



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

Chairperson
Carla Compton
Constituency of Tuxedo



Vol. LXXX No. 1 - 6 p.m., Wednesday, March 18, 2026

MANITOBA LEGISLATIVE ASSEMBLY
Forty-Third Legislature

Member	Constituency	Political Affiliation
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
CORBETT, Shannon	Transcona	NDP
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	Ind.
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
ROBBINS, Colleen	Spruce Woods	PC
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

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

Wednesday, March 18, 2026

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – MLA Carla Compton (Tuxedo)

**VICE-CHAIRPERSON – Mrs. Rachelle Schott
(Kildonan-River East)**

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Min. Simard, Hon. Min. Wiebe

Mr. Balcaen, MLAs Bereza, Compton, Mrs. Schott

PUBLIC PRESENTERS:

Bill 31 – The Highway Traffic Amendment Act

David Grant, private citizen

Karen Reimer, private citizen

*Bill 2 – The Non-Consensual Distribution of Intimate
Images Amendment Act*

Ben McGillivary, private citizen

Fernanda Vallejo, Latinas Manitoba Inc.

*Bill 3 – The Manitoba Public Insurance Corporation
Amendment Act*

Mary Johnson, private citizen

*Douglas Houghton, Coalition of Manitoba Motorcycle
Groups Inc.*

Monique Curci, private citizen

Ben McGillivary, private citizen

David Grant, private citizen

*Zainab Mansaray, Canada Sierra Leone Friendship
Society Inc.*

*Peggy Barker, Consumers' Association of Canada–
Manitoba Branch*

Bill 4 – The Constitutional Questions Amendment Act

Kevin Rebeck, Manitoba Federation of Labour

Chris Barsanti, private citizen

Ben McGillivary, private citizen

Paul Moist, Manitoba Federation of Union Retirees

*Bill 30 – The Intimate Partner Violence Death
Review Committee Act*

Fernanda Vallejo, Latinas Manitoba Inc.

David Grant, private citizen

WRITTEN SUBMISSIONS:

*Bill 2 – The Non-Consensual Distribution of Intimate
Images Amendment Act*

*Monique St. Germain, Canadian Centre for Child
Protection Inc.*

Bill 4 – The Constitutional Questions Amendment Act

Chris Turyk, Rainbow Resource Centre

*Chris Gamby, Criminal Defense Lawyers Association
of Manitoba*

*Marianne Hladun, Public Service Alliance of
Canada–Prairies*

MATTERS UNDER CONSIDERATION:

*Bill 2 – The Non-Consensual Distribution of Intimate
Images Amendment Act*

*Bill 3 – The Manitoba Public Insurance Corporation
Amendment Act*

Bill 4 – The Constitutional Questions Amendment Act

*Bill 30 – The Intimate Partner Violence Death
Review Committee Act*

Bill 31 – The Highway Traffic Amendment Act

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Clerk Assistant (Ms. 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. Glen Simard (Minister of Municipal and Northern Relations): I nominate MLA Compton.

Clerk Assistant: MLA Compton has been nominated.

Are there any other nominations?

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

The Chairperson: Okay, we're all just going to adjust to the sound for now. Apparently the sound person is on their way and we'll see if we can make it a little better, but we're going to keep going for right now.

So our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Mr. Simard: I nominate MLA Schott.

The Chairperson: MLA Schott has been nominated to be Vice-Chair.

Are there any other nominations?

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

This meeting has been called to consider the following bills in numerical order: Bill 2, The Non-Consensual Distribution of Intimate Images Amendment Act; Bill 3, The Manitoba Public Insurance Corporation Amendment Act; Bill 4, The Constitutional Questions Amendment Act; Bill 30, The Intimate Partner Violence Death Review Committee Act; Bill 31, The Highway Traffic Amendment Act.

Mr. Simard: May I move that we move Bill 31 to first on the list, followed by numerical bills.

