really means. Let me explain this new policy that the university has developed, and before you use our

facilities, I'm required to make you aware of this policy. And of course, in a situation like this, we're always prone to second-guessing and a million other, you know, considerations of what might have happened, but that is one of the things that I will carry forward with me, the fact that I could have potentially made an intervention, and had a piece of legislation like this, or the former Bill 204, or the former Bill 3 existed at the time, then perhaps we could have done something to prevent those actions from taking place.

And so there's an example where it's reaching beyond a campus, where it's reaching beyond an institution, because our campuses, post-secondary institutions, colleges, universities, private vocational schools, are areas where we can stage interventions with students, with staff, with administrators— but then again, with all the members of the public who pass through those locations. And so, on that basis, I think it's very important for us to undertake this work and to ensure that we are having those conversations, we are doing that outreach, we are building that awareness about what sexual misconduct is, what consent is, and that we do that in a good way.

I have some other questions surrounding the bill that I'm hoping we can address at the committee stage and hopefully with the input of students. I'm very hopeful that many students will come out and participate in the committee regarding this bill if it is to move to the next stage of the legislative process.

One particular question is around this term of cultural sensitivity. I take it at face value that the minister and the drafters of the legislation are operating with good intentions and they want to ensure that the policies that are to be developed under this bill will be done in a good way that is respect—that respects people's unique and valuable cultural backgrounds.

However, because this word cultural sensitivity in the bill creates legal space as a proviso to the policies developed by the institutions, the schools and the colleges, I wonder whether the bill might be asking for a definition of cultural sensitivity within it so that we could be sure that where the policies are amended, where the policies are designed to ensure cultural sensitivity, that that is actually being used in a way that is in keeping with the minister and the co-sponsor's intentions for what they want the cultural, sensitive approach to be encompassing.

I'm confident, having been a former post-secondary administrator, that the admins and the

students and all that will operate in a good-faith way, that they will use this culturally sensitive directive to ensure that their policies are strong and good. However, there is always the potential when you insert certain language into a bill that a potential loophole might be created, and so I just want to ensure that in our conversations around this bill, either now or at committee, we can address that there's no loose ends being created here with the inclusion of cultural sensitivity.

The other definitional point that we might turn to is, of course, consent. You know, I'd spoke extensively at the beginning about the importance of talking about consent with young people, talking about consent on campuses. And whether through the bill itself or through regulation we may want to see consent defined, mindful of the fact that there is a legal definition of consent under the Criminal Code. Perhaps the regulations or the portions of the bill that would deal with this could define what is meant by a culture of consent. And in that way we wouldn't be seen as infringing or encroaching on the jurisdiction of the federal government who has legislated around consent under the Criminal Code.

Now, I heard the minister take a few partisan shots in his comments. He's not here to—well, let me walk that back. Let me say that I look forward to discussing with the minister soon, and perhaps just offering some corrections to some of the points that he raised, you know, where he talked about vagueness. Well, for me, Mr. Deputy Speaker, I saw strength, because the real strength of the former Bill 204 was that it required student input on definitions of things like consent, student input on things like what is meant by sexual violence and sexual misconduct. And he also spoke briefly about bringing in the private vocational institutions. You know, we should put on the record that the former legislation would have covered some 95 per cent of Manitoba students by issuing an edict to the universities and colleges that they develop policies.

And so the previous approach was brought, but, of course, now that this Bill 15 will also cover the private vocational institutions and bring in that remaining, what, some 5 per cent of students under the auspices of this legislation, well, of course, that's a good thing, and, of course, I'm supportive of that.

\* (15:40)

In British Columbia when they chose to pursue this it was, of course, an opposition motion which brought it forward. And the Premier of British

Columbia, Christy Clark, embraced the, you know, opposition resolution—opposition bill, rather, and used that as a basis for the legislative initiative that they've undertaken. And so there is a precedent in Canada for this work to be undertaken, in an all-party fashion, perhaps not non-partisan completely but at least in an all-party fashion with input for many others.

And so, though I've kind of perhaps offered a few clarifications, I do want to say that I do think that the overall direction of this legislation is a good thing. And, indeed, it preserves the substance of the former Bill 204 insofar as it requires post-secondary institutions to have policies around sexual misconduct, that it requires that students be involved in the design of these policies and that it ensures that there's public reporting, that it ensures that there is public reporting done on the work undertaken by these institutions under those policies.

And since that was the heart, if you will, or the substance of the former Bill 204, and that that substance, the heart of that idea is preserved in Bill 15, then, I think, that expanding it to cover that other 5 per cent of students in Manitoba is, of course, a good move and that—one that I think that we ought to support, and that they provide definition, they add a definition that, you know—I've had a chance to review and discuss with some of the drafters and, you know, some ministry officials and, seeing no problems with that, of course, adding a definition, I think, is good insofar as it provides legal certainty. It provides some clarity. Though, of course, because that definition does mention consent in it, I do hope that we can continue those conversations and ensure that consent is defined in such a way that the goals of the student movement in combating sexual violence on campuses, both today and tomorrow, can be pushed further down the road and can be celebrated by this bill and that it doesn't become any sort of encumbrance or rather any sort of excuse to defer action on the part of university officials.

