



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

*Chairperson*  
*David Pankratz*  
*Constituency of Waverley*



Vol. LXXIX No. 1 - 6 p.m., Tuesday, March 25, 2025

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Third Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COMPTON, Carla	Tuxedo	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie, Hon.	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike, Hon.	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike, Hon.	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu, Hon.	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	Ind.
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC
<i>Vacant</i>	Spruce Woods	
<i>Vacant</i>	Transcona	

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

**Tuesday, March 25, 2025**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – MLA David Pankratz (Waverley)**

**VICE-CHAIRPERSON – Mr. Logan Oxenham (Kirkfield Park)**

**ATTENDANCE – 6 QUORUM – 4**

*Members of the committee present:*

*Hon. Min. Naylor, Hon. Min. Wiebe*

*Messrs. Balcaen, Guenter, Oxenham, MLA Pankratz*

*Substitutions:*

*Hon. Min. Sandhu for Hon. Min. Wiebe at 8:27 p.m.*

**APPEARING:**

*Cindy Lamoureux, MLA for Tyndall Park*

**PUBLIC PRESENTERS:**

*Bill 2 – The Provincial Court Amendment Act*

*Susan Dawes, Provincial Judges Association of Manitoba*

*David Grant, private citizen*

*Cory Hoes, private citizen*

*Bill 5 – The Highway Traffic Amendment Act (Impaired Driving Measures)*

*Ida Marie Poitras, private citizen*

*David Grant, private citizen*

*Karen Reimer, private citizen*

*Garth Steek, private citizen*

**WRITTEN SUBMISSIONS:**

*Bill 5 – The Highway Traffic Amendment Act (Impaired Driving Measures)*

*Tanya Hansen Pratt, MADD Canada*

**MATTERS UNDER CONSIDERATION:**

*Bill 2 – The Provincial Court Amendment Act*

*Bill 5 – The Highway Traffic Amendment Act (Impaired Driving Measures)*

*Bill 31 – The Property Controls for Grocery Stores and Supermarkets Act (Various Acts Amended)*

*Bill 42 – The Buy Canadian Act (Government Purchases Act Amended)*

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**Clerk Assistant (Melanie Ching):** Good evening. Will the Standing Committee on Justice please come to order.

Before the committee can proceed with the business before it, it must elect a Chairperson.

Are there any nominations?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Should I say MLA or—MLA Logan Oxenham? MLA from Waverley.

**Clerk Assistant:** MLA Pankratz has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Pankratz, will you please take the Chair.

**The Chairperson:** Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** Yes, I would like to nominate MLA Oxenham.

**The Chairperson:** MLA Oxenham has been nominated.

Are there any other nominations?

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

This meeting has been called to consider the following bills: Bill 2, The Provincial Court Amendment Act; Bill 5, The Highway Traffic Amendment Act (Impaired Driving Measures); Bill 31, The Property Controls for Grocery Stores and Supermarkets Act (Various Acts Amended); and Bill 42, The Buy Canadian Act (Government Purchases Act Amended).

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

Written submissions from the following persons have been received and distributed to committee members: Tanya Hansen Pratt from MADD Canada on Bill 5.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting?  
*[Agreed]*

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. Questions shall not exceed 45 seconds in length, with no time limit for answers.

Questions may be addressed to presenters in the following rotation: first, the minister sponsoring the bill or another member of their caucus; second, a member of the official opposition; and third, an independent member. If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters list.

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

On the topic of determining the order of public presentations, I will also note that we have out-of-town presenters in attendance, which are marked with an asterisk on the list. With these considerations in mind then, in what order does the committee wish to hear the presentations?

Minister Wiebe—oh. Yes. Mr. Balcaen?

**Mr. Wayne Balcaen (Brandon West):** I would suggest that we go by bill in order, considering presenters and out-of-town presenters are first and followed by in-person presenters.

**The Chairperson:** Okay. Is that agreed?

Thank you for your patience. Then, agreed.  
*[interjection]*

Okay. We will go in order of the bills, through the numbers, and then we will go through presenters, with our out-of-town presenters going first, followed by those who are in attendance here today.

Is that agreed? *[Agreed]*

Thank you for your patience. We will now proceed with public presentations.

## **Bill 2—The Provincial Court Amendment Act**

**The Chairperson:** So I will now call on Ms. Susan Dawes, Provincial Judges Association of Manitoba.

Ms. Dawes, please proceed with your presentation.

**Susan Dawes (Provincial Judges Association of Manitoba):** Thank you. I'm counsel for the Provincial Judges Association of Manitoba—

**The Chairperson:** My apologies. I have to interrupt you quickly.

Do you have any written materials to distribute to the committee?

**S. Dawes:** I do not.

**The Chairperson:** Okay. Thank you. Please proceed.

**S. Dawes:** So I was saying, I'm counsel for the Provincial Judges Association of Manitoba, known as PJAM. PJAM is a professional association for judges. It represents all 43 full-time judges, including the chief judge and the associate chief judges as well as 14 senior judges.

As the member from Brandon West predicted during the second reading of this bill, I'm indeed back to speak to it. In doing so, I want to be very clear that PJAM is in no way opposed to judicial education; in fact, PJAM vigorously supports the need for its members to have access to high-quality judicial education. And I will also say, at the outset, that PJAM members recognize the trauma and challenges that victims face, and they see and hear it in their work.

In 2022, I spoke to this committee regarding bill 8, which was brought in the first of what I'll call the judicial education amendments. At that time we raised concerns about the intrusion on judicial independence and indicated that the legislation could be perceived as the legislative branch of government directing the judiciary in an area that's clearly a matter of judicial independence.

That bill was passed and, as a result, section 8.1.1 (1) of the act provides that the chief judge may establish seminars related to sexual assault law in social context, which includes systemic racism and systemic discrimination. The chief judge should establish seminars, establish—sorry—should ensure that seminars are established after consultation with a list of suggested groups and that the chief judge should include certain information in the court's annual report. And the permissive language is important, as it would be unconstitutional for the Legislature to direct or mandate judicial education.

In 2024, bill 209 was introduced and the bill would've added two topics: intimate partner violence and coercive control to the list of education topics. Also, it would've added to the list of persons with whom it was suggested that the chief judge should consult in establishing the seminars.

I spoke to this committee in October of 2024 about bill 209, voicing concerns about the interference with judicial independence, and I pointed out that the concern was heightened when there was no consultation with the court prior to the bill being introduced. And I made the point that any legislative influence over judicial education is troubling, as it brings with it a potential for harm to the public perception of judicial independence and impartiality and neutrality.

That bill was withdrawn. Bill 41 was introduced and, as all we all know, bill 41 didn't make it to committee, and it's now been reintroduced as Bill 2. Bill 2 now lists five education topics, and we have a longer list of who it is suggested that the chief judge should consult with.

One looks at this and thinks: Who's next? What's next?

\* (18:10)

PJAM considers that the inclusion of an expanding list of topics for judicial education is an incursion on judicial independence, but we must also ask: Should public input into judicial education occur through amendments to legislation, or would it be better for the branches of government to discuss these matters, to consult with one another and to reach an understanding? PJAM considers that the latter would be a much better approach, and one that would support judicial independence.

I would note that at the federal level, a memorandum of understanding was reached between the Canadian Judicial Council and the Minister of Justice and Attorney General for Canada concerning judicial education, and that document sets out mutual commitments to the importance of judicial education, including social context education, and defines certain roles and responsibilities for the different branches of government.

PJAM would support a similar approach here. That would ensure the opportunity for consultation, but it would also clarify that it is the court—and only the court—that must manage judicial education, as a matter of judicial independence.

PJAM is also concerned about the impact of the discussion around these bills on the reputation of the court and the administration of justice more generally. Both in and outside of the Legislature, proponents of bills 209 and 41 emphasize the urgency of passing the bills. Their comments imply that the public is somehow unsafe in the Provincial Court of Manitoba in the absence of this education. That implicit assertion is tremendously troubling to the judiciary who work tirelessly and incredibly hard, delivering a very high quality of justice in this province every day.

As we've pointed out in the past, the judiciary already receives education in the areas identified, whether through seminars put on by the court itself, or through the high-quality judicial education offered by organisations such as the National Judicial Institute.

Notably, not one of the case-law examples that were cited in support—or as support—for the need for this education originated in the Provincial Court of Manitoba—not a single one. Even if they had, there is already a robust Judicial Council process to address such a situation.

The stated implication—or the implication of the stated urgency in passing the bills is damaging to the reputation of the court in the eyes of the public and ultimately serves to reduce the confidence in the administration of justice. We don't expect that this is the government's intention.

Finally, I want to address resources for judicial education. The minister emphasized in his remarks at the second reading that Bill 2 improved upon bill 209 because it added funding. He explained that there have been years in the past in which funding has lapsed, in that the court was not permitted to carry over unused funds into the next fiscal year.

Let's be clear. The court's education budget has been frozen at \$40,000 since 2005; if that amount was adjusted for inflation, it would be well over \$61,000 by now. But it remains frozen and there's been no added funding for the court's education budget; none is provided in this bill.

It's true that funds from that budget did lapse in past years; to my understanding, this happened during COVID years when the court could not hold in-person education sessions that the court arranges with this budget. In ordinary years, though, the funding is woefully insufficient. The pressure on that funding will be compounded by the addition of new topics, not to mention that there are new developments each and every day, in every aspect of criminal law.

If this Legislature wishes to support judicial education, it needs to resort—sorry, needs to restore the amount of this education budget to an appropriate level and ensure increases on the go-forward to account for inflation.

Finally, time spent on judicial education means judges are not in a courtroom; that means fewer cases heard. Consideration must be given to ensuring an adequate number of judges to ensure that judicial education does not impact the court's ability to provide for timely administration of justice.

On behalf of PJAM, I want to thank the committee for listening to these concerns. And if you have questions, I'd be pleased to try to answer them.

**The Chairperson:** Thank you for the presentation, Ms. Dawes.

Do members of the committee have questions for the presenter?

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** Well, I just wanted to offer my thanks, Ms. Dawes, for coming to committee once again. A special thanks to the judges who—of course, chief judge and others that we've been working very closely with on this legislation to ensure that we are both respecting the judicial independence, as you mentioned is so vital and so fundamental to what we do, but also finding that, as you said, the last five years money lapsed; now going to be rolled over.

Simply a thank-you for the work, and I know that there's more work to be done. You mentioned the MOU and others, so very happy to work with you and continue to make sure that we're supporting the important work of the judiciary throughout the province.

Thank you.

**Mr. Wayne Balcaen (Brandon West):** Well, thank you again for presenting to the committee and really reinforcing the fact that we don't want to trample on judicial independence and we certainly want to make sure that the impartiality and neutrality of our courts are taken into consideration.

What would be your suggestion—rather than this bill, what could we do differently? If this bill was, say, removed tonight, what would be your suggestion?

**S. Dawes:** Rather than this bill, I think consultation between the parties and a memorandum of understanding outlining the respective roles of the branches of government with provisions for adequate and appropriate

funding for judicial education would be an appropriate way to move forward.

**MLA Cindy Lamoureux (Tyndall Park):** Thank you for your presentation tonight and, again, previously back in the fall. You bring an incredibly important perspective to the committee.

And you're right, it is something that all MLAs, members of Parliament, every level of government, should be working within the rule of law to ensure that the judiciary is kept separate from politics.

I do think that this legislation is very important, whether it's the former bills, the newer bill coming up. Is there something that—when you talk about the appropriate level of funding, that could be done or added, whether it's through this legislation or a new piece, that would help the judiciary maybe feel better about it? *[interjection]*

**The Chairperson:** Sorry, Ms. Dawes, I just need to acknowledge you.

Ms. Dawes, please.

**S. Dawes:** Thank you for the question.

I think those issues are best addressed through the chief judge, who can speak for the court. Certainly the court is very passionate about judicial education, as I've said, and has long been undertaking many of these topics already.

I think the discussion about securing adequate funding, ensuring that that's in place to promote these initiatives is certainly something that would assist. But at the end of the day, the court has to control judicial education; there's just no ifs, ands and buts about it.