The Chairperson: So it has been suggested that Bill 31 be moved to the beginning and then the rest follow in numerical order, so it would be Bill 31, Bill 2, Bill 3, Bill 4 and Bill 30.

Is that agreed? *[Agreed]*

Okay. Mr. Balcaen?

Mr. Wayne Balcaen (Brandon West): On committee business.

The Chairperson: Mr. Balcaen, on committee business.

Mr. Balcaen: Yes, as this is an extension of the House, I would like to bring forward a leave request for this committee to consider. The base of this is that one of the presenters tonight, who has been a presenter on a number of different topics, received direction from the Clerk's office that they could not wear a certain piece of apparel, and this apparel is a picture of their daughter. And the rules under the House state that, as per our standard practice, the displaying of signs, props, banners and other exhibits is not permitted. Clothing with inappropriate language or messages that could be construed as inflammatory is also not permitted.

This practice applies to persons—to in-person and Zoom presenters. So Ms. Reimer received the information that she could not wear her shirt that displays a picture of Jordyn and found it quite insulting because, as a mother of a deceased individual from

a preventable impaired driving accident, it's quite insulting that she can't wear this.

So I would ask leave from this committee to make this right and allow Ms. Reimer to wear for her justice for Jordyn shirt during committee and for this presentation.

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, I want to just thank my colleague for bringing that forward. I think—I got to admit, I'm a little surprised. We've had Ms. Reimer and many folks from the community here in the past. They are incredible advocates and they have, I think, always worn that attire.

And so I think it might be worth, not only providing leave for tonight, but revisiting that rule and just ensuring that it actually meets the standards of what we expect as legislators.

So I would certainly agree with that, but we can look at that maybe even going forward.

Mr. Balcaen: I appreciate the comments by the minister and I actually agree with them on this case. And so I would ask the committee if we could seek leave on this request.

The Chairperson: So it has been requested for leave for presenter Ms. Reimer to wear her shirt in memory of her daughter, as she presents.

Is the committee agreeable to this? *[Agreed]*

Leave is granted.

All right, we're doing a few things out of order, but we're going to revisit what we started before the leave request.

So this meeting has been called to consider the following bills in numerical order: Bill 2, The Non-Consensual Distribution of Intimate Images Amendment Act; Bill 3, The Manitoba Public Insurance Corporation Amendment Act; Bill 4, The Constitutional Questions Amendment Act; Bill 30, The Intimate Partner Violence Death Review Committee Act; and Bill 31, The Highway Traffic Amendment Act.

Mr. Simard: Yes, I'd like to suggest and move that Bill 31 be considered first, then followed numerically by the rest of the bills.

* (18:10)

The Chairperson: It has been suggested that Bill 31 be the first one and then the rest will be Bill 2, Bill 3,

Bill 4 and Bill 30. Is that agreeable to the committee?
[Agreed]

Okay. It is agreed and that is our order.

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.

I would also like to inform all members of the public in the gallery of the rules of decorum for standing committees. Please note that any participation from the gallery is not allowed. Examples of specific actions that are not allowed include clapping, cheering or interrupting presentations. Taking photos or video of the meeting is also not allowed, and please set your phones to mute if you have not done so already. I thank everyone in advance for their co-operation.

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 the 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.

Written submissions from the following persons have been received and distributed to committee members: Monique St. Germain from the Canadian Centre for Child Protection Inc., on Bill 2; Chris Turyk, Rainbow Resource Centre, on Bill 4; Chris Gamby, Criminal Defense Lawyers Association of Manitoba, on Bill 4; and Marianne Hladun, Public Service Alliance of Canada–Prairies, on Bill 4.

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

Moving on to the order of presentations. On the topic of determining the order of public presentations, I will note that we have out-of-town presenters registered, and they are marked with an asterisk on the list. With this consideration in mind, then, in what order does the committee want to hear the presentations?

Mr. Simard: Yes. I would suggest listening to Bill 31, followed by out-of-town, in-person presenters and then followed by bills numerically.