And so I am pleased to hear that the government did consult with students at a meeting in July. I'm also pleased to hear that government officials have had numerous conversations with organizations such as COPUM, the Council of Presidents of Universities in Manitoba, and other organizations representing post-secondary schools, colleges and institutions. I think those conversations are important, and they're very valid. However, I would remind the government that the primary stakeholder at schools, universities and colleges are the students. They are the primary

stakeholder. And, indeed, they are, by numbers, probably the group that will be most impacted by this legislation. And so I would hope that the consultation, the conversations that are undertaken under this bill will focus proportionately on students themselves.

Of course, university administrators, of course, faculty members ought to have their say and ought to have their input, but it is because of the advocacy work of student leaders that we are debating this bill in the House today. And it is because of the concern for the safety of those students that we're debating this bill in the House today. And so, as a result, I would encourage the government to continue their conversations and their consultations, but, again, as much as the presidents, as much as the administrators need to have their say, they are not the primary stakeholder. Primary stakeholder is the students themselves. We cannot forget about the students. We must put their voices first and foremost, and we must privilege those things.

With those thoughts on the record, I'm happy to stand up here in the House today and say that I am happy to continue working towards advancing—

**Mr. Deputy Speaker:** The member's time is up.

**Hon. Rochelle Squires (Minister responsible for the Status of Women):** Good afternoon, Mr. Deputy Speaker, I am pleased to put a few words on the record regarding Bill 15, The Sexual Violence Awareness and Prevention Act, and—but first of all I want to thank my colleague from Fort Rouge for his comments that he put on the record this afternoon and for enhancing the dialogue regarding this bill, and also for his commitment to making our campuses safe.

As I have said in this House before, sexual violence and sexual harassment is something that is absolutely critical for us to continue to talk about and take action against. We have to continue to raise awareness and work diligently to prevent sexual violence and sexual harassment until it no longer exists on our campuses and in our communities.

As I have made my common practice whenever I begin any public dialogue regarding sexual violence, I would like to acknowledge that there may or may not be survivors of sexual harassment and assault that will read or hear my words, and I would like to commend them for their bravery and offer them my sincerest gratitude for their strength.

I would also like to thank all my colleagues in this House for debating this very important bill and this issue. I believe that awareness and continued dialogue will go a long way to changing the culture of rape and reducing the number of incidences of sexual violence.

Regarding this bill, I'm extremely proud to be part of a government that believes safety in our post-secondary institutions in Manitoba is of utmost importance. Students must feel safe on and off campus to ensure a positive learning environment, but it is also where they are learning a code of conduct, and for many of these young adults this code of conduct will carry on well into their adult lives. And so it is very important that we establish this conversation and that they are informed and aware and that that code of conduct is fully realized in our young adults that are learning and studying on campus.

By providing education to students, by providing this legislation that will also serve to educate students on a clear process to—on—for which to report and access support, it is my hope that more students will feel that they can come forward and get the help that they may need.

In order to clarify some questions about why campuses need specific legislation to deal with something that is already clearly dealt with in the Criminal Code, I'd just like to elaborate a little bit about the environment we are dealing with in Winnipeg, as well as put some statistics on the record regarding the reporting—the police reporting incidents of sexual assault.

First of all, not every survivor wants to report to the police and—when there has been a sexual violence incident that has occurred, and we respect a survivor's right to choose on whether or not he or she wants to go forward with a police report and all that that entails.

This legislation does not take the place of any federal laws that simply give survivors another—who belong to a campus or an institution with another option to move forward after an incident has occurred.

It's important to remember that over the past number of years Winnipeg is consistently reported one of the top three sexual assaults—having had one of the top three sexual assault rates among metropolitan areas in Canada. These figures become all the more startling and heartbreaking when you

consider that the figures are for police-reported sexual assaults only, and we know that sexual assault is an under-reported crime. In fact, recent figures from Statistics Canada estimate that as few as 5 per cent of all sexual assaults are reported to police.

As the statistics show, most survivors do not feel that they can go ahead with a police report. Why? Well, I can't speak for all the survivors, but I do know that a lack of clarity on a definition of what is sexual assault and sexual harassment is of great concern.

That is why our bill, we have a well-sourced and well-constructed definition of sexual violence. It employs the ambitious definition found in the Ontario legislation, which itself was the result of extensive community and stakeholder consultations.

\* (15:50)

I believe we can all agree that it is difficult to properly enforce and educate on something if we cannot first define it. Our bill provides for a definition of sexual violence that encompasses a sexual act and also the targeting of a person's sexuality and gender. This definition also keeps in mind that sexual violence can be physical or psychological and it is committed, threatened or attempted without consent.

Also in our bill, the inclusion of social media within its scope is important as there is an increase of harassment that takes place online. One only needs to look at the tragic case of Rehtaeh Parsons to see the tragic consequences of sexual harassment that occurs in social media. With this bill we hope to educate young people about the impacts that negative social media comments can have.

Bill 15 also includes the nearly 50 private vocational institutions in addition to our public post-secondary institutions because our new government believes that all students should be safe no matter where they choose to study in Manitoba.

We know that students are increasingly transferring between institutions and that there are a number of joint degree/diploma programs in the province of Manitoba that serve the students across multiple campuses. We certainly want to have consistency and clarity, so if the student begins her degree at one campus but then transfers over to another campus, the expectation is that she can expect the exact same policies in place regarding this very, very important and yet sensitive subject.