And so the—you know, we appreciate the permissive language, but the inclusion of more and more topics makes it look more and more like a direction to the court, which ultimately is inappropriate and a violation or incursion on judicial independence.

**The Chairperson:** Thank you, Ms. Dawes.

Are there any further questions?

**Mr. Balcaen:** Yes, just wondering, the consultation that was held, you were clear at the last committee meeting in 2024 that there was a lack of consultation; there needed to be consultation with the courts.

So I'm just wondering—I'm assuming that government consulted with the chief judge and with PJAM, and I'm just wondering what recommendations came from that consultation. *[interjection]*

**The Chairperson:** Ms. Dawes.

**S. Dawes:** I apologize.

I'm not in a position to get into the consultations, as I wasn't part of them personally. I think the minister would be best to speak to those.

But I do understand there have been some discussions more recently after introduction of the bill and that those have been a very positive step from the perspective of PJAM.

**The Chairperson:** Any further questions?

**Mr. Balcaen:** With the financial costs for judicial education, I'm wondering if you'd comment on an amount that you would think would be appropriate with the ever-cascading number of educational seminars that this government bill is putting onto PJAM.

\* (18:20)

**S. Dawes:** As I said, the current education budget was established in 2005 at \$40,000, and inflation-adjusted, it would be over \$61,000, roughly, to provide what was provided then. That does not take into account these new initiatives and all of that, and I think the chief judge and the court can better speak to their needs.

I would emphasize, as well, that judges also receive an individual educational allowance that is allotted through the judicial compensation committee process. That amount is woefully inadequate as well, and we all know that the costs of—whether it's conference fees, whether it's travel, whether it's hotels when they're attending high-quality education put on by the Canadian Association of Provincial Court Judges or the National Judicial Institute—the costs are ever rising, ever increasing, and we need to support the judiciary in obtaining that education.

It's in the public interest. It's to our mutual benefit, and I expect you may well hear more about that in the context of the next judicial compensation committee process, never mind this education budget itself.

**The Chairperson:** Thank you, Ms. Dawes.

That concludes questions for this presenter.

I will now call on Mr. David Grant to present.

Mr. Grant, do you have any written materials for the committee today?

**David Grant (Private Citizen):** Just some kind words.

**The Chairperson:** Okay. Well, please proceed with your presentation, Mr. Grant.

**D. Grant:** Okay, thank you.

I'm once again in support of this bill. I think I spoke last time something similar was here a year ago. And I will, without getting into the—how much should be paid and which courses a person goes on, I think there are—were sound reasons presented by the government for aiming the educational direction that the government wants, and I think those reasons still exist.

And I think, while I was part of a different organization of professionals—self-regulating—I learned that what was set up decades or a century ago, with noble intent and by the smartest people in the day, there—it's fairly clear that either there were weaknesses in the initial plan or people have ignored the rules too much.

And so I would support the bill mainly for that reason and also offer my comments. When I've been involved with the judicial system—usually doesn't involve handcuffs, but just observing from the cheap seats and then writing to chief judges or whoever, I've found that the mechanisms for correcting pretty blatant errors on the part of judicial staff—the mechanisms for correcting that are pretty much useless.

If you write a learned explanation of why this is what seems to be a mistake; here's what could've been done to prevent it, and the system tends to never take them seriously. I would say over 35 years I've been writing, I've had one minister take it seriously, but nothing happened. And beyond that, the staff tend not to do—take any action other than to assure me that all is well.

So I would—again, I can see the point of view of the professionals that want to be controlling their whole—their own ship. But I would say that ship operates in very flawed ways and that you should pursue this to the extent that you can and perhaps even get involved with other areas that come to the minister's attention where there's weakness in the system, where mistakes are made and they aren't self-correcting. Because in general, in professions, if there's a chronic mistake made over and over, the system should notice and the system should fix itself. And I would say in this case, the mechanisms and incentives don't seem to be there to make those corrections, and I would applaud the minister for making a tiny step in the right direction.

So, thank you.

**The Chairperson:** Thank you for your presentation, Mr. Grant.

Do members of the committee have questions for the presenter?

**Mr. Wiebe:** I wanted to thank you once again, Mr. Grant, for coming to committee and, really, kudos to the member for Tyndall Park (MLA Lamoureux) who's brought the bill in the past and now has brought it back. Your participation, while maybe you don't always feel that it's—you know, it does make a difference; it's not always you feel that your specific demands are being adhered to. But I do think that there is a value to this as a citizen that you decided to participate here.

So I just wanted to thank you and thank you for the participation and your input on this.

**Floor Comment:** Thank you, again, and I've always felt very welcome—

**The Chairperson:** Mr. Grant—yes, thank you.

Thank you, Mr. Grant.

So are there any other questions?

**Mr. Balcaen:** Again, a comment. I thank you very much, Mr. Grant.

Been involved in this committee process now for the past year and a half. I note that you were at many of the committees to bring the public's opinion forward. So I thank you very much, and I know you were at MLA Lamoureux's committee on bill 209, I believe it was, and really was the springboard for this. So I thank you for your words at that time as well.

**Floor Comment:** Okay.

**The Chairperson:** Are there any further questions?

**MLA Lamoureux:** Thank you, Mr. Grant, as well, for coming to committee tonight and to previous committees as well, and forcing your opinion and sharing your experience and expertise on the topic as well.

Just wanted to be able to echo my colleagues' thoughts, and thank you for that.

**Floor Comment:** Thank you very much.

**The Chairperson:** Are there any further questions?

If there are no further questions, thank you so much, Mr. Grant, for being here with us today.

I will now call on Mr. Cory Hoes to present.

**Cory Hoes (Private Citizen):** Hi, everyone.

**The Chairperson:** Hi. Do you have any written materials for the committee today?

Thank you very much. Please proceed with your presentation.

**C. Hoes:** As my—as I understood it, today's amendment to Bill 2 about The Provincial Court Amendment Act, there was discussions on training our judges—providing more training to our judges in coercive control, potentially parental alienation, false allegations and weaponizing of the legal system to one's advantage in a divorce or separation. I'm here on behalf of a lot of confused parents and a lot of hurt and confused children.

Ten minutes isn't quite enough, and so I'm not going to be able to get through everything, so you have everything in your hands. I'm going to read the first eight pages. Is that okay with you?

There's an epidemic going on in Winnipeg right now, and none of the public, most of the public, has not heard of it. Only police, the domestic violence unit, the family and criminal court have heard about this epidemic that's going on.

Did you know that under the new family—the new Manitoba family law reforms, you can steal full custody of your children in your divorce by baiting your spouse into two very specific arrests? Did you know that our police and judges are openly stating that lawyers are weaponizing these loopholes and are guiding their clients to falsely bait their partners into these two specific arrests in order to increase their legal fees in the custody battle that comes of it?

Recently, our MPs and local Manitoba MLAs have been discussing the current state of our family law system. Under scrutiny are two new terms called coercive control and parental alienation. Many angry groups nationwide are at odds with each other and are each trying to push their ideologies to reform the family law system. Our groups of men, women and grandparents have no concerns if those reforms are meant to protect people. We do, however, have concerns given that those reforms are now being weaponized by lawyers to hurt people. What I'm about to tell you I've never heard of before.

In the last six months I've interviewed both men and women who were baited into an arrest, almost all of whom have lost all contact with their children as a result. Police, the domestic violence unit and our court judges has said this has now become an epidemic in Winnipeg and that this epidemic is being guided entirely by lawyers.

The Manitoba taxpayer will spend millions of dollars per divorce file needlessly when these divorce



tactics trigger incredible police presence, the domestic violence unit, Child and Family Services, the Crown prosecutor and tie up the criminal and family courts.

\* (18:30)

Baiting arrests falls under the definitions of domestic violence, coercive control, parental alienation and child abuse, and it is recommended it be considered a criminal offence.

Manitoba's new family law reform state that if five tests of domestic violence are passed in a separation, that one party will receive full custody of the children. Two of the most important and heavily weighted tests of domestic violence include an arrest for domestic violence and an arrest for breaching a protection order.

These reforms that were first meant to protect the public are now being weaponized against them. Discussions with the Winnipeg police say that those looking to monetize their children in divorce use these two reforms to their advantage. An arrest for domestic violence and an arrest for breaching a protection order are now becoming a daily occurrence, says the Winnipeg police.

The problem our group of parents and grandparents have is that this lawyers' game is stealing children from their families and are causing excessive rates of sadness, depression, self-harm, bankruptcy and attempted suicides in both parents and children.

Legal fees for the average divorce cost approximately \$5,000. Legal fees on these lawyer-guided messy divorces are reaching \$300,000 per couple. Therefore, guiding these tactics are very lucrative for a lawyer if they can sell their client on using them.

In Canada, we are experiencing a nationwide housing crisis, and so, in order to share the home and its contents equally amongst the parties and keep the children in the family home while divorce proceedings are under way, a law was created to maintain normalcy for everyone. Manitoba family law states that each party is entitled to equal enjoyment of the family home during separation.

The divorce court is designed in such a way that it prolongs a simple breakup between two people and drags a divorce on for between two and four years in duration or longer. Being without a home halftime for two to four years would be destructive to anyone.

And so laws were put in place to protect people, including the children, so to not throw a man or a

woman and their kids out onto the street during a nationwide housing crisis.

The family home and its contents is typically the family's most valuable asset to be divided. In a coercively controlling divorce, having the home and its contents to yourself becomes very important, and as such, a loophole is being used to circumvent Manitoba law and give the home and its contents to one party, exclusively.

Seizing control of the family home and its possessions, the family's most valuable asset, is now accomplished with a protection order. The courthouse at 408 York Ave. has been so inundated with people abusing protection order applications in their divorces that they are crying foul and denying almost every protection order application that comes through their office.

I spoke to the Manitoba Association of Women's Shelters and the Fort Garry Women's Resource Centre, and they say they are having an incredibly difficult time getting a protection order for the women who need help. This inundation of people abusing the protection order to gain the lion's share in divorce is denying a protection order to those who actually need one. Real victims are being harmed by those who falsely abuse our legal system.

The media, our MLAs, MPs and ministers are all discussing how intimate partner and domestic violence rates are increasing in our province, yet a protection order is being denied at the court office every single time when someone requests protection.

As lawmakers, you must understand that that doesn't make any sense. Perhaps we should tell that to our missing and murdered Indigenous women who needed your help.

Because protection orders are being denied due to their misuse, the only way to receive sole occupation of the family home is through a protection order embedded within an undertaking, and those are only granted by baiting your spouse into an arrest.

The false baited arrest not only incentivizes someone with convenience of having sole occupation of the family home and its contents during a divorce that they will drag out intentionally for years, but also checks off one of the most important five tests of domestic violence used to steal full custody of the children at a later date.

The false arrest is therefore very powerful in divorce court and, as such, has become an epidemic in

our city. As you are all aware, police are demanding funding because they cannot keep up with the demand placed upon them. Two baited arrests, 150 phone calls to the Winnipeg police and five court dates were scheduled against the Crown prosecutor in one coercively controlling divorce. The police wrote dozens of police reports, and yet, all of the court dates with the Crown prosecutor were thrown out, as the Crown and police knew it was just another messy divorce.

What does it cost the taxpayer for police to attend to 150 calls or write dozens of police reports or prepare for five court dates with the Crown prosecutor?

After a baited arrest for domestic violence is achieved, the abuser can organize an arrest for breaching a protection order. Many people are confused when they are baited into an arrest; they are even more confused when their ex-partner keeps coming near them even though a protection order was put in place, coming to their home or workplace daily. I've interviewed people; this is happening all the time.

Oddly, the protection order only grants protection to one party, and there are no legal ramifications for the protected party coming into contact with the person they allege to the court and police that they need protection from. As you can see, the protection order is being used as a weapon and not as a shield.

Police say people are being baited into an arrest for breaching a protection order all the time. Two specific arrests to pass two of the most important tests of the domestic violence: to steal full custody of the children and steal sole occupation of the family home and its contents are the reason why taxpayer and police resources are being abused to the extent they are.