The Chairperson: So it has been suggested that we do the Bill 31 presenters first, then the out-of-town, in-person presenters and then proceed with numerical presenters. Is that agreed? [Agreed]

Thank you for your patience, and we will now proceed with the public presentations.

Bill 31—The Highway Traffic Amendment Act

The Chairperson: All right, so standing committee on Bill 31, The Highway Traffic Amendment Act.

So the first presenter I have is—oh, sorry. I'm not reading the right script.

I will now call on David Grant, private citizen.

So, David Grant, please proceed with your presentation.

David Grant (Private Citizen): I wasn't expecting to be first.

I guess—I've been here before, and I've spoken against impaired driving before. I have not consumed an alcoholic beverage for more than 50 years, and every year I drive people home every night I can on Operation Red Nose. I'm strongly behind dealing with impaired driving. I don't have a personal history or tragedy, but I just know it's the right thing to do. I am on your side. If we can reduce the incidents of impaired driving, I want that.

As I've explained, to no avail, to the WPS Winnipeg Police Board—and this is only slightly off topic—they're impaired because it's all part of the program. Their Check Stop program is clumsy and can't catch drivers who are wily. Within a couple of minutes of it being set up, somebody has probably reported it to Facebook or some other site.

And so I've been picking on them to try doing agile stops, where they stop for three or four or

six minutes, stop all those cars and then run onto some other street, because then the Internet is useless. That's beside the point. So I've been working on this problem.

I've spent most of my life performing chemical analysis and developing test methods for organizations like ASTM and AOAC; currently president of mid-Canada AOAC. It's a local group for professional chemists. And I use that as background because both these groups publish official chemical test methods.

Zero is often a goal when you're setting rules. In this case, measuring zero, I think, is impossible. And that's why if the only change that happens to this bill, if instead of saying zero, it says some crazy low number, like 0.000-something, and that is achievable with field tests—you know, the evidence-gathering roadside test—if it's achievable and it's a real number. Zero sounds good, and in the newspapers, it sounds good.

But from a practical point of view, saying a number that we can achieve at a roadside test is technically supportable. I'm just afraid that if it says zero, some lawyer, because they've fought this stuff when we started bringing in BAC testing. Lawyers are always saying, oh, it's a mouthwash, or some other silly thing. And using zero sort of invites silliness from a lawyer.

And I would use that: that we should—we, meaning Manitoba and you folks and Minister Wiebe—should be in touch with the manufacturers of the commonly available roadside toys, make sure they can do the job. You know, if they can go down to a bunch of zeros, that's good. If the best they can do is a 0.008, then we should probably use that, just to make sure no lawyer tries to help people get away with stuff.

And I remind you that I—sort of off topic, but I eat homemade bread, make it myself. I use only wheat flour, oatmeal, canola, rhubarb and just enough sugar to feed the yeast. And I'm questioning whether I would fail after eating two slices of that bread if it's set at zero. Because, even though I don't drink alcohol, in my bread, there is some. I bake. I don't use vanilla in my baking, but anybody who does, the stuff you drip in that's called vanilla is mostly alcohol. So I would, you know, be wary of that.

None of this silly food, and so on, issue is valid when the test level is 0.05 per cent. Because these things only give you a very small number, like a less than 0.001—less than a 0.01. But anyway, I just raise that issue because we should be careful of that. And if

it really does say zero, we—and we do the proper thing, which is a blood sample in a real lab, then I'm sure they can detect extremely low levels. They can do a bunch of zeros there. But that's a bit inconvenient. And it would be nice to have the convenience of officers at the roadside saying blow and fail at some very low number.

So I'm just offering that. And so I think that if nothing is done, I think some innocent people will be having to employ some lawyers. One of them could be in this room here as—at your table, but—and that would be a bad thing. So that's all I'm asking is, you know, maybe I can work and—certainly willing to help Minister Wiebe, if possible, to develop work. I've looked on the Internet at manufacturers and stuff, and I can't find a—nobody cares about the low numbers until today.