This enhanced legislation also allows for all Manitobans to be covered under a consistent policy. We know that this policy will also enhance the lives of people who are attending institutions in our province as well as people who are visiting the institutions and also having relationships with people who are students of a particular institution or campus.

Mr. Deputy Speaker, this bill is the result of extensive consultations, and this summer I had the opportunity to consult with the Manitoba Canadian Federation of Students, along with many other groups. I want to thank especially all the work that's been done by the student groups to support this legislation. We know they have been asking for this for years and they have remained committed to seeing this legislation brought forward into this House, and I just commend them for their tireless efforts.

According to research done by the Canadian Federation of Students-Manitoba, across campuses in Manitoba nine out of 10 cases of sexual assault go unreported. Again, this is very consistent with the statistics that I previously reported regarding the Winnipeg police incidents, as well as national figures that show that roughly 5 per cent, or less than 5 per cent of reports—incidents of sexual assault are reported to the police.

In regards to this bill, Michael Barkman, the Manitoba Canadian Federation of Students Chairperson, had this to say, I quote: We are happy to see that the Progressive Conservative government has tabled legislation that will protect students on our campuses and move our public institutions to challenge rape culture and proactively replace it with a culture of consent.

That is exactly what we need to do as a society. We need to challenge the rape culture and proactively replace it with a culture of consent. I thank Mr. Barkman for his comments and for his support on this legislation.

As my colleague for Fort Rouge had just so clearly addressed in his remarks prior to mine regarding consent, we need to balance focusing on the safety of our students with addressing the behaviour of perpetrators. Bystander intervention plays a key role here, as well as education, and public awareness materials need to focus on consent education. We need to do more to engage men and boys to take a stand and create a culture where sexual harassment and violence is not condoned.

Mr. Deputy Speaker, in closing, let me reiterate: This bill is not meant to supersede federal legislation. It is meant to strengthen the protection of students on campus and provide our educational institutions with a broad framework to address the needs of their respective student base.

I am proud of this bill and I commend my colleague, the Minister of Education, for all the work that he and his department have done to create it.

Our government looks forward to further consultation and dialogue as we move this important piece of legislation forward to further protect our students. Ultimately, this legislation is about making our campuses safer for students in the province of Manitoba, an act to which our government is deeply committed.

I look forward to having this bill receive unanimous support in this House.

Thank you very much, Mr. Speaker.

**Ms. Judy Klassen (Kewatinook):** Thank you, Sir Deputy Speaker. I would also like to thank Madam Speaker for her comments earlier as well.

I rise to speak to Bill 15, a bill which requires post-secondary educational institutions to create policy on sexual violence on campus.

Sexual violence is a problem for us all. We have met with Michael Barkman as well and his group that represent the Canadian Federation of Students, and if they support this bill, then that assures us, our caucus, that is—it is in the best interest of all Manitobans.

As a mother of six students, I am grateful for the new changes to the bill. As a victim myself while at Brandon U, I feel that any child attending an institution of higher learning will be supported better than what I had to endure.

I appreciate, as well, the invitation from Minister Wishart's office in the bill briefing.

We see our women and girls taking to social media with #YesAllWomen to call out society for how it handles sexual harassment towards women. We teach our girls not to walk alone at night, carry—and to carry car keys like weapons or yell fire in case of an assault so they will most likely be helped. Our girls grow up knowing it's safer to give a fake phone number or tell a man that they have a boyfriend rather than to turn a guy down. We teach our women and our girls countless ways to prevent themselves

from being victims so that when they are victimized, they can't be blamed because they were in the wrong place at the wrong time or because of how they were dressed.

Half of all women in Canada have experienced at least one incident of physical or sexual violence since the age of 16, and I'm sure that number would be a lot higher if women felt that they could trust in the various institutions and justice systems and that—if they report it. Being an indigenous person I do not immediately trust the systems, and this is a result of my conditioning. It is my reality.

Approximately every six days, a woman in Canada is killed by her intimate partner. In 2014, the RCMP released a Canada-wide report on the number of missing and murdered Aboriginal women indicating that there are 1,181 Aboriginal women were victims of homicide between 1980 and 2012, and Aboriginal women are six times more likely to be victims of homicide. Aboriginal women are also 2.5 times more likely to be victims of violence than non-Aboriginal. Women living with physical and cognitive impairments experience violence two to three more times often than a woman living without. Sixty per cent of women with a disability experience some form of violence.

Children who witness 10 or more incidents of parental domestic violence before the age of 16 are at least twice as likely to attempt suicide. Each year in Canada it is estimated that up to 362,000 children witness or experience family violence. Children who witness violence in the home have twice the rate of psychiatric disorders as children from non-violent homes.

Manitoba has consistently had the highest rates of family violence among provinces. That is a sad reality.

In this government's family services report, we discovered that 419 less people were served by women's shelter in Manitoba not because there were fewer women requiring help, but because stagnated funding has limited their staffing and ability to help those.

It's easy to tell other institutions to do something about sexual violence, but this government needs to put its money where its mouth is. In a Department of Justice report in 20–2009, it was estimated that each year Canadians collectively spend \$7.4 billion to deal with the aftermath of spousal violence alone.