Coercive control to steal the family home to one's self exists not in just the weaponization of the protection order or the baited arrest, but in making sure your spouse can't get the false protection order thrown out in court and regain normalcy in the lives of themselves and the kids. It is said that in Manitoba the lawyer fees associated with throwing out a protection order would cost someone 15 to 25 thousand dollars.

After a parent is falsely thrown through the criminal court system and forced to spend tens of thousands of dollars on a criminal lawyer due to a baited arrest, going through another round of incredible costs associated with setting aside a protection order forces them to forfeit the family home and their possessions for the duration of the divorce process due to costs alone.

The province of Alberta has stopped coercive control and the abuse of the protection order. When a protection order is granted, the court immediately schedules a hearing within 10 business days. The province of Alberta provides both parties with a Legal Aid lawyer, completely free of charge no matter what their income level is. The hearing deals with the sharing of the family home and sharing of possessions so that seizing the family home and its contents cannot take place.

**The Chairperson:** Thanks so—Mr. Hoes, the 10 minutes allotted has expired, unfortunately, but we do have time for some questions at this point.

Does anyone have questions for Mr. Hoes?

**Mr. Wiebe:** Well, thanks very much, Mr. Hoes. We've had a chance to chat in person before, and appreciate you bringing—there is a lot of content here, and, you know, I'm glad that you've been able to distribute it so that we can follow along.

What I heard from you tonight is about the importance of protecting children, and that's the most important thing. And so I really appreciate that you've outlined that as sort of the most—the guiding sort of principle behind your argument, and obviously stopping domestic violence.

And so, you know, I appreciate your perspective. I think this is an important part of the discussion. I appreciate that you brought it here. And of course we heard from many survivors in the last bill presentations, but it's important to bring this perspective as well.

**The Chairperson:** Mr. Hoes?

Any further questions?

**Mr. Balcaen:** Again, thank you for your presentation. Always support the public coming and doing presentations, and I know we have also met and discussed your ideas here. I'm glad that you've distributed the full package for a number of the MLAs here to be able to look at and decipher and work toward, so appreciate very much your presentation today. *[interjection]*

**The Chairperson:** Mr. Hoes.

**C. Hoes:** Oh, sorry.

**The Chairperson:** Yes, please. No—yes, go ahead, Mr. Hoes, if you'd like to say something in response.

**C. Hoes:** The most important parts of the binder that I've given you are probably the first 11 pages. There is a set of recommendations in section 3 which is a

little bit more encompassing in talks of family court systems, just helping the public, grandparents see their children.

You know, it's a shame that people can't get a protection order at the court office, and it's because of the abuse of the system in a coercively controlling divorce. And so we need to address the fact that women, men, children, whoever, neighbours, sometimes need a protection order. And if they can't get one because a couple of privileged people want to coercively control a divorce, take the lion's share in divorce and control the children and the home, forcing someone to sign an offer to settle for far less than what they're actually owed, is appalling.

\* (18:40)

You know, in here you guys would have to go through it, because it talks about grandparental rights. It talks about the Clare's Law registry. Lots of people are being baited into an arrest. You have a Clare's Law registry, which is going to publicly put those names of those people on a public website to inform the public of these offenders.

My idea for you guys is maybe we should have the person who is baiting an arrest and the lawyer guiding it also put on the Clare's Law registry because I have three men baited into an arrest and I'm damned sure it's the same lawyer.

**The Chairperson:** Thank you, Mr. Hoes.

Are there any further questions?

**MLA Lamoureux:** Thank you for your presentation. I just wanted to give the opportunity; we have a couple of minutes left. I know you got cut off; if there was any last minute remarks you did want to share.

**C. Hoes:** Sorry, yes, thank you. It's a very easy win here, you guys, and it protects the public, everybody: (1) grant a protection order freely at the court counter, at the 408 York Ave., without hesitation; (2) protect both parties of a protection order.

If I get a protection order put against me and my wife knocks on my door, like she did two hours after I was served a protection order, and came to my house every single—almost every day for eight months and I had no idea what was going on.

If she wasn't allowed to do that and she—there was legal ramifications for her to do that, where the protection order protected both parties, she wouldn't be able to do that. If she wasn't able to do that, she wouldn't pass the two-test of domestic violence to

steal custody of my children. Protect both parties of a protection order is very simple.

Police are being abused horribly. I can't believe how much police are being used, and they know it, the court knows it. Follow in the footsteps of Alberta and hold a hearing for a protection order every time it's applied for so that people can get their possessions back and not have to wait four years, because there's post-separation abuse that comes from denying somebody all of their possessions for four years.

And then, of course, stop granting exclusive occupation of the family home and control of the family's most valuable asset with the use of a protection order or an undertaking during a nation-wide housing crisis, as it is leading to homelessness, bankruptcy and suicide.

**The Chairperson:** Thank you, Mr. Hoes, and that concludes time for questions as well. Thank you for the presentation.

So that concludes the list of presenters on this bill that I have before me.

#### **Bill 5—The Highway Traffic Amendment Act (Impaired Driving Measures)**

**The Chairperson:** Okay, my mistake. We're moving right on to Bill 5 here, and beginning with the out of town.

So, Ms. Ida Marie Poitras. Ms. Poitras, do you have any materials that you'd like to distribute?

**Ida Marie Poitras (Private Citizen):** I do not.

**The Chairperson:** Okay. Please proceed with your presentation.

**I.M. Poitras:** So, honourable members of the Manitoba Legislature Justice committee, my name is Ida Marie Poitras and I'm here to be a voice for Jordyn Reimer and for other Manitobans killed on our highways every year as a result of impaired driving.

I appreciate this opportunity to address Bill 5 and its proposed amendments to The Highway Traffic Act. While any effort to address impaired driving is commendable, the reality is that this bill does not go far enough. It fails to bring about meaningful change needed to prevent tragedies on our roads.

Manitoba has an opportunity right now to be a leader in making real lasting change. We must ask ourselves: Will these revisions actually make a difference? Because in its current form, Bill 5 does not.

The reality of impaired driving in Manitoba is that it is not just a traffic offence. It is the leading cause of

criminal death in Canada. It's a choice that results in devastation, in injury and death. And yet our legal system continues to treat it as though driving is a right rather than a privilege.

Manitoba has promoted the idea that we have some of the toughest impaired driving consequences in Canada, but British Columbia and Ontario have stricter vehicle forfeiture laws and longer driving bans. If we're taking the time to come together now to revise The Highway Traffic Act, shouldn't we be choosing changes that will actually make a difference? Because these ones don't.

The failure of the curtain—current consequences as a deterrent. More than any other time in history, there are safe, accessible alternatives to impaired driving. We have ride-share services, public transportation, taxis, Uber, designated-driver programs. There is no reason for someone to get behind the wheel impaired.

And yet, people continue to do so because the consequences are not enough of a deterrent. If a person walked into a crowded space with a smaller weapon and killed 15 Manitobans each year, the public would outcry—it—the outcry would be deafening. There would be immediate demands for stronger laws and harsher punishments. Yet, when these same deaths are caused by a vehicle driven by an impaired driver, the outrage just—it just does not mask the devastation.

This is ludicrous. Impaired drivers are using their vehicles as weapons—whether they intend to or not hurt or kill someone—and our laws do not reflect the true gravity of this crime: the irreversible damage is to families.

Impaired driving is not just about statistics. It's about real people whose lives are stolen from them and families who are left to grieve an unimaginable loss. When Jordyn Reimer was killed by an impaired driver, so much was taken, not just from her, but everyone around who loved her.

Jordyn will never get to drive anywhere again. She will never drive with her mother, Karen, and her sisters Andi and Nikki and Alex to pick out a wedding dress or for them to buy baby-shower gifts. She'll never drive to university to achieve her goal of earning a master's degree, because that was one of her many goals. She'll never drive to her ultrasound to listen to the heartbeat of her babies, because she wanted to be a mom more than anything in the world.

Yet, under the current law, an impaired driver can kill someone and have their licence reinstated in as little as five years. Worse still, under this proposed

amendment in Bill 5, an impaired driver could kill two people in two separate incidents with 10—within 10 years plus one day, and still legally drive again.

How is that justice? How does that reflect the value of lives lost? There have been no meaningful changes to this, and it's unacceptable. In strengthening Bill 5 for meaningful impact, there are things we can do. If we're serious about preventing impaired-driving deaths, Bill 5 must be strengthened.

And I respectfully present three suggestions. I'm not a lawyer, but to read through it, these weren't hard to come up with. If we're serious about preventing this, here are the three suggestions that I have.

Number one, in the category B offence, the time should be increased from the current five-year suspension to a lifetime suspense. I mean, there is just no justification for allowing a person who has seriously injured or killed someone due to impaired driving to ever operate a vehicle again. Driving is a privilege; it's not a right.

And No. 2—now this would be a change in category A. And so if you have an offence in category A, then the suspension should increase from one year to five years. This would be a stronger deterrent to impaired drivers from engaging in repeat offence.

And then the third one, change the length of suspension for a second category A offence from five years to a lifetime suspense. So if this impaired driver has a second offence, it proves that the driver has not learned from the first offence, and he still remains a serious danger to others. So there should be no further chances for this driver.

Conclusion? This is our moment to lead, Manitoba. Bill 5 as it stands is weak. It doesn't go far enough to deter impaired drivers or prevent loss of life. But we have an opportunity today to do more, to do better, to make Manitoba a leader in impaired-driving laws that actually save lives.

So I ask you, how many more lives need to be lost before we implement the changes that will make a real difference? Let's make this bill one that truly honours the victims, supports their families and ensures that no more Manitobans are stolen from us by the reckless choice of others.

And then my closing statement: The choices we make today will determine how many more families will have to endure the unbearable loss of a loved one to impaired driving. We have an opportunity right now

to set a new standard to make Manitoba a leader in impaired-driving laws that truly protect our citizens.

\* (18:50)

And I urge you to strengthen this bill. Make it count; right now, it's not strong. Make it a law that truly values the lives stolen by impaired drivers. Let us ensure that no more families suffer the way Jordyn's has. Let us make this moment the moment that we choose real change.

Thank you.

**The Chairperson:** Thank you very much for your presentation. And, sorry, just to—I have to remind the gallery that, unfortunately, we can't applaud after presentations here. My apologies.

Questions?

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** Well, I think, you know, if we could applaud, I'd be applauding as well, Ms. Poitras. This was a very, very powerful and beautiful presentation. I think you reminded us exactly what this is about. These aren't statistics. This is about real people, and, of course, Jordyn is an example of that. That's something that we can all focus on when we're making these changes.

I—you know, we've been very focused on working with MADD Canada, taking their direction and being iterative in terms of, like, we want to do everything we can, at every step of the way. So the commitment that I'll make to you, that I'm—made before, is that we will continue to bring forward more legislation, continue to be leaders in the country.

But your presentation has been very, very powerful, so thank you for being here tonight.

**I.M. Poitras:** Jordyn was powerful. She was a real champion, and it's an honour to be a voice for her. The loss of her is tremendous, not only to Jordyn and the missed opportunities in her life, but for all of us is just every second of every day.

And the shocking part—I mean, there was so many shocking parts, but the people who are offering condolences and saying, well, there's going to—this person, you know, this will happen and this will happen, and I was absolutely uneducated and shocked at how soft the laws are. I had no idea you could be impaired, drive and kill somebody and get your licence back in five years. I didn't know that you could be out of jail in two years. I didn't know that.

So if this is our opportunity, I think we could be a real leader in this, in Canada.

**The Chairperson:** Thank you, Ms. Poitras.

Any further questions?

**Mr. Wayne Balcaen (Brandon West):** Well, first of all, thank you very much for your presentation. It was very moving, very thoughtful. And the fact that you didn't just bring a presentation, you brought recommendations, you know, it goes back to being part of the solution, and I sincerely appreciate that.

I've got to know the Reimer family over the last year and a half, and I appreciate the ongoing advocacy that the family brings and absolutely agree that we need to strengthen our laws here in Manitoba.

Thank you.