So I would like to help make sure that it's an enforceable number, enforceable at the roadside. And let's get this program going.

And thank you for the time.

* (18:20)

The Chairperson: So thank you for your presentation.

Do member—pardon me—do members of the committee have questions for the presenter?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Really, just a thank-you, Mr. Grant, once again. You're a model to others, not only your advocacy around impaired driving, I think is important to put on the record, but also your commitment to democracy here tonight. It's really commendable. Thanks for your time.

The standards that are set out in the bill are ones that are enforceable, and they were, you know, as part of the recommendations that came forward from MADD, Mothers Against Drunk Driving, MADD Canada, as well as from law enforcement. But I take your point about ensuring that this is durable legislation; that's always our goal.

Thank you.

Mr. Wayne Balcaen (Brandon West): Well, thank you, Mr. Grant. *[interjection]* Oh, sorry.

The Chairperson: My apologies.

D. Grant: Yes, I would—it'd be comforting to know that the roadside toys can come up with a number that says zero and really means it, you know, because,

as I say, some person who can afford a lot of legal help will mess up and get caught and, you know, with a 0.02 or something, and so you can expect that. We all expect it to be sturdy legislation, but I would like to make sure that the roadsides are giving good numbers, and maybe I can get in touch with your office as far as the, you know, helping me be assured.

So, thank you.

Mr. Balcaen: Thank you, Mr. Grant, for attending today and bringing this information forward. You're constantly here at committee and bringing important information forward, and it is appreciated.

And I'm going to take just a little bit of liberty in regards to the question about a true zero reading, and just say that police that are out there doing this enforcement take great pride in their work, particularly people that are assigned to the traffic units and doing that sort of enforcement. And they also have discretion, and that can never be taken away from officers. So I know that they would use discretion, and if they got a 0.0008, sort of, reading—

The Chairperson: Sorry, but the member's time is up. Apologies.

Mr. David Grant, would you like to respond?

D. Grant: Yes, and I really should've clarified that I believe that the legislation is not for me because I don't drive a heavy truck. But somebody else could be in a similar situation, hasn't had a drink in years and the bread caught him. And so I agree with the opposition member that this is something the people take pride in, and if the meter says zero and the law says zero, maybe we're all happy. And so, that was it.

Thank you.

The Chairperson: Are there any other questions for the presenter?

Thank you.

So I will now call on Ms. Karen Reimer, private citizen.

Ms. Karen Reimer, please proceed with your presentation.

Karen Reimer (Private Citizen): I'd like to thank you for and appreciate the fact that gave me a leave to wear my Jordyn shirt today. I appreciate it. I wish that I didn't have a reason to wear it, but I do.

My name is Karen Reimer, and my family has experienced first-hand the life-altering devastation that impaired driving leaves in its wake. My vibrant

24-year-old daughter, Jordyn Reimer, was acting as a designated driver when she was killed by an impaired driver and his accomplice on May 1, 2021.

Jordyn was my second youngest of four daughters. My daughters are not only sisters but they have always been best friends. They grew up together with a bond and love for each other that is indescribable. Jordyn's death shattered their worlds, has changed the core of who they are and who they now will become. It has altered the trajectories of their lives. I lost all of Jordyn that horrible day, but I also lost very significant parts of Jordyn's sisters that died with her.

On March 18, 2025, MPI put out a news release telling Manitobans to drive sober after 15 lives had been lost in 2024. In this release, MPI's chief customer product officer, Maria Campos, said, quote: The message to drive sober has been out there for years, but people are still ignoring it and choosing to drive impaired. We need to be firm that we will not tolerate impaired driving of any kind so that we stop losing people to completely preventable tragedies. End of quote.