\* (16:00)

The Liberals rose to support the bill when it was introduced by our colleague Mr. Kinew, and we will rise again to support this one too. We know that it's something—

**Mr. Deputy Speaker:** Order, please. I just want to remind members [*inaudible*]

**An Honourable Member:** Fort Rouge.

**Ms. Klassen:** Thank you—the member for Fort Rouge (Mr. Kinew). We know that it's something that needs to happen, and it needs to happen now. It's 2016.

The Manitoba Liberals support any action taken by this government to improve the safety of women and the safety of all Manitobans. We can all agree that there is much more work to be done.

**Mrs. Sarah Guillemard (Fort Richmond):** Mr. Deputy Speaker, thank you for the opportunity to share thoughts and put a few words on the record regarding Bill 15, The Sexual Violence Awareness and Prevention Act. Our government recognizes that safety is of the utmost importance for all of our post-secondary institutions in Manitoba, and the discussions that will pertain on this bill will explore safety for all students as they further their education.

There has been a spotlight in recent months on a sexual assault case in the United States. A young woman who was unconscious was raped and brutalized by a student who used alcohol as an excuse for his behaviour. This particular post-secondary institution has a policy on sexual violence and sexual harassment that is thorough. I took the time to read through it and found it comparable to the policy at the University of Manitoba, although there were some elements that could be updated relating to bringing awareness to the student body. The message of the policy, however, is strong and clear: You do not have the right to sexually harass or violate any other person, at any time, for any reason. There are clear steps to take when a student is violated, with encouragement to seek out support.

Our government's new bill will not only address the core elements of safety on campus but also provide a clear outline of direction following reporting of sexual violence by students. A policy will always have limitations. You see, it's not the policy nor the amendments to policy that are going to change the mind of predators. They are, by definition, criminals. And we all know that criminals break rules, laws and certainly policies.

In the case of the woman in California who suffered unspeakable injuries, a policy was in place, yet a sexual assault still happened. It is so very important to clarify that there is no correlation between having strong policies and reducing sexual violence on campus, nor is there any correlation between having a strong policy and seeing more predators being brought to justice.

This is why the added awareness element to Bill 15 is so important. Students need to be educated about consent but also the steps to take if they fall victim to a sexual predator or are the target of harassments. Bill 15 will focus on equipping students at all post-secondary institutions with tools to help prevent the frequency of harassment and violence but also encourage reporting in a supportive environment.

Policies are only as strong as the people who enforce them. And the people who enforce them are only as capable as the law allows them to be. And this brings me to a very important point on consultation. It would do no good to the current or future victims of sexual violence and harassment if we simply limit policies to the authority within post-secondary institutions. This needs to be a collaborative approach that includes discussions and input from law enforcement agencies and the Department of Justice.

If we truly want to be advocates for victims of sexual violence, we cannot slap together a bill that alludes to justice being served at educational centres. They simply do not have the authority to offer such assurances. This is why our government has spent time in multiple institutions, listening to the stakeholders and including discussions with the Department of Justice. The victims of this type of sexual violence or harassment, they need to know what their options are, including the option to seek legal advice.

I was recently at a breakfast where the guest speaker was the Honourable Marie Corbett, Q.C. She was able to point out some of the flaws surrounding reporting of sexual violence and how the justice system needs to re-evaluate how these cases are handled, including taking into effect the trauma and how it can alter behaviours, which can be assessed as being evasive, and therefore affect the credibility of victims. Every step along the way of reporting is integral to the outcomes of a case. So strengthening policies at institutions to include legal advice will go

a long way in supporting those who experience this type of violation.

There is value, Mr. Deputy Speaker, in having consistent policy at all Manitoba post-secondary institutions, and our government fully supports a process to develop such a policy with proper consultation. I have had the opportunity to read through the existing policies of our major post-secondary schools, and although each addresses the main points of not tolerating any kind of sexual violence, some clearly need work in order to educate students and staff about supports available if an attack occurs. Although I don't view policies as an effective prevention tool, I fully support having comprehensive, well thought out documents in order to run an effective institution with consistent expectations.

What I hope to shed some light on is what happens when you make changes to legislation without recognizing the possible negative impacts the changes could have on the institutions we are seeking to impose them on. For example, I have been an active volunteer within my church community for many years, and that includes caring for and teaching young children. As most of us who have worked in the schools or coached sports teams know, this requires me to have an updated child abuse and criminal record check done. It also requires me to sign a policy agreement, a legal document that had been drawn up by our diocese in haste following multiple child abuse convictions. The policy was required in order for their many congregations to be insured. I took the time to read the policy, and although I didn't disagree with its intent, I soon realized that the group that wrote the policy did so without realizing the impacts it would have on smaller congregations.

Our church had struggled to grow its volunteer base for the Sunday school program, as some churches do. The lack of volunteers sometimes had me teaching many students alone in a room. The policy that I was to sign stated I always had to have a second adult at all times. To be honest, I would have loved to have the extra hands, but we simply did not have the numbers to follow this particular rule in the policy. There were other rules that low volunteer numbers meant we would have to be in breach of the policy.

Clearly, the policy was written with good intentions, but it put our program in a precarious position. We either broke the policy, which would

make us liable, or we shut down the program because we could not meet the standard of care. Our group decided to offer a third option: We would re-write some of the policy as recommendations and keep the core elements of safety within the legal policy. We consulted with public daycare centres and sought feedback from those who would be impacted by our changes. Not only did the diocese accept our group recommended changes, they adopted them as the diocese and policy for all churches. The end result of the effort to consult paid off with a stronger and better policy that was more inclusive and open to evolving as the need arises.