**I.M. Poitras:** It's hard to be up here. I wanted to thank you for your comments, and I—it would be easier if we just crawled in a hole and grieved. It would. There are days where, you know, Karen and the girls—it's devastating, but they're out and I'm helping support them, as are many people here.

And it's about advocacy. Karen says all of the time: I don't want this to happen to another family. And that's what we're trying to do. We can't bring Jordyn back, but we have to be a voice and try and save another family from this.

But this Bill 5 won't do it; it has to be stronger. This isn't going to make any real changes at all.

**The Chairperson:** Thank you, Ms. Poitras.

Are there any further questions?

Thank you very much for the presentation, Ms. Poitras.

I will now call on Mr. David Grant.

Mr. Grant, do you have any written materials for the committee?

**David Grant (Private Citizen):** No.

**The Chairperson:** Okay. Please proceed with your presentation.

**D. Grant:** I, in general, support all the activities. There's been a lot of action in Manitoba over many years to minimize the scourge. We've seen people try a hundred years ago to eliminate the use of the stuff. And I would go back to the beginning, if I—grant me a few seconds.

My relationship with alcohol is different from most people. First job out of university, as a chemist, was

in the chemical lab of the Stroh Brewery in Detroit. So we had access to all the beer we'd want, free, within an hour of quitting work, which suggested—this was the '60s—that it was okay for the people that worked there—because it didn't cost the company much, it was okay for the company to let people have—and they didn't generally—I don't think there was any problem with people consuming walking to the parking lot, but it was a very different era.

At the time, I was smart enough to know that riding a motorcycle after a beer was a really bad idea. I wasn't smart enough to know that riding a motorcycle was a really bad idea, but maybe I should have noticed that. Although, I survived; I still have one.

But I would suggest that the means that we're using right now—and this bill is one means of improving things—but I think they leave some tools unused.

This is a problem around the world. I noticed in the last Formula 1 race where they're pushing things—people watch that around the world. The product that was most prominently displayed was Heineken's 0.0, so it gives you the experience of a beer with no alcohol. So—and they've been pushing—that company has been pushing that message for several years. And to the extent that it gets people to order a beer with their friends and be part of the party and not have alcohol in them afterwards, I would applaud that.

From what we can do here, there are a couple of things. I've been a volunteer with Operation Red Nose, which, as you probably already know, we drive people home from parties or whatever free in their car, and this year I was able to do all 11 nights, so that's—whatever—hundreds of hours of driving during those hours. And I have spoken to the Winnipeg Police Board about making a slight tweak to their Check Stop program.

Check stops in Manitoba have grown to be what I call large circuses. We get a big van. We—van blocks a major road. We have many police cars and many staff. Unfortunately, once they're big, they're on the Internet within a couple of minutes—you know, five or 10 minutes. So if you're serious about driving home drunk and you're too stupid to call Red Nose or get a place on the couch at your friend's place, if you are just going to do it, you check the Internet and you can avoid those check stops.

My advice to WPS was to develop some agile check stops. This is where you get two cars, four cops, and you take a less main road, like Jubilee, and you find a parking lot. You know, the BDI is a good lot.

But anyway, you just suddenly, when the—even though people can see you, you divert all the cars into this lot. And you may only get five or six cars, but you can quickly check them and have them on their way or arrested and do all that within 10 minutes. And as such, the usefulness of the Internet for those kinds of check stops would be less.

And we notice that Winnipeg statistically has a very low number of DUI people in December compared to other cities of similar size. We could say that's because our people don't drink, or we can say that our primary tool for catching them—and actually, the primary tool for catching DUI people is not the Check Stop van; it's the parked car on whatever street, because the DUI people tend to select themselves from the rest of traffic by not moving over when that parked car comes up, and so a lot of the charges of DUI are a guy sitting in or beside his crumpled car intoxicated.

So my suggestion was to have more of these agile stops so that we could compare the per cent of DUI in the agile stops versus the big, old ones. And if we find that the agile stops are a few times more DUI people, then we should go for way more of the agile stops, because the goal is to prevent.

And if the Internet has made the standard check stop ineffective—and I'm not sure if this is really suitable for legislation, but I know the government is very concerned on the issue and wants to do anything it can to make things better, make our roads safer. And that's the primary one.

\*(19:00)

There are other things in use in other jurisdictions. In general, if a part of a couple that owns a car has been convicted multiple times, their licence may be taken away, but the car's still out there. And the odds, generally, are odds of a car being pulled over at a given moment are pretty near zero. I think it was Chicago area, couple decades ago, played with using different coloured plates. So if you were a recently released felon or DUI person, your plate got to be bright yellow or bright orange in a sea of white.

So, as I say, there are tools out there in the world, in North America, which I think might be worth looking into; I'm not pushing any particular one today. But I think that if the vehicles to whom the DUI licence-removed person has access, putting funny plates—obvious plates on them would be a useful tool because then if it's a Friday night in December and a police officer's just patrolling and he sees a yellow

plate—not yellow, but a red plate in front of him, that might be his incentive just to do a wellness check on that—check on that vehicle. So it's just a way of flagging people. We can't legally accuse them of anything, but, as I say, there are tools out there, and I just support that.

My wife, shortly after I met her, she was boasting to her friends that she'd always have a designated driver, and I keep saying there must be something else she saw in me, but we've been a few decades now, and she never has a temptation because I'm always the one to drive her home.

I didn't mention about the brewery thing, but the last time I had a drink was end of '68, I think. So been without alcohol for longer than most people have been around. So—and I used to like the taste of it. I was able to discern—you know, for the brewery we had taste panels—I could tell when a product had been stored in the fridge versus room temperature for two weeks; I could tell the difference in nuance. But I've just abandoned it as a product to consume.

And I know that the number of people who will make that step, given a suspension or not, is going to be a very small fraction. So we have to deal with the everybody else. And I think the flagged licence plates and certainly the stepped-up enforcement, think those are things that we can do way better on. And as I say, the Check Stop programs are big and good but I think tiny stops would be somewhat better.

So that's the gist of what I wanted to say, and I can be in touch with the minister later about some of this stuff, so, okay, thank you.

**The Chairperson:** Thank you for your presentation.

Do members of the committee have questions?

**Mr. Wiebe:** Well, thank you, again, Mr. Grant, for your presentation.

Giving us this historical perspective from your own personal perspective was interesting. It really spoke to, as you said, the changing attitudes with regards to drinking and driving. I think that's certainly a part of the efforts that we're undertaking here today, and other efforts that we've undertaken really feed to that changing attitude.

And I also wanted to just thank you for providing safe rides home to folks. That volunteerism makes a huge difference. I can tell you, from talking with law enforcement they just really appreciate that work the volunteers do, so thank you for that.

**The Chairperson:** Any further questions?

**Mr. Balcaen:** Well, thank you, Mr. Grant. Again, always bringing your concerns forward as a citizen and a voice that's come over many decades here, changing laws certainly have led people to, I'm hoping, make smarter and wiser choices as time goes on, much like the seat belt legislation that was brought in that was ignored and now saves many, many lives.

Taking off my legislative hat and putting on a former police hat, I know that there are those opportunities outside of, you know, static patrols when they're doing check stops. I know police do roving patrols and they do exactly what you're saying, and there's technology like ALPRs and different things that really help police. So thank you for the contributions, and I like the idea of the different licence plate.

**The Chairperson:** Any further questions?

Okay, thank you very much for your presentation today, Mr. Grant.

I will now call on Ms. Karen Reimer.

Ms. Reimer, do you have any written materials for the committee?

**Karen Reimer (Private Citizen):** I do.

**The Chairperson:** Thank you. Please proceed with your presentation.

**K. Reimer:** Dear Justice committee members, my name is Karen Reimer and I would like to begin by saying that I stand before you as just one person from many families who have been devastated by the avoidable violent crime of impaired driving. I'm here to be a voice in the wake of my daughter Jordyn Reimer's death, to be a voice to help save the lives of other Manitobans.

Jordyn was killed as an impaired driver—sorry. Jordyn was killed by an impaired driver and his accomplice, on May 1, 2022, while she was acting as a designated driver. The tragic irony of Jordyn acting as a DD and being killed, trying to avoid any harm coming to her and her—coming to her friends from impaired driving, must not be overlooked.

I'm here to advocate for changes that cannot continue to be painfully slow. The current snail's pace of change contributes to victims and families enduring year after year of devastation, of serious bodily harm or death to so many innocent victims. Tough-on-crime amendments and initiatives must mean taking action that will be impactful.

I'm not opposing change to impaired driving legislation; I'm opposing weak or inconsequential legislation and I'm advocating for stronger, more impactful legislation. I support all efforts to combat impaired driving. I wholeheartedly agree with MADD Canada's proactive prevention measures to stop impaired driving before it happens. Prevention must be our priority, but until we can eradicate impaired driving through prevention, we are stuck in a time where we must address deterrents and we must apply meaningful consequences.

I acknowledge that I'm not an expert in understanding The Highway Traffic Act. I am here today as a parent and a concerned member of the public based on my best understanding of the current proposed changes to The Highway Traffic Act, through Bill 5, by the NDP government. I have reviewed Bill 5's proposed amendments through the critical lens of its impact on impaired driving.

The current proposed changes are weak and will not result in a meaningful impact. I am specifically addressing the section of Bill 5 that increases a lifetime suspension from 10 years to a lifetime suspension only when two category B offences occur within a 10-year period. A category B offence includes impaired driving, which results in bodily harm or death.

This proposal allows the opportunity, after you have seriously injured or killed someone, to have a second chance to do it again before receiving a lifetime suspension, and that is only if your second killing is within a 10-year period. I have three questions.

Number one: What are the statistics of how many drivers have two serious bodily harm or fatal crashes within a 10-year period that this legislation will impact? I would think that this should be a reasonable investigation to help determine the effectiveness of this proposed change. We need the statistics to make informed decisions if this legislation—legislative change is going to functionally, effectively and truly save lives.

Number two, my second question: If the proposed changes only affect a minimum number or possibly no impaired drivers each year, then how is that being tough on impaired driving and helping save Manitobans?

My third question is: After reviewing all of the possible areas of The Highway Traffic Act that could be strengthened, why did Bill 5 focus on an amendment that would have such a minimal impact?

It is truly time to recognize that a vehicle becomes a dangerous weapon when drivers ignore the law—the laws of the road. A current category A and B—there is a current category A and B offence table, which reflects 10 steps of increasing number and severities of offences that imposes—sorry—increases number and severity of offences and imposes suspensions for using a vehicle as a weapon while driving impaired.

\* (19:10)

I ask: Are there any other comparable 10-step tables that offer a criminal the opportunity to reoffend using a weapon, such as a gun or a machete, before they have a lifetime ban on using that weapon? Make no mistake, a—the vehicle is a weapon once the driver is impaired.

I propose three different amendments to category-A and -B offences that I feel will be more likely to have impactful changes to save lives.

Proposal one: A first category-B offence should result in an increase from the current five-year suspension to—sorry, did I say category B? Category B offence should result in an increase from the current five-year suspension to a lifetime suspension. It is simple: one and done. Driving is a privilege; it is not a right. A person should forfeit this privilege after their first bodily harm or death offence.

MPI published the statistics for category B offences for 2024. They tell us 133 impaired drivers and victims, 15 fatalities, 118 seriously injured individuals. Without even knowing the missing statistics for the proposed Bill 5 amendment, we can be confident that stopping 133 category B offenders the first time from ever driving again will be more impactful in the number of people that it is going to apply and save.

Bill 5 does not address category A offences, and therefore these remain unchanged. The next proposals, number two and three, address this.

Proposal two: changing the length of sentence of a first category A offence from one to five years. A category A offence includes impaired driving that does not cause bodily harm. This increase for first-time impaired offences will act as a stronger deterrent to impaired drivers from engaging in a repeat category A offence or engaging in a more devastating category B offence. It will send a strong message and a commitment to get tougher on impaired driving crimes.



Comparatively, we can analyze the statistics provided by MPI on how many drivers on an amendment to the category A offence would affect: 2024 data reveals the alarming number is 2,031 category A offences. It is there more like—it is therefore more likely a change in legislation to first category A offences would be a stronger deterrent to the greater number of impaired drivers.