This week, March 15 to 21, 2026, marks national impaired driving awareness week, so the timing of this meeting to hear and consider public input for proposed anti-impaired driving legislation couldn't be better. I support all efforts to combat impaired driving. I am here to support the amendments in The Highway Traffic Act in Bill 31 as proposed by Mr. Matt Wiebe, Justice Minister.

Impaired driving was first recorded and enacted as a criminal offence in Canada in 1921, and MADD Canada was formed in 1989. We have officially been battling this violent crime in Canada for 105 years, and still people are dying.

I'm here to advocate for changes impaired driving legislation that cannot continue to be at a snail's pace, as this contributes to victims and families enduring destruction and devastation year after year on repeat. Legislative changes on paper must be translated into actionable changes that are impactful and will save lives.

Ideally, more lives would be saved with preventative measures that stop impaired driving before it can happen. MADD Canada is working tirelessly towards this by proposing legislation that will require anti-impaired technology in all new vehicles. This technology exists and has been passed through legislation in the United States nationally.

Long-term, this will virtually end alcohol-impaired driving in our lifetime.

Until we eradicate impaired driving through prevention, we are forced to address deterrence and apply meaningful consequences. Bill 31 proposes several amendments to enhance Manitoba's licensing and suspensions. Bill 31 proposes a zero blood alcohol concentration BAC rule that applies to class 1 to 4 drivers and it applies following certain offences and convictions. This amendment introduces a new zero per cent BAC rule when drivers are operating class 1 through 4 vehicles, which are defined as commercial vehicles.

This amendment is a welcomed improvement to The Highway Traffic Act as it removes all risk that alcohol will impact safe driving abilities. Manitobans deserve to know with confidence that commercial drivers who are on our roads daily for employment are not providing any level of risk to the public due to alcohol consumption.

The second application of zero BAC is applied to drivers who register a fail or refuse a screening under the immediate roadside prohibition, IRP, and on all drivers who are convicted of any impaired-related offence until the driver has established a valid licence for two years after the first offence. A second offence within 10 years will result in the driver being subject to a lifetime alcohol prohibition. I support this amendment as it further—is a further measure to minimize the risk of alcohol use in these high-risk drivers.

Bill 31 proposes increased roadside suspensions. The next amendment increases roadside suspension and applies to drivers who register a warn BAC of 0.05 to 0.79 per cent. It increases the driving suspension from three to seven days. Four days are also added to the suspension when a driver registers a warn if a passenger in the car is under 16 years in the vehicle. Mr. Wayne Balcaen, Justice critic, suggested this amendment in March 2025 and I am pleased to see that the NDP government is open in—open to listening to other parties and adopting ideas that are sound.

This amendment is a welcomed improvement to The Highway Traffic Act, as it addresses the need to hold adults accountable for the vulnerable children within their care. I would like to see this taken a step further and trigger a report to Child and Family Services, as this is a serious incident that places a child's safety at risk.

Bill 31 proposes consistent application of the ignition interlock program, the IIP. This amendment

makes participation in the IIP mandatory immediately following any three-month suspension. Currently, a driver directed through the IRP—which means they're not charged criminally—is required to participate in the IIP immediately after their three-month licence suspension. This applies to drivers who refuse to be screened or register a fail.

Currently, there exists a loophole when a driver is charged criminally, as they are not subject to the IIP immediately following their three-month administrative suspension. This amendment extends the post-suspension IIP requirement to all cases of three-month roadside suspensions, including drivers who are awaiting trial on criminal charges. This amendment is a welcome improvement as it closes a loophole and helps consistently apply the IIP.

* (18:30)

Further considerations: A vehicle becomes a weapon when a driver ignores the laws of the road. Manitoba Public Insurance has developed 10 steps of increasing number and severity of offences and imposes suspensions for using a vehicle as a weapon while driving impaired.

What is difficult for me to understand is the idea that there would be any other comparable 10 steps that are—that offer a criminal the opportunity to keep reoffending using a weapon such as a gun or a machete before they have a lifetime suspension using that weapon.