This is why our government has consulted broadly with students and with the university presidents through the summer and fall of this year and determined we needed a more extensive scope in content than the previous bill covered. This collaborated approach with multiple levels of authority both at the educational institutions and with law enforcement will help our post-secondary institutions move forward in helping victims of sexual assault and harassment.

Here are a few statistics on sexual violence from the website called *sacha.ca*: One in three women and one in six men will experience some form of sexual violence in their lifetime. That represents about six men and five women in these Chambers when they are full. That is a sober and devastating thought. According to one set of numbers, approximately 460,000 sexual assaults occur in Canada every year. For every 1,000 sexual assaults, only about 33 victims report them to police; 29 of those are classified as crimes, but only six go to court, and of those six, three lead to convictions. Out of 1,000 instances of sexual violence, 997 assailants walk free.

\*(16:10)

When you consider the numbers I just stated, some would say I was lucky. My case happened to be one of the few that led to a conviction. His sentence was one year probation with counselling. My sentence was a lot longer than that.

Our society's problems won't be fixed with policies. There is something broken that goes beyond the campuses of our post-secondary institutions and permeates society and its reactions to sexual violence. We are taught to find fault in the victim or to find fault in ourselves for ever being in a situation that ended with us being hurt. Society fears a false accusation more than it cares about supporting true

victims. With a single seed of doubt, a victim will stay silent for years. Abusers know this.

As leaders in Manitoba, our government has an obligation to ensure that our students feel safe while attending post-secondary institutions. We are very supportive of this legislation that ensures our students in Manitoba can grow and learn in a positive educational environment. That is why we are working closely with universities and colleges throughout Manitoba to ensure that safety is a top priority in order to support continued successful learning environments.

Thank you, Mr. Deputy Speaker.

**Ms. Nahanni Fontaine (St. Johns):** Miigwech, Deputy Speaker, for allowing me to get—or allowing me to speak a couple of words on this bill.

So I think that, of course, everybody in the House supports this bill, and I would imagine and expect that everybody in this House recognizes the importance of acknowledging and fighting against and advocating on behalf of women in respect of sexual violence, and sexual violence in its myriad of forms and in its myriads of manifestations and in its myriads of spaces, including on campus.

I wanted to—oh, miigwech. Thank you—I want—I'm going to keep my comments in respect of some things that I think are really important to kind of have on the record, particularly when we're talking about indigenous women and sexual violence.

When I was doing my master's degree—I have a master's degree in native studies, women's studies and critical theory. And my master's research was in respect of contemporary indigenous women's identity. And part of my research was I interviewed, I think, about 12 indigenous women, and started, really, from their life history, starting with their grandmothers and their mothers and how that kind of manifested in their own life. And what is interesting is that every single woman that I interviewed, but also every single woman within my circle—and I do have a huge circle of indigenous women, and it is that circle of friendship and family that I get my greatest strength. In the women that I interviewed and in my sacred circle, there is not one single woman that I know that has not been sexually assaulted in some way, either as a child or as a young woman or even in older age.

I have such the privilege to work with families of missing and murdered indigenous women and girls from across the country, all the way up to the

very far north to BC—literally from coast to coast to coast. And just this past February, the province of BC actually emulated some of the work that we were doing here in Manitoba. And they hosted their first ever MMIWG families gathering. So, in Manitoba, as many people would or should know, we've hosted a gathering here; it's called Wiping Away the Tears. And we were hosting that every single year, and it's specifically just for families of missing and murdered indigenous women and girls, so that they can get some healing and they can connect with one another and all of that.

And BC did their first one last February and so, of course, they asked—I was helping them in, you know, the logistics and designing what they were going to be doing over those two-and-a-half days, and they asked me and my sister colleague Bernadette Smith—she is the sister of Claudette Osborne. Claudette Osborne's been missing since June of 2008. She went missing two weeks after giving birth to her daughter Patience—but they asked us and they brought us out to be able to help facilitate sharing circles with families.

And you know, when you are in BC territory and you're sitting with MMIWG families, you're sitting with families, and this was new to me; I didn't realize this, I guess. You're sitting with families and with women who actually survived Pickton, who actually survived Robert Pickton. And it's interesting that in the 20 years that I've been doing work in respect of MMIWG, it was the first time that first sharing circle, and we had a young woman that actually survived Pickton, I—it was the first time that I thought, oh, yes, I guess quite obviously, there are women that actually survived his brutality and his savagery.

And one of the women in that circle was—or, is a grandmother and her sister was murdered many years ago and she is just a kind, humble, loving woman, grandmother, mother, auntie, cousin and I absolutely love her. I love her so much. And she shared for the first time in that circle how only several years back she had been sexually assaulted, she had been raped. And she broke down and talked about as an older woman what that does, and you know, she talked about being a grandmother and even as a grandmother how difficult it was to deal with that, how difficult it was to share that with her family, how difficult it was for her to go to the police, and how difficult it was emotionally, physically and spiritually to go through this journey of sexual assault. And I should say that that wasn't her first

sexual assault, as I said, she, like many indigenous women, had been sexually assaulted as a child.