Proposal three: Changing the length of suspension for a second category A offence from five years to a lifetime suspension. The second offence tells us that they did not learn the first time. How many chances are we going to give them to be lucky, and then not lucky, and kill somebody? No more chances.

In summary, I have the following recommendations:

(1) Legislative changes to impaired driving must be impactful.

(2) Data analysis must be used to make informed decisions to drive and guide these impactful legislative changes.

(3) A formal FIPPA data request to MPI is recommended to analyze how many people will be impacted by the proposed Bill 5 amendment change as it stands to category B offences within a 10-year period.

(4) Changing the licence suspension for first category B offences from five years—sorry—first category B offences from a five-year suspension to a lifetime suspension will be impactful. It is simply one and done. There is no need for a second chance for someone to kill somebody.

(5) Changing the licence suspension from first category A offence from one to five years will be impactful.

Sadly, this 2024 annual statistic of 2,031 is on the incline. Changing the licence suspension for a second category A offence from five years to a lifetime suspension will again be impactful. No more chances to kill people.

The three proposed amendments reviewed here are reasonable, within reach, and meaningful changes to The Highway Traffic Act, and all Manitobans should stand behind them.

There are so many things that are wrong about putting the rights and conveniences of the impaired driver over the victim's. Consider this: today, we are only talking about licence suspensions. Like, my goodness, seriously reflect on that.

Why is the government proposing a legislative change that sends the message that privilege to drive for a criminal who has killed somebody is prioritized over the innocent victim's basic rights to be alive, or the safety of future potential victims? As it stands, the message is that killers have—killers should have a second chance to drive, but all the victims, like Jordyn, don't get to walk or breathe or—on this earth ever again, forever.

I feel that having to be here today is inherently adversarial and it really shouldn't have to be. We should all be the same team fighting to eradicate impaired driving. Impaired driving legislation must be non-partisan. It is a humanity issue and we must partner and band together to save lives.

Just think what we could accomplish if victims and families had a real voice of collaboration at the table with the government and the justice system. Please consider this, and please consider what would you fight for if it was your child killed by an impaired driver. Let's create and pass meaningful bills that are not inconsequential but are in the best interest of all Manitobans.

I close now by thanking you for the opportunity to contribute to the discussion on impaired driving amendments. I will leave you with one of my favourite quotes. It is by Martin Luther King Jr.: Our lives begin to end the day we become silent about the things that matter. Jordyn's life mattered. So many innocent victims' lives destroyed, and those victim—innocent families destroyed by impaired driving matter.

Thank you. Karen Reimer, on behalf of Jordyn's family: her dad Doug, her sisters Alex and Nikki and Andi Reimer.

Thank you.

**The Chairperson:** Thank you very much, Ms. Reimer. *[interjection]* Yes.

Is there leave in the committee to allow Ms. Reimer to finish what she wants to say? *[Agreed]*

**K. Reimer:** The tables that I dispersed for you to review are: table A is just how the current 10-step, chance after chance after chance, is currently in The Highway Traffic Act; table B reflects the recommended proposed changes and how some of those steps would just automatically be eliminated by being tougher on earlier steps for category B and category A. There is an explanation in that chart, and then in the—at the end, table C would be the resulting, more simplified three-step chart—or table that would reflect the changes.

**The Chairperson:** Thank you very much, Ms. Reimer.

So we'll have five minutes for questions now.

**Mr. Wiebe:** Karen, I'm so sorry. So sorry for your loss, and you're absolutely right that Jordyn's life mattered, and your advocacy continues to be such an important part of this conversation. So, I appreciate you being here, and I appreciate everybody who's come to support you, the community that's come to support you.

I'm encouraged to hear that you're, you know, eager to dig into this legislation. I think there's lots more we're doing; we're working with MADD Canada. I encourage you to work with them so that we can all be on the same page, and I think there's lots that we can do.

So just, thank you. Thank you for everything you've done, and thank you for coming to represent Jordyn.

**The Chairperson:** Ms. Reimer, would you like to respond?

**K. Reimer:** Am I allowed to respond with my own questions?

**The Chairperson:** Unfortunately, the questions—the purpose here is for committee to ask questions, and then you would respond to the questions if you'd like.

**Floor Comment:** Well, I guess just in terms of how to partner with MADD—I am partnering with MADD. Are you able to share what MADD's recommendations for Bill 5 were?

**Mr. Wiebe:** Yes, they have submitted a brief to the committee and they are in full support of Bill 5 as presented. So I think there's always more work to be done, and that's what we're talking with them about, is what the next steps are, and that's where your input, I think, is going to be absolutely vital.

So we can help make that connection if you don't have that already with the people that are working on the policy on their side.

**The Chairperson:** Are there any further questions?

**Mr. Balcaen:** Well thank you very much, Karen, for coming to committee tonight, and I know the advocacy work that you, Doug and your family have done is instrumental in moving the mark forward, and will continue to work—to move this mark forward.

\* (19:20)

I'm just wondering, with this table that you've put forward, or the suggestions, do you think there will be more denunciation of the crime of impaired driving—

whether it's an A or B offence—if people see the punch that comes with such a proposal? *[interjection]*

**The Chairperson:** Ms. Reimer—sorry—I just need to acknowledge you and then you can please respond. Ms. Reimer.

**K. Reimer:** I absolutely do. I feel like the majority of our effort should be put forth to prevention and, you know, MADD is pushing—MADD national is pushing for anti-impaired technology in all new vehicles, and I mean, I think that's the most brilliant saving measure that we're going to see.

The US is already approved it and it is—I thought it was 2026, but I believe it's 2027 that is supposed to come into place, unless that changes with the current government. And I know that, you know, Canada is following suit.

If we can get that technology—and you mentioned seat belts earlier; people were opposed to seat belts—but if we can get that new technology into vehicles, we could, in our lifetime, eradicate impaired driving, and we wouldn't be standing here talking about consequences and punishments and whether we give people a second try. There wouldn't be a need for a second try. Nobody would do it and everybody would be safe.

**The Chairperson:** Thank you so much, Ms. Reimer. Are there any further questions?

Thank you very much for your presentation.

I will now call on Mr. Garth Steek.

Mr. Steek, do you have any written materials for the committee?

**Garth Steek:** No, I don't, Mr. Chairperson.

**The Chairperson:** Please proceed with your presentation. Thank you.

**G. Steek:** Mr. Chairman, members of the committee, I appreciate this opportunity to be here this evening to speak to the proposed amendments to The Highway Traffic Act.

If I were to ask any of you what the most important aspect of your life is, I dare say without equivocation you would respond: my family. If you could, for five seconds, just close your eyes; that's all I'm asking. I want you to envision that person that you love more than anything in the world. I want you to think about what it's like to get that phone call at 2 o'clock in the morning telling you that person has been killed by an impaired driver.

The imagery is horrific. It's unimaginable.

I'm 75 years old. I had three children; I have two. I have two grandchildren. I'm here in support of the Reimer family, who I think are quite simply extraordinary in the journey that they have made to come to this amendment's committee.

Mr. Chair, you're entitled to your own opinion in a situation like this, but you're not entitled to your own set of facts. The facts before us are irrefutable and they're indefensible. As the Minister of Justice (Mr. Wiebe) knows, in 2024, 15 people died because of impaired driving—killed by impaired drivers; 118 were injured with life-threatening injuries. I happened to attend one of those events and I saw what those people looked like. It's a horror you never forget.

Between '19 and '23 in Manitoba, 91 people died; 350 were injured, many beyond repair. They're living lives of misery. In Canada in the most recent number, 2021, 460 people died because of being hit by impaired drivers.

I think this amendment—and I'm only speaking to one aspect of it—the five-year aspect—I think well-intentioned, but, very frankly, flawed. Deeply flawed.

As has been noted by Ms. Reimer, Ms. Poitras, at the end of five years, you're saying to that person, you know what? You spent two years in jail, I'm going to give you gun back and if you go out and kill again, maybe we'll look at it again. That's 'incomprehensible'.

Everyone has a right to be safe. Safety is the cornerstone of a healthy, prosperous community.

So what's the solution? Well, I thought Ms. Reimer, in her very eloquent presentation, talked about the importance of technology, but that hasn't arrived yet.

When I was preparing for this, I looked at countless data and what stunned me is everybody says, you know, Manitoba's so tough. No we're not. We're not the toughest jurisdiction in the country. You know where the toughest jurisdiction is? It's Ontario.

And what happened in Ontario? On January 1, the Highway Traffic Act in Ontario was amended whereby if an impaired driver kills or seriously injures a person, it's an automatic lifetime suspension, period. Period.

Now I'm suggesting to you that that's what should happen here.

Ms. Reimer spoke to aspects A and B. I'm not going there. She's covered that and covered it well.

What happened to these people was not an accident. It was an act of profound negligence. The horror, the nightmares, the anguish, the pain is incalculable. No family should have to live through that.

When I was reviewing for this, I happened to note, Mr. Chair, that you're a former firefighter and a paramedic, a noble profession. I bring that up because of the fact that what's the importance of being the leader in legislation? The importance is this: you'll well remember that Alex Forrest brought forward legislation here to ensure that firefighters who were exposed to carcinogens would be compensated. That's groundbreaking 'legislation' and the NDP brought it in here.

Why is it important? Because of the fact that it set the bar high, and today, across North America—across North America—that legislation is in place because of that initiative.

So I'm saying to you here, do not be followers; be leaders. Have the courage to stand up and say what happened to the Reimer family, what happens to people every year, is wrong and we're going to stop it.

I followed this saga in the paper. It's simply astonishing what this family has gone through. The courage, the determination, the grace and the dignity that they have brought to this table, I don't think I know anybody who else could do it.

When you're going through law school, one of the things that's pounded on you relentlessly is section 91 of the constitution, and the reference is peace, order and good government. Now this section actually talks about the division of powers between the provinces and the federal government, but I dare say that for the vast majority of Canadians, peace, order and good government is what we are looking for.

Amend this legislation for lifetime bans.

I don't think that you can give peace to the Reimer family, but I think you can give them order. I think you can give them order by passing a lifetime ban after committing this heinous crime. I also think that you can give them good government.

This is not a political issue. This has nothing to do with party ideology. It has everything to do with what is simply right or wrong. And so when I'm standing in front of you when this legislation comes into effect and you amend it to the point where nobody drives after one of these offences, I would expect the opposition will be supportive. Anything less would be profoundly wrong.

\* (19:30)

It's well-marked that the arc of the moral universe is long, but it bends toward justice. It's time to do justice for the Reimer family. It's time to do justice to the memory of their daughter. It's time to do justice to the hundreds of Manitobans who died for no reason. And finally, it's time to do justice to those Manitobans who are going to die in the future if you don't bring in legislation that is profound.

Be leaders; not followers. This is weak legislation.

I said to you that I had three children; I have two. I didn't lose it—my son, 39, six years ago to a drunk. I lost him in a horrific accident. It was not preventable and there was no one to blame. But I am going to tell you to this day I am haunted. I have nightmares. The pain and the suffering that my family have endured for no reason is profound.

You can make a difference coming out of this meeting.

Now, I know that after a presentation of this nature, there's the opportunity to question the presenter. I am hoping that somebody can explain to me how you think that a five-year ban is sufficient, and I am challenging anybody at this table.

You may have gotten the idea I enjoy a debate. Let's talk.

Mr. Chairman, thank you.

**The Chairperson:** Thank you for your presentation, Mr. Steek.

We'll go to Honourable Mr. Wiebe.

**Mr. Wiebe:** Yes, thank you very much, Mr. Steek. Unique perspective, because you're able to bring the personal as well as your professional expertise to the table, so I really appreciate that.

Certainly happy to help walk you through the, sort of, legal parameters with which we're bringing this bill forward. What I will say is that this will, once again, bring Manitoba to be amongst the leaders in Canada of drunk driving legislation, impaired driving legislation. And we're confident in what we're bringing forward that it will be—it will withstand the test, but that it's also some of the strongest legislation that we can bring forward.

But again, happy to unpack it for you, help you understand, and appreciate your perspective.