I think it is clear to everyone that a vehicle is a weapon when the driver is impaired. Previously, on March 25, 2025, during public feedback to bill 5, I proposed three amendments to reduce impaired driving. I encouraged the panel to review these proposed amendments and I would respectfully request that the government consider these, as they continue to develop and adopt further impaired driving legislation.

I believe these are reasonable and within reach. I will highlight just one of these proposed amendments here, as it applies to drivers who kill innocent victims. Currently, when you kill someone for the first time while impaired, you get a five-year licence suspension. It is recommended that this be increased to a lifetime suspension. It is simply one and done.

Driving is a privilege. It is not a right. Ontario passed legislation creating a lifetime driving suspension for first-time offenders who kill someone while driving, which came into effect on January 1, 2026.

We need to look to leaders like Ontario and follow suit.

In summary, I have the following recommendations and closing comments:

(1) legislative changes to impaired driving must be developed through the critical lens of their impact;

(2) data analysis must be used to make informed decisions to drive and guide impactful legislative changes. A formal FIPPA data request to MPI is recommended to analyze how many people within the categories of refusal, warn, BAC 0.05 to 0.79 per cent, and impaired, BAC 0.08-plus, fall within each of the class 1 through 6 drivers' licences. This will help us better understand our licence class demographic of problem impaired drivers and guide next-step legislative development;

(3) impaired driving legislation is a non-partisan issue. It is a human rights issue. I would like to see the bills are not presented by different political parties but, rather, through non-partisan working groups. This way the best ideas are sure to come to fruition and duplication of work would be eliminated;

(4) it is recommended that CFS be consulted to establish guidelines for reporting alcohol consumption and driving when vulnerable children are in the vehicle;

(5) —that was four—further consideration of impaired changes to category A and B offences be considered for future amendments;

(6) it is recommended that all amendments presented as part of Bill 31 be approved and that the bill be passed. It is a—it is simply wrong to put the rights and privileges and conveniences of impaired drivers above victims. We should not be not be sending the message that the privilege to drive for criminals who have killed someone is prioritized over innocent victims' basic rights. This must change. Ontario did it. We can do it too.

I close now by thanking you for the opportunity to contribute to the discussion on impaired driving amendments. I will end with a quote 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 of impaired driving lives matter.

Thank you; Karen Reimer: Jordyn, Andi, Nikki and Alex's mom.

Thank you.

The Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Wiebe: Jordyn's life mattered. I'm in awe of your strength. Once again, Karen, thank you for coming to the committee, presenting.

When you say the impact of Jordyn's death shattered your family, you know it impacted community, impacted this whole province. Everyone saw themselves in your family, and that includes myself.

I'm committed to continuing to work with you on next steps. I'm encouraged that you, you know, appreciate some of the work that's being done here. I also appreciate that you're working with MADD Manitoba and MADD Canada, who are supporters of yours, and you support their work too.

So let's work together. Let's keep working on this. It's been my commitment and will continue to be my commitment that we'll get this—the toughest driving impaired laws anywhere in the country.

The Chairperson: The honourable minister's time has expired.

Ms. Karen Reimer, would you like to respond to the minister?

K. Reimer: Just to say thank you very much. I appreciate the opportunity to be able to give a voice to it as a mother of a victim, and all I want to do is to work collaboratively to make changes that will save lives.

Thank you.

Mr. Balcaen: Karen, again, thank you for the opportunity that you've taken today to present to this committee. Very notable remarks, and I think they're very powerful and very important.

I'd like to comment on one area that you spoke about, and that's notification of Child and Family Services. I can speak to the Brandon Police Service, as the previous chief, is—there is policy in place to notify Child and Family Services about individuals in a vehicle, but I think it's a great idea to put that into legislation and codify it.

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

K. Reimer: Yes, thank you very much for that. I was not aware of that, so that's great.

And to—like you said, to make it more official across the board and legislation, that would be also very great. And I think that when we're going to be expanding that, we would hope that a lot of