I have shared in this House that I was sexually abused as a child. I was five years old the first time that I was sexually abused, and then I was 12, and when I was 18, I was actually raped and I actually only figured it out that I had been raped years into doing this work because the sexual violence that's perpetrated against indigenous women and girls' bodies become so normalized so that it was only when I was doing this work that I thought, oh, actually that was rape. That wasn't—

And so I think it is so important for people to understand that in the lives of indigenous women, sexual violence is a daily, if not minute-by-minute occurrence and in all spaces. I very quickly learned that when I was sexually abused; if you can be sexually abused in what is supposed to be a safe space of your home, you can be sexually abused or sexually assaulted anywhere.

And I think that that is endemic within society not only for indigenous women, for all women. But I think that it is incumbent on all of us to understand specifically some of the greater statistics that involve indigenous women and sexual violence and sexual assaults in its myriad of forms.

\* (16:20)

What I'll share in my master's research was that it was interesting understanding that everybody in my circle had the same experiences as myself, and despite those experiences, despite the sexual abuse and despite the sexual violence at 18, and like the grandmother that I just spoke about, indigenous women have been on the front lines of fighting against sexual violence. And having it acknowledged so much so that it is for me—personally, it isn't much for me to stand up in this House and talk about those personal elements of my—or of my past or my childhood. I feel that it is a responsibility to be very open and honest with the experiences that we have as women, whether we are Euro-Canadian women or African-Canadian women or Muslim women or indigenous women. It is—there is moments of healing and resiliency and creating a space within the world, within Canada, within Manitoba and even a space here that we can honestly and courageously talk about this violence that's perpetrated against all women. So I don't want people to think that I share my story because I want pity or anything like that. It's—I'm good. I've done my healing. I'm super good. Don't—but it is so important to be honest about this.

And the women that are in my circle have been doing this work not for the last, you know, six months or whatever it may be. The women in my circle, particularly indigenous women and particularly indigenous women in Manitoba and Winnipeg, have been doing this work for the last 30 years, and I always go back to acknowledging the work that indigenous women have done, acknowledging the work that women—indigenous women have done in allowing us to be at this space that we can talk about these issues. And they've done it with grace and humility and courage and in the spirit of humility, and they've done it so that their daughters don't have to go through the same experiences that we have.

And what I find really so heartening is that there's this new generation of young indigenous women and young indigenous girls that are not having these experiences. And sometimes, when I'm meeting with certain indigenous girls and talking to them and—it's almost—it's this new path for all of us that we have this new generation of indigenous women, indigenous girls, that will never have to experience the consequences of these abuses on our bodies and our minds and our spirits.

And I know that as a mom to two boys who I know I've—I try to keep them out of everything, but I know that I have said in this House before—who I absolutely bloody love so crazily—one of the things that when I became a mom, I knew that it was—and when they told me it was a boy, I knew in that very instant that I had this very different path that I was on, and that path was to raise my boys to explicitly and implicitly understand their role as young indigenous boys. And for me, that has manifested itself by being very, very open and honest about everything that occurred to me.

And I know that I've shared here before that from as young as I can remember, I've taught them very openly. And it's not—these are not easy conversations, you know, about making sure that they know that nobody can touch their Mr. Wiggly—that's what we called it in our house—and, you know, nobody should be doing that to them, and to always be open and honest, and running through these scenarios, if any of that happens that, you know, it's okay to tell Mommy, and Mommy will deal with it.

But the other thing that I did was that I have raised them from very, very early on to understand how they are to treat women and girls, and that is my role and my responsibility as a mother to two sons,

because I can tell you that nothing would kill me more than if my sons were to disrespect the women in their lives.

And so I think that a fundamental part of—is, in respect to this bill, putting in those policies and those procedures in respect of sexual violence against women on campus, but it actually starts before that. This bill actually comes at the tail end of how we should be raising our sons and how we need to be engaging with boys, and I think that we are at a better space in Canada to actually be truthfully and courageously honest with young boys and young men.

And so I want to talk a little bit and just acknowledge, for the record, some of the different attempts at engaging boys, and one of them within the indigenous community, we have the I am a Kind Man. That actually comes from Ontario. It's the Ontario Friendship Centres. And it's actually a booklet, but it's also a poster series and it highlights different teachings. It highlights different indigenous men within the community. It breaks down how women and girls are to be respected, what consent looks like.

Here in Manitoba, when we—I worked with the Manitoba Status of Women, and we did the Aboriginal Men's Anti-Violence Campaign. And I think I've mentioned that here before, that we worked with five or six indigenous men in a poster series, a public education series, and I can't remember—I'm pretty sure that I've shared it here, that that poster series went live on social media, and it's actually been shared all around the world, this work that we've done. And that poster series also highlighted indigenous men in the community and their commitment to ending violence against indigenous women.

There is a program out in BC, which I want to just also acknowledge. It's actually a husband and wife—an indigenous husband and wife, and both of them went to residential school. And the husband, for many, many years, beat his wife, and he, on a couple of occasions, almost killed his wife. And now they—he obviously went through his healing. He made his amends to his wife, and they've stayed together.

*Madam Speaker in the Chair*

And they actually have a program that they do in concert with one another, and it's with indigenous men. And so the indigenous men sit in circle with

this husband and wife, and the husband is very, very honest and very brutally honest about what he did to his wife and that he almost killed his wife.