**Floor Comment:** Mr. Chairman, can I respond?

**The Chairperson:** Yes, you can certainly respond. I will just remind that we can't debate in this forum at the committee. It's more of a question and response. But please feel free to respond, yes.

**G. Steek:** You say you're bringing forward some of the most strident legislation.

With all due respect, I totally disagree. You are giving somebody a second opportunity after five years to go out and commit this heinous crime again.

Furthermore, you talk about the strength of the legislation. The legislation in Ontario, which, by the way, came into effect on January 1 this year, you can see the extensive coverage on CBC TV; I'm not making it up. And so I'm saying to you, if you believe that you've got the strongest legislation, this is good, you can improve it.

**The Chairperson:** So the order of questions now is supposed to go on to a member of the opposition.

If there is leave from the opposition for the minister to respond, I can allow that.

**Mr. Wiebe:** You know, I think there's some confusion. Ontario, it's a different—it's just death. This is death and bodily harm.

I would just offer—can we just find some time after this? This isn't the forum for a debate, but I'm certainly happy to just give all the information and make sure that you're aware of what we're working with here.

So thank you. *[interjection]*

**The Chairperson:** Mr. Steek.

**G. Steek:** I'm resolute that this five-year program is simply not sufficient.

**The Chairperson:** Thank you, Mr. Steek.

Are there any further questions?

**Mr. Balcaen:** Yes, well thank you, Mr. Steek *[phonetic]*, for the presentation, and you bring some remarkable points forward that certainly resonate with me from my past experience.

Unfortunately, I've been one of the ones that's had to deliver the horrific news to families regarding the loss of a loved one more times than I wish to remember, so I agree with you, absolutely, that more needs to be done and that more can be done.

I'll ask the same question: Do you think that this will be a deterrent or a denunciation to individuals if they know that they would seek much greater sentences

for their licence prohibition should they have a second or subsequent offence?

**G. Steek:** Through you, Mr. Chair, to Mr. Balcaen. The kind of fools that do this don't care. Let's not kid ourselves. This is not about reformation. This is about protecting people. And I totally empathize with you having to tell a family of the worst nightmare they could possibly envision. But the fact remains is that until there is technology to preclude people from getting behind the wheel drunk, I don't know that it's either a denunciation or deterrence, but I do know this: that it's appropriate punishment, and that's where I come from.

**The Chairperson:** Thank you, Mr. Steek.

Any further questions?

Thank you for your presentation today, Mr. Steek.

I will now call on Jacqueline Robertson. Jacqueline Robertson? We'll just check if she's online and just be patient. One moment.

This is the last presenter of the committee, so I'll give one more opportunity. Jacqueline Robertson?

Okay, so that concludes the list of presenters that I have before me.

\* \* \*

**The Chairperson:** In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

**Mr. Balcaen:** I would suggest Bill 2, moving to Bill 5.

**The Chairperson:** Mr. Balcaen has recommended Bill 2 to Bill 5.

The recommendation from Mr. Balcaen is to go through Bill 2 and then through Bill 5.

Do we agree? *[Agreed]*

So following Bill 2 and Bill 5, we'll move on to Bill 31 and 42 as well, as we don't have presenters for those.

### **Bill 2—The Provincial Court Amendment Act** (Continued)

**The Chairperson:** So we will now proceed with clause by clause of Bill 2.

Does the minister responsible for Bill 2 have an opening statement?

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** Good evening. I'm pleased to be here to see

Bill 2, The Provincial Court Amendment Act, also known as Keira's Law, through this committee stage.

This bill will make amendments to The Provincial Court Act regarding continuing education for court—Provincial Court judges and judicial justices of the peace.

At present, to be eligible for appointment as a Provincial Court judge, an individual must participate in continuing education on sexual assault law and social context, which includes systematic racism and systematic discrimination. The current legislation does not address continuing education for judicial justices of the peace, who perform a number of the responsibilities under the act.

With the proposed amendments, candidates seeking appointment as a Provincial Court judge or judicial justice of the peace will be required to participate in the same continuing education as prospective judges. This bill responds directly to calls from survivors of gender-based violence, many of whom who came to this very room to present and showed incredible courage and resilience when they shared their stories with us at committee in the last session. I want to acknowledge, once again, all of them for their contributions and for their advocacy on this critically important issue.

\* (19:40)

In particular, I want to acknowledge Dr. Jennifer Kagan-Viater, the mother of Keira Kagan, who informed us of the importance of these changes and then how introducing Keira's Law will help prevent horrible acts of domestic violence and coercive control in Manitoba. Dr. Kagan-Viater's tireless efforts have helped us to lead in this legislative change here, but also federally and in Ontario.

I'd also like to thank the member for Tyndall Park (MLA Lamoureux) for her collaboration and for her dedication, introducing her own private member's bill, which we have built upon by adding additional topic areas and additional funding provisions.

I'd also like to thank the Minister of Families (MLA Fontaine) for her contributions and for introducing this bill going back a number of years now in opposition, bringing it to the attention of the House.

In addition to the continuing education of judicial justices of the peace, training will be provided on three new topics: coercive control, NIPV and family relationships; the experience of Indigenous persons and the 2SLGBTQIA+ persons in the justice system and in society; and of course, intimate partner violence.

The proposed amendments build upon and expand the existing continuing education for prospective provincial judges. And the amendments are intended to ensure that those in decision-making positions have awareness of these subjects and can use this information to be more fair and more equitable.

A chief judge will continue to have authority to establish continuing education seminars for judges, and now to establish training for judicial justices of the peace. The legislation ensures seminars are developed after consultation with persons, groups or organization the chief judge considers appropriate.

This may include survivors of sexual assault, NIPV for seminars on sexual assault law or IPV, and representatives of Indigenous and 2SLGBTQIA communities for seminars on social context and community experience. The chief judge continues to be required to report annually on any seminars that are held regarding specific topics.

I want to acknowledge members of the judiciary, including Chief Judge Rolston for their commitment to judicial education and for its continued improvement and enhancement.

We move to introduce this as a government bill to ensure that the funding provided for continuing education seminars and other sessions does not lapse. This will have a major impact. The change will ensure that core education funding for these sessions can continue uninterrupted, and that this important education continue regardless of the fiscal year in which it takes place.

Like the advocates who have championed this legislation, we will not stop pushing for change. Our public safety strategy outlines numerous actions that our government will take to further support survivors of gender-based violence and coercive control and to ensure that we are advancing reconciliation throughout the justice system.

I'm committed to working across government, including with my colleagues, the Minister of Families and others to do just that.

Thank you for your time. Looking forward to seeing this bill move forward through the committee stage. Thank you, Honourable Chair.

**The Chairperson:** Thank you, Minister Wiebe.

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

**Mr. Wayne Balcaen (Brandon West):** Yes, well thank you again for the opportunity to speak to this. This will be a second or third time that we've had the opportunity to speak to this in its various forms as this moves forward. I'm going to be short on my remarks because I've made them during debate and I've also talked to this extensively.

What I will say is, we wouldn't be here today if it was not for the efforts of the MLA for Tyndall Park. And I would like to thank her for her efforts in moving this bill forward as her bill in 2024, and then again seconding it and making sure that it comes to fruition tonight.

What I will say is that I know she put in hours and hours of consultation and time and—commendable, the work that she did in order to bring this bill forward.

I am cautiously speaking on the fact that I know the Legislative—or, sorry, the 'judiciary' is very concerned about legislation trampling on judicial independence. And I have always been for and about judicial independence, making sure that there is no untoward pressure from legislators or legislation. And we heard from Ms. Dawes tonight and we are creeping in on that judicial independence that is so needed in our democratic society.

So, with those remarks, I will end my remarks for tonight, honourable Chair.

**The Chairperson:** Thank you, Mr. Balcaen.

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

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; clause 7—pass; clause 8—pass; enacting clause—pass; title—pass. Bill be reported.

#### **Bill 5—The Highway Traffic Amendment Act (Impaired Driving Measures)** *(Continued)*

**The Chairperson:** Does the minister responsible for Bill 5 have an opening statement?

**Hon. Matt Wiebe (Minister of Justice and Attorney General):** I'm pleased to be here to see Bill 5, The Highway Traffic Amendment Act (Impaired Driving Measures) come and pass through the committee stage. This bill brings forward amendments that represent a pivotal in efforts to enhance road safety and to protect Manitobans from the devastating consequences of impaired driving.

Ten per cent of fatal collision in Manitoba in 2023 included impaired driving as a contributing factor, but those numbers aren't why we're here today. It's because of stories like Jordyn's and so many others: so many families, communities and individuals who've been touched by impaired driving.

It's a problem that touches the lives of far too many individuals, far too many families and far too many communities. It's why it was so important for us to have consulted with stakeholders such as Mothers Against Drunk Driving, who fully support this bill, to introduce these changes and to take action to protect communities and improve road safety.

We want to send a message that there are real and serious consequences in Manitoba for choosing to drink and drive. The amendments presented here today will increase the length of the automatic driver's licence suspension following a second conviction of impaired driving causing death or bodily harm within 10 years of a first offence. The suspension will be increased from 10 years to a lifetime suspension.

The amendments also require that all drivers convicted of this type of offence will be prohibited from driving with any alcohol in their blood—a zero per cent blood-alcohol concentration—which will be a monumental step forward. For a first conviction of this type of offence, the driver will be prohibited from driving with any alcohol in their blood for seven years. For a second conviction this now becomes a lifetime prohibition.

The bill will also include sanctions for breaching the zero per cent alcohol prohibition, which will mirror the current immediate roadside prohibition regime sanctions imposed for drivers that will warn on approved screening device.

\* (19:50)

This includes the following: licence suspension starting at three days for the first breach and escalating for each subsequent breach from 15 to 30 and then to 60 days; vehicle impoundment for three days after the first breach and increasing for each subsequent breach from seven to then 30 days; referrals to Addictions Foundation of Manitoba; a driver's assessment following a second breach within that 10-year period; ignition interlock is now imposed following a third breach; an administrative penalty of \$400 following a first breach and increasing with each subsequent incident; and licence reinstatement fees are increased.

The proposed bill is intended to strengthen road safety in Manitoba by imposing new and stronger

licensing sanctions on drivers who are convicted of these impaired-related offences that cause bodily harm and death. When a driver ignores basic safety rules, when they kill or even injure another person because they chose to drive impaired, they have demonstrated that they cannot responsibly consume alcohol and drive. Corresponding zero per cent alcohol prohibition on these offenders will enhance road safety by separating their alcohol consumption from driving.

Some of the proposed changes, such as increasing the automatic licence suspension following a second conviction for impaired offences causing bodily harm and death would come into force immediately on royal assent, and the remaining provisions will come into force on proclamation, working with Manitoba Public Insurance, giving them time to make the changes within their systems.

This is about making our roads safer. This is about saving lives. We're happy to work with MADD Canada. We're happy to work with the community.

I want to thank everybody for taking the time to be here tonight. This is not the end. We're going to continue to work on this, and I invite you to be a part of it.

Thank you, honourable Chair.

**The Chairperson:** Thank you, Minister Wiebe.

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

**Mr. Wayne Balcaen (Brandon West):** It actually saddens me that we have to look at strengthening impaired driving laws when it is the highest contributor to deaths among young people within Canada, and the fact that we tout that we have the strongest laws in Canada in Manitoba is factually wrong. We don't, and we can do much, much better as we go further along.

We talk about enhancing road safety, and again, impaired driving is a contributing factor in approximately 10 per cent of motor vehicle collisions. And we've heard the statistics tonight, delivered so eloquently by a number of people, whether it be Manitoba-wide, whether it be Canada-wide, to the number of people that are injured and that are killed by impaired driving.

I also note that MADD Canada does support this bill as written, but they would support this bill as written because it does strengthen what is there right now.

But much more strengthening needs to be done to this bill to have effective impact on the lives of many Manitobans and visitors to our province, whether it be provincially, nationally or internationally to our province.

To have a second conviction for a lifetime when you've taken somebody's life away seems counter-productive and seems to fly in the face of justice. Justice must not only be seen to have been had, but must also be had for the victims and the families of this.

Having a second opportunity for a lifetime prohibition seems to be allowing the perpetrators more leniency than a family, who has to have a lifetime sentence of not having their loved one, not having those memories, not having everything that goes with families and life.

Deterrents and denunciation is a cornerstone of law, and we have to make sure that we have those deterrents and denunciations for individuals, particularly our young drivers who are coming into the system. Much like I'd mentioned earlier about seat belts, when individuals learn something initially and it's, you know, repeated over and over, then they get the idea. And if a young driver knows that they will lose the privilege of driving or operation of a conveyance, then that sticks with them.

And so, you know, when we also look at other offences—and I know it's more Criminal Code, but—such as murder and manslaughter, the judge has the opportunity on a first offence to do a lifetime prohibition for weapons, a lifetime prohibition for firearms. I don't see this as any different. A vehicle is used as a weapon, and a person should suffer a lifetime ban when they're causing death.

So with that, honourable Chair, I just repeat that I think there's so much that we can do to strengthen our laws. And as legislatures—legislators, we're here today; we have the opportunity today, at this committee, to make meaningful changes, and I think it's incumbent on each and every one of us to do just that.

**The Chairperson:** Thank you, Mr. Balcaen.

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

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

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clause 3—pass; clause 4—pass; clauses 5 and 6—pass.

Shall clause 7 pass?

**An Honourable Member:** No. I have an amendment.

**The Chairperson:** Okay. I hear a no.

All right. I heard a no from Honourable Mr. Wiebe.

**Mr. Wiebe:** Thank you very much, honourable Chair.

I have an amendment to propose to the committee.

Thank you, honourable Chair.

I move

*THAT Clause 7(3) of the bill be amended in the proposed subsection 264(1.2.3) by adding "unrelated" after "two".*

**Motion presented.**

**The Chairperson:** The amendment is in order, and the floor is open for debate.

**Mr. Wiebe:** This amendment tonight is with regards to a drafting error that was made with Bill 5, that we would like to resolve here at committee.

The wording of two separate sections is ambiguous, as it should be referring to two separate incidents. These amendments will establish internal consistency within the act and amend the bill to reflect the intent of the legislation.

**The Chairperson:** Thank you, Honourable Mr. Wiebe.

Does anybody else want to join the debates—speak to the debate?

\* (20:00)

**Mr. Balcaen:** Honourable Chair, I do have amendment to bring forward, but based on this information, I would request a five-minute recess to adjust some amendments that I have.

**The Chairperson:** Mr. Balcaen has requested a five-minutes recess.

Is that agreed? [*Agreed*]

We'll take a five-minute recess.

*The committee recessed at 8:00 p.m.*

*The committee resumed at 8:05 p.m.*

**The Chairperson:** Order.



Mr. Balcaen, you have the floor.

**Mr. Balcaen:** Honourable Chair, I'll be moving a subamendment to the minister's amendment. I move

*THAT the amendment to Clause 7(3) of the Bill be amended by striking out everything after "be amended" and substituting the following:*

*by replacing the proposed subsections 264(1.2.3) and (1.2.4) with the following:*

**Lifetime suspension for certain impaired offences**

264.1.2.3—Despite—pardon me—despite subsection (1.1), a person is disqualified from driving a motor vehicle for the rest of their life and their licence and right to have a licence is permanently suspended if

(a) they are convicted under either of the following provisions of the *Criminal Code*:

(i) subsection 320.14(3) (operation while impaired causing death), or

(ii) subsection 320.15(3) (failure or refusal to comply with—the—demand—accident resulting in death);

(b) they are convicted under either of the following provisions of the *Criminal Code*:

(i) subsection 320.14(2) (operation while impaired causing bodily harm),

(ii) subsection 320.15(2) (failure or refusal to comply with—a—demand—accident resulting in bodily harm),

and they are subsequently convicted of a designated impaired offence not referred to in clause (a) or of an offence listed in clause (a) or (a.1) of the definition "Category A offence"; or

(c) they are convicted of a designated impaired offence not referred to in clause (a) or—any other—offence listed in clause (a) or (a.1) of the definition "Category A offence", if—the—person under the age of 18 years was a passenger in or on the conveyance at the time material to—this—offence.

**The Chairperson:** Thank you, Mr. Balcaen.

It has been moved by Mr. Balcaen

*THAT the amendment to Clause 7(3)—*

**An Honourable Member:** Dispense.

**The Chairperson:** Dispensed.

The subamendments is in order, and the floor is open for debate.

I just need to address that a few of the words from that subamendment were spoken incorrectly into the system.

Is it the will of the committee to allow that we use the word of written in the actual subamendments to be had in Hansard? [Agreed]

*THAT the amendment to Clause 7(3) of the Bill be amended by striking out everything after "be amended" and substituting the following:*

*by replacing the proposed subsections 264(1.2.3) and (1.2.4) with the following:*

**Lifetime suspension for certain impairment offences**

**264(1.2.3)** Despite subsection (1.1), a person is disqualified from driving a motor vehicle for the rest of their life and their licence and right to have a licence is permanently suspended if

(a) they are convicted under either of the following provisions of the *Criminal Code*:

(i) subsection 320.14(3) (operation while impaired causing death),

(ii) subsection 320.15(3) (failure or refusal to comply with demand—accident resulting in death);

(b) they are convicted under either of the following provisions of the *Criminal Code*:

(i) subsection 320.14(2) (operation while impaired causing bodily harm),

(ii) subsection 320.15(2) (failure or refusal to comply with demand—accident resulting in bodily harm),

and they are subsequently convicted of a designated impaired offence not referred to in clause (a) or of an offence listed in clause (a) or (a.1) of the definition "Category A offence"; or

(c) they are convicted of a designated impaired offence not referred to in clause (a) or of an offence listed in clause (a) or (a.1) of the definition "Category A offence", if a person under the age of 18 years was a passenger in or on the conveyance at the time material to the offence.

Thank you.

Okay, so the subamendment is in order, and the floor is now open for debate on the subamendment.

**Mr. Balcaen:** Appreciate the opportunity. And I think, listening to the presenters tonight, every single one of

our presenters on this particular bill spoke eloquently and spoke factually about our present Highway Traffic Act and the infractions that can happen and the punishments as a result of that.

\* (20:10)

I think it's safe to say that all of us in committee want to have a safer Manitoba. We want to have safe roads and we want to be able to enjoy our roads with the most safety and well-being that we can, not only for ourselves, but for our families, our friends and our neighbours that use the roads.

I believe by moving these subamendments, we can strengthen The Highway Traffic Act to have real impact and real change for Manitobans that have suffered impaired driving. The devastation that happens to individuals and to families that have to suffer through impaired driving should not have to happen, and putting in safeguards is my hope that what's happened to the Jordyn family—I'm sorry, to the Reimer family, and to many, many other families across Manitoba over the years, doesn't have to—or does not have to happen to them again.

I think this change is paramount and I think we've heard loud and clear from all of the presenters that there needs to be some significant movement and not the limited movement that is moving forward in the bill as it is presently stated.

So this will certainly allow anybody who has committed an offence and causes death to lose their licence for a lifetime prohibition in Manitoba, making sure that we mirror some of the toughest driving laws and bringing Manitoba back into compliance with tough driving laws and tough denunciation in our province.

It moves the marker forward with individuals that create impaired causing bodily harm, in that they don't have to commit a second offence—a second designated offence. It could be any impaired driving offence that they commit subsequent to that and they lose their licence, not having to commit an impaired driving causing death or an impaired driving causing bodily harm. And it's any time that they do this after their sentence for their first conviction of impaired causing bodily harm.

And it actually brings a third and very important piece of legislation forward, and that is if you have a passenger in your vehicle that is under the age of 18. And this is significant for law enforcement. I've talked to many law enforcement officers about this, and the amount of times that vehicles are stopped with

children, with babies, with individuals that are under the age of 18, those young minds that can easily be influenced. If they are involved in impaired driving while having a child in their vehicle, it would result in a lifetime prohibition of their driver's licence.

I think bringing these amendments forward—I know—will have the effects and ramifications that it very well should for our province, making sure that individuals are brought to justice for their wrongdoings. We must remember that driving is a privilege in this province. It is not a right. And the privilege to drive ends when you consume alcohol, when you take somebody's life. When you take—cause significant injury to individuals, your right—when you're driving impaired with a young child, a baby or anybody under the age of 18 in your vehicle—ends. Your right ends there, and your privilege ends.

So it's very important to make sure that we note that it is a privilege in this province, and that privilege needs to be removed if there is contravention of our laws.

So with those words, I thank you, honourable Chair.

**The Chairperson:** Thank you, Mr. Balcaen.

Are there any further speakers in the debates of the subamendments?

**Mr. Wiebe:** I think one of the most encouraging things that I heard today is that there's a willingness for further collaboration and a call from families to put down partisan differences, to see this as a common good. And I think that's what we want to be working together on.

And I also heard from members—from presenters here tonight and families that have spoken to, that they understand that deterrence isn't the only answer, that there is no, unfortunately, any single piece of legislation that will solve impaired driving.

But, you know, the understanding that this is one step on an important path to making our streets safer, but also make sure that folks understand—the member opposite has blurred the lines a little bit—the jurisdiction, of course, here in Manitoba is under The Highway Traffic Act. It's about imposing road safety; that's what we're talking about here today. The member opposite knows well—I think hopefully he's sharing with the families the federal government's responsibility. Parliament, of course, imposes the stronger punishments for crimes.

And I—again, I encourage to hear family talking about steps that the federal government can take when

it comes to Interlock or testing systems in cars. I think that's a great idea, and I hope that Parliament acts. Federal election ongoing, so I hope to hear more from the federal parties about that, no matter the stripe.

The member of the committee here also, of course, knows—and I know appreciates—and hopefully again, he's sharing with the families just how important the role of the Attorney General is in this process. The responsibility—part of the responsibility that we have here is to ensure that any legislation that we bring forward is legally durable, that it'll stand up to any kind of legal scrutiny.

And so there are some constitutional considerations that I think are relevant to this conversation and relevant to consider. For instance, a lifetime suspension after one conviction is arguably an attempt to impose a punishment for a crime rather than being, as I said, a true measure to improve road safety. That would be a federal responsibility, and we, again, call on the federal government to take tougher action on impaired driving. Also, lifetime suspension after the first offence risks being challenged, therefore, in court as being a disproportionate response to the pursuit of having safer roads.

One very important distinction that I want to make sure that folks understand that, again, it might've been unintentional. But I want to make sure that we're not misleading anybody, and so I want to be clear that the courts still and—already have and still have the full discretion in the case of an impaired driver to impose a longer prohibition, if warranted, as part of the sentencing. The judges have that ability to do that, and so I want to make sure that that's clear.

And, you know, I think, again, this is an opportunity for us to come together to understand that the legislation that we've brought forward, fully endorsed by MADD Canada, the important policy work that they do is not just in Manitoba; it crosses all boundaries in the country. They have a very firm sense of what is good legislation, what is working in other provinces and what we can do here.

We were leaders in Manitoba. When I first got elected, every single year there was a piece of a legislation that was brought forward by an NDP government, specifically on impaired driving, and it, every year, strengthened and moved the needle in terms of making our roads safer.

I think we've fallen behind, so it's time to regain that ground. And I do feel that there is a bipartisan—or a non-partisan movement here. So I hope that we

don't, you know, try to use specific situations to bring legislation that doesn't work, but instead find ways we can work together, and do this each year.

I invite everybody to come forward. MADD Canada has been a great partner, and so I think they are the best representatives of some important work that we can do. And so I encourage the member opposite to also meet with them and understand the good work that we're doing.

\* (20:20)

Again, what are we talking about here? We can talk about statistics; we can talk about the specifics about what is allowed in terms of our constitutional commitments. What I want to say very clearly is that I'm dedicated to this. This is going to be something that I'm going to do every single year as Justice Minister.

So, let's keep working together. Let's make sure that we're doing this in a non-partisan way that's true to the true spirit of Jordyn's memory. I believe that we can do that. I do believe that we can get back there, and I'm very, very encouraged that the family's here and continuing to be constructive in their work that they're doing with regards to legislation. So thank you for the time, Honourable Chair.