And this husband and wife have been able to create a space that is safe for these men who are currently abusing their wives in a myriad of different ways, or their partners. They've created a safe space that they can actually talk about it, and they've created a loving space and a non-judgmental space, and I really honour the work that they do because it is—first off, it is fundamentally an indigenous world view to be able to create safe space so that we can be open with one another and we can courageously look at those issues that we need to look at.

So I think that that's a really phenomenal program, and every opportunity that I have I always honour that husband and wife because they went through a long journey to be able to give back that gift to other indigenous men who are in the grips of their own trauma but don't want to be like that and they want to work on their issues and they want to understand why they are in the midst of, really, this unhealthy traumatic responses to whatever is going on.

We know as well here in Manitoba that the Manitoba Status of Women partnered with the Blue Bombers. That's actually predicated upon the BC Lions' research—or the public awareness campaign that they did.

\* (16:30)

And I think I've shared before that the executive director and I—of Status of Women, Beth Ulrich, we actually had the really most fortunate opportunity to travel, several years back ago, to the United Nations Commission on the Status of Women, and Canada actually hosted a panel discussion in respect of engaging boys and young men. And, actually, there—they were—there were people from all over the world. There were technicians from all over the world. And, in fact, in that session, there was the president—she was a president of a—and I can't remember if it was Tanzania or—but the discussion at that UN in the importance about engaging young boys, so starting this work here and not trying to do it over here, was so encouraging that women and government officials from all across the world were starting to really commit to this idea of engaging boys.

And so I know that in the legislation it talks about, you know, raising the issue or awareness of sexual violence and sexual harassment and

addressing prevention. My hope, my real hope, is that this government would then, in concert with this, invest in those, you know, public awareness campaigns that we need to do and continue to partner with community agencies in engaging boys. And, more than that, I would hope that we get to a place in society where we more openly talk about this in school. And I know that schools are starting to talk about, you know, consent and when no means no and all of these pieces, but I actually don't think that boys and young boys actually really understand it to its greatest depth and how they need to know it.

So, for instance, one of the things that we know is going on lately—and we've seen a lot of stories coming out of US campuses—is in respect of pictures on cells. And so I've personally taught my young son about, you know, do not ask a girl for a picture, and if a little girl sends you a picture, do not show it to anybody; immediately delete it. I don't think that young boys understand that if you show that picture or if you text that picture to somebody else, that is distribution of child pornography. We're not mapping this out and putting it very straight in young boys' full understanding of what is going on. So I would hope that we will start to get to a place where we can even talk about it even more, about how this translates, what it looks like and how it manifests itself and then, really, the damage.

So, again, I know that—I suspect that everybody in the House, we all quite honestly and quite obviously support ending sexual violence against women and young girls, and so, of course, I will be supporting this. My hope would have been that we could have seen some amendments to my colleague from Fort Rouge's Bill 204, but I suspect that we can move forward in a good way with this bill, and I think that it's it for right now.

Miigwech.

**Ms. Janice Morley-Lecomte (Seine River):** I am pleased to be able to speak to Bill 15, The Sexual Violence Awareness and Prevention Act. Safety in post-secondary institutions across all of Manitoba is important. These post-secondary institutions include all universities, colleges, Manitoba Institute of Trades and Technology, degree-granting and private vocational institutions that students attend to further their education after graduating grade 12 in Manitoba.

Every year, thousands of students who have graduated from grade 12 enter campuses across the province seeking higher education. These students

need to feel safe in their learning environment. For some of the students at these colleges and universities, the campus becomes more than just an environment to further their education. It becomes their residence, a second home. Students may be living away from home for the first time. For some of these students, this means they are away from their families, friends and community supports. Students may have never left their home environment before, and this can be a frightening experience.

Students who have moved from rural communities into an urban area are adjusting to culture change, lifestyle changes and loneliness and do not need the added pressure about worrying about being sexually assaulted or harassed.

I recall moving to the city to attend university. The move from a rural area to an urban area was a huge adjustment, without the added pressures of wondering who you could trust. The post-secondary atmosphere is one which should foster networking and offer a supportive atmosphere for students to be able to participate in social and academic activities. Students, regardless of their ethnic background, gender and sexual identity, need to feel confident that the activities they participate in are safe for all and there is no reason to fear they may become the victim of a sexually violent act or harassment.

Unfortunately, Madam Speaker, we know that this is not the case. Some students are unable to enjoy their post-secondary education without some form of sexual violence, aggressive act, bullying or harassment occurring. I can recall incidents which occurred while I was a student. These incidents include a student in the first week of the academic year being assaulted while doing her laundry in one of the residence's laundry rooms. Another female student was attacked on her way to get a book from her car. And yet another student was followed home after working on a research paper at the library.

The addition of security cameras throughout our universities and added security personnel assists in keeping the campuses safer for students who are studying at any time of the day or night. The added security devices offer protection to the campuses; however, the units are unable to prevent individuals who are insistent on acting out in aggressive ways from doing so.

Safety on campuses is a priority for this government. Students should be able to freely express their uniqueness and individuality without

fear of being ridiculed, bullied, attacked or harassed. Freedom of expression is a right under the Charter of Rights and Freedoms and is essential in a free and democratic society. Canada is a democratic society which supports the fundamental freedoms of individuals. The campuses our children, colleagues, friends and family members attend should be able to provide the same freedom of thought, belief, opinion and expression to our students. Manitoba is a democratic society, and we will always follow and uphold these basic freedoms.

Social media has become a large part of how students communicate and share information. Social media is a great tool when used in a respectful and fair manner. It provides students with a venue to quickly share information, keep on top of daily events and current issues. The generation of students entering the universities and colleges has grown up in a learning environment which was largely reliant on computers, programming and online communication. Most students enjoy sharing tweets and events through Twitter and Facebook. The sharing is an efficient way to connect with friends and family members in a very effective and immediate manner.

Unfortunately, Madam Speaker, some individuals choose to use social media in a different way. Social media is a powerful force for good; however, it can also be a tool to bully and harass people in a new way. We even know that sexual violence can occur through social media. We are seeing videos being shared electronically of individuals who have been exploited, assaulted or bullied. Students are not only being violated by these individuals who are acting out the aggressive behaviour, but are being violated again through exposure to hundreds or perhaps thousands of individuals through social media. Unfortunately, the Internet has become another avenue to exploit, harass, bully and intimidate.

Students should be able to look back at their post-secondary years and speak to the good times they had while they were learning and connecting with other students. Our Manitoba government wants to ensure students are able to enjoy such memories. As leaders in Manitoba, we have a responsibility—no, a duty—to ensure the safety of our young people. They are our future, and we need to ensure they are able to feel secure in their choice of post-secondary education.

\* (16:40)

Our government will work diligently to create a safe environment for students in post-secondary institutions. In doing so, we need to engage community supports, our police and campus security agencies. We need to speak with stakeholders, students, and consult with individuals on campus, and that is precisely what we did.

Students need to know that when someone says no, it means no to any form of sexual behaviour, violence and harassment. These new policies need to be developed on the principle of yes means yes. Only if a person states yes are they consenting to any form of sexual activity, and the lack of a clear yes always means no.

As our bill applies to all of our post-secondary institutions, it will ensure that as students transfer between educational establishments, they will continue to be protected. Our bill requires that students be included in the development of the sexual assault policy, which will ensure the best safety practices are being followed.

I am confident that students will play an active role in developing these policies. Should they need assistance, students should find the process welcoming and non-judgmental. Students should feel supported, validated and comfortable when reaching out for help.

The acknowledgement from the post-secondary institutions and the government which this legislation provides will help remove fear and feelings of isolation, which a person being victimized may feel. Isolation and fear can erode a student's confidence and cripple their learning experience.

Madam Speaker, our Manitoba government will work to build a safe environment for our students. We will do so by ensuring proper consultation with post-secondary institutions, campus organizations, stakeholders and students—I'm sorry—and students has occurred before passing important legislation on sexual assault and harassment.

Our government is working with universities and colleges throughout Manitoba to ensure that safety is a top priority. We want to ensure students throughout Manitoba can succeed in their studies without worrying for their safety. Our government is establishing new requirements for universities to develop appropriate sexual violence policies in consultation with students, policies which address prevention, training, and create appropriate complaint procedures and response protocols.

Our bill requires these policies to specifically address online abuse. It clearly defines sexual violence, and it will apply to all institutions of higher learning in this province, which is much broader in scope than the previous government's bill.

Parents of the students attending the universities and colleges need the assurance that their children are attending a post-secondary institute which is safe.

Our Progressive Conservative government understands students have been waiting a long time for a bill which secures their safety. Bill 15 is based on extensive consultation and mandates that the universities develop their sexual assault policies in full consultation with their students, and in that way we have ensured that Bill 15 supports everyone.

Thank you, Madam Speaker.

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

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is second reading on Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended).

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

**Hon. Andrew Micklefield (Government House Leader):** I'd like to have a recorded vote, Madam Speaker.

**Madam Speaker:** A recorded vote having been called, call in the members.

\* (16:50)

The question before the House is second reading of Bill 15, The Sexual Violence Awareness and Prevention Act (Advanced Education Administration Act and Private Vocational Institutions Act Amended).

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Allum, Bindle, Clarke, Cox, Cullen, Curry, Eichler, Ewasko, Fielding, Fletcher, Fontaine, Friesen, Gerrard, Graydon, Guillemard, Helwer, Isleifson, Johnson, Johnston, Kinew, Klassen, Lagimodiere,*

*Lamoureux, Lathlin, Lindsey, Maloway, Marcelino (Logan), Marcelino (Tyndall Park), Martin, Michaleski, Micklefield, Morley-Lecomte, Nesbitt, Pallister, Pedersen, Piwniuk, Reyes, Saran, Schuler, Selinger, Smith, Smook, Squires, Stefanson, Swan, Teitsma, Wharton, Wiebe, Wishart, Wowchuk, Yakimoski.*

**Nays**

**Clerk (Ms. Patricia Chaychuk):** Yeas 51, Nays 0.

**Madam Speaker:** I declare the motion carried.

**Mr. Micklefield:** Madam Speaker, could we have leave to call it 5 o'clock.

**Madam Speaker:** Is there leave to call it 5 o'clock?  
*[Agreed]*

The hour being 5 p.m., the House is now adjourned and stands adjourned until 10 a.m. tomorrow.



The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.gov.mb.ca/legislature/hansard/hansard.html>**