**The Chairperson:** Thank you, Honourable Mr. Wiebe.

Is the committee ready for the question?

**An Honourable Member:** Question.

**The Chairperson:** So, the question before the committee is as follows, moved by Mr. Balcaen.

*THAT the amendment to Clause 7(3) of the Bill be amended by striking out everything—dispense?*

**An Honourable Member:** Dispense.

**The Chairperson:** Shall the subamendments pass?

**An Honourable Member:** Yes.

**An Honourable Member:** No.

**The Chairperson:** I hear a no.

**Voice Vote**

**The Chairperson:** All those in favour of the subamendment, please say aye.

**Some Honourable Members:** Aye.

**The Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Chairperson:** In my opinion, the Nays have it, and the amendment is accordingly defeated.

### Recorded Vote

**Mr. Balcaen:** A recorded vote.

**The Chairperson:** A recorded vote has been called.

As a recorded vote has been requested, all those in favour, please raise their hands.

*A COUNT-OUT VOTE was taken, the result being as follows: Ayes 2, Nays 3.*

**The Chairperson:** The amendment is accordingly defeated.

**Clerk Assistant:** Oh, sorry. I have to—nays, 2—I'm sorry.

Nays 3, Ayes 2.

**The Chairperson:** The amendment is accordingly defeated.

\* \* \*

**The Chairperson:** Now we'll move back to debate on the amendments, moved by Honourable Mr. Wiebe.

The floor is open for debate on the amendment brought forward by Honourable Mr. Wiebe.

Would you like to speak to the amendment?

Is the committee ready for the question?

**An Honourable Member:** Question.

**The Chairperson:** The question before the committee is as follows.

*THAT Clause 7(3) of the Bill—moved by Honourable Mr. Wiebe.*

*THAT Clause 7(3) of the Bill be amended—dispense?*

**An Honourable Member:** Dispense.

**The Chairperson:** Dispensed.

Shall the amendment pass?

**An Honourable Member:** Pass.

**An Honourable Member:** No.

**The Chairperson:** I hear a no.

### Voice Vote

**The Chairperson:** All those in favour, say aye.

**Some Honourable Members:** Aye.

**The Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**The Chairperson:** In my opinion, the Ayes have it. The amendment is accordingly passed.

\* \* \*

**The Chairperson:** Clause 7 pass as amended—pass.

Shall Clause 8 pass?

**An Honourable Member:** No.

**The Chairperson:** I hear a no.

It has been moved by the Honourable Mr. Wiebe

*THAT Clause 8 of the Bill be amended in the proposed subsection 264—[interjection]*

Aha, yes.

**Mr. Wiebe:** You read my mind, Honourable Chair. I move

*THAT Clause 8 of the Bill be amended in the proposed subsection 264.1(2) by adding "unrelated" after "two".*

### Motion presented.

**The Chairperson:** The amendment is in order. The floor is open for debates.

**Mr. Wiebe:** Once again, for clarification of the—for the committee—there was a drafting error with Bill 5. The wording of both of the sections is ambiguous, so it should be referring to two separate incidents. These amendments establish internal consistency within the act.

**The Chairperson:** Thank you, Honourable Mr. Wiebe.

Would anybody else like to speak to the amendments?

Seeing none, is the committee ready for the question?

**An Honourable Member:** Question.

**The Chairperson:** The question before the committee is as follows: Moved by the Honourable Mr. Wiebe,

*THAT Clause 8 of the Bill be amended in the proposed subsection 264.1(2) by adding "unrelated" after "two".*

Amendment—pass; clause 8 as amended—pass; clause 9—pass; clauses 10 through 13—pass; enacting clause—pass; title—pass. Bill as amended be reported.

### Committee Substitution

**The Chairperson:** Order, please.

I would like to inform the committee that, under our rule 84(2), the following membership substitution has been made for this committee effective immediately: Honourable Minister Sandhu for Honourable Minister Wiebe.

Thank you.

**Bill 31—The Property Controls for  
Grocery Stores and Supermarkets Act  
(Various Acts Amended)**

**The Chairperson:** Does the minister responsible for Bill 31 have an opening statement?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Honourable Chair, I appreciate the opportunity to welcome everyone here this evening. It is my pleasure to be here on behalf of my department as the Minister of Public Service Delivery.

I appreciate all the members who joined us this evening to discuss the important legislation, Bill 31, The Property Controls for Grocery Stores and Supermarkets Act (Various Acts Amended).

This bill amends The Law of Property Act, The Real Property Act and The Municipal Board Act to stop the use of property control in the ownership and leasing agreement in the grocery store—grocery sector, so more locations are available for grocery stores and supermarkets to sell fresh food and groceries. Large grocery chains use property controls like restrictive covenants and exclusivity clauses to limit access to the real estate that new grocery needs to enter the market.

Our government promised to eliminate the restrictive covenant that drives up grocery prices. By prohibiting new property control and widening or amending existing property controls, we will increase the competition, which will help increase competition, will help grocery prices in check.

This will amend three separate acts to help increase competition by allowing more grocery stores and supermarkets to set up shops in Manitoba. Under amendment to the law property act and The Real Property Act, certain property control can no longer be created and new ones are voided. Existing property controls are voided unless the holder makes registration under The Real Property Act within six months after the amendments came into force.

\* (20:30)

Individuals may initiate the review of the property control. The matter may be reported to the Municipal

Board after the minister considers the property control to be contrary to the public interest. The Municipal Board will decide on whether the property control should be voided.

More competition in the grocery industry is expected to increase access to food for sale and make more affordable for Manitobans.

Thank you, honourable Chair.

**The Chairperson:** Thank you, Honourable Minister Sandhu.

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

**Mr. Josh Guenter (Borderland):** I appreciate the opportunity just to put a few words on the record and thank the minister for bringing the bill forward and his staff, as well, here today for their work on this legislation.

In principle I think we support it. You know, we support greater competition among grocers. I would note, you know, we're not—I'm not optimistic that this bill will reduce grocery prices, at least in the immediate term. It applies to grocery stores that are 2,000 square feet or larger; I don't know if there are any real-life examples in the province of—that this legislation would directly affect.

So, in principle we support it, and—but, yes, with those reservations.

Thank you.

**The Chairperson:** Thank you, Mr. Guenter.

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

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

Is that agreed? *[Agreed]*

Clauses 1 and 2—pass; clauses 3 through 5—pass; clauses 6 and 7—pass; clause 8—pass; clause 9—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 42—The Buy Canadian Act  
(Government Purchases Act Amended)**

**The Chairperson:** On to Bill 42. Does the minister responsible for Bill 42 have an opening statement?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Yes, I do.

I appreciate the opportunity to welcome everyone here this evening. It is my pleasure to be here on behalf of my department as the Minister of Public Service Delivery.

I think this is time well spent for our government to have an opportunity to talk about this important bill, Bill 42, The Buy Canadian Act. Our government has always stood up for Manitobans, and we will continue to do so even in challenging times. In light of the current economic challenges posed by the US administration, our government is standing up for Manitobans, standing up for Canadians.

This bill signals our government's commitment to prioritize goods and services that are made in Canada. It directs the government to establish a buy Canadian policy. This policy outlines steps the government will take to stand up for Manitoban jobs and our local economy.

It has established a framework to prioritize the procurement of Canadian-made goods and services. We know that in the challenging times we must all work together to support our local economy. Our government is committed to standing up for Manitobans and changing our practice in order to protect the jobs of Manitobans and Canadians.

In response to the US tariff, we are bringing forward this legislation to support Canadian suppliers. As mentioned in our Budget 2025, our new buy Canada policy will make sure government contracts for Manitoba and Canadian businesses and workers. This will not only help us create more jobs but also keep our economy Trump-proof.

By supporting Canadian-made goods, the bill aims to contribute to the overall growth of the Canadian and Manitoba economy.

Thank you, honourable Chair.

**The Chairperson:** Thank you, Honourable Minister Sandhu.

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

**Mr. Josh Guenter (Borderland):** Thank you, Mr. Chair, and, again, appreciate the opportunity to be here and just put a few words on this bill.

Again, thank the minister and his staff, everyone involved in developing this legislation.

You know, it's always a good thing to buy Canadian, especially these days. I would note on the minister's remarks that he talked about Trump-proofing the economy. I would also want to bring to his attention, remind him as well, you know, Manitobans, Canadians are facing tariffs from other countries as well. So that's just something that we got to keep in mind as well. But, in principle, it's a good initiative.

You know, I was just hopeful in debate in the Chamber, that we could get an idea of what the financial impact would be on the province, in terms of provincial government procurement, and also what the timelines would be—how long the minister anticipates the development of the regulation to take and some other questions that we had.

So, unfortunately, it's—in that respect, there's not a whole lot of detail. But, again, we, in principle, support it and so, with those few words, I close my remarks.

**The Chairperson:** Thank you, Mr. Guenter.

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

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

\* \* \*

**The Chairperson:** The hour being 8:38, what is the will of the committee?

**Some Honourable Members:** Rise.

**The Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 8:38 p.m.

## WRITTEN SUBMISSIONS

Re: Bill 5

MADD Canada's mission is to stop impaired driving and to support victims and survivors of this violent crime. We are the only national anti-impaired driving organization in the country to provide services to victims and survivors of impaired driving. Our volunteers are the heart and soul of MADD Canada and their commitment to making all of our communities safer is our greatest strength.

Despite the progress that has been made, impaired driving remains a serious public safety issue. In 2021, 459 Canadians were killed within 12 months of a crash on a public roadway involving a drinking driver where alcohol use was known. Further, during 2021, roughly 1 in 4 (28.38%) of crash deaths occurring

within 12 months of a crash on a public roadway where alcohol use was known involved a drinking driver. In comparison, in 2021, 496 Canadians were killed in crashes on public roadways involving at least one driver who was positive for drugs where drug use was known.

In a report looking at short-term alcohol and drug-related provincial licence suspensions, immediate roadside prohibitions, and criminal charges, MADD Canada found that there were an estimated 78,480 drivers sanctioned under federal and provincial law in 2021, or approximately 206 sanctions per 100k Canadians and 215 sanctions per day.

Our priority is prevention, and we believe that a balanced program of public awareness, progressive legislation, proactive enforcement, and meaningful sanctions is essential to eliminating impaired driving. Proactive law enforcement is essential, especially when police use Mandatory Alcohol Screening (MAS) effectively and continue to identify drug impaired drivers.

Manitoba is a leader in terms of policies and laws that focus on getting impaired drivers off the road before they injure or kill someone. The province's Immediate Roadside Prohibition (IRP) program is a model for other jurisdictions.

Unfortunately, we cannot prevent every tragedy, and we believe that offenders must be held accountable for their reckless behaviour and the harm they cause.

On April 20th, 1999, my mother, Beryl Hansen, was killed by an impaired driver near Portage la Prairie, MB. Her senseless death was made all the more

painful knowing that the man that killed her was permitted to drive upon his release.

Penalties should be targeted towards minimizing the risk of recidivism. Sentences have risen over the last decade for those who have caused injury and/or death, but we must also minimize their risk of re-offending when released into the community.

Bill 5 targets these individuals. It seeks to amend the Highway Traffic Act to increase the automatic driver's licence suspension for a second conviction when a driver is convicted of an impaired driving or refusal offence where bodily harm or death resulted. This strengthens the current system under which a driver convicted of bodily harm or death for the first time receives an automatic five-year licence suspension and a 10-year suspension for a second offence within 10 years. Bill 5 increases the second 10-year suspension to a lifetime suspension.

Bill 5 also includes amendments that prohibit a person convicted of these offences from driving with any alcohol in their blood (zero percent blood alcohol concentration). The prohibition is seven years for a first conviction and is a lifetime prohibition a second conviction within 10 years. Drivers who breach their alcohol prohibition will have sanctions imposed that mirror those under the IRP program potentially including roadside suspension, vehicle impoundment and ignition interlock.

These measures address those who commit the most serious harm and will help ensure the risk of recidivism is reduced.

Tanya Hansen Pratt  
MADD Canada

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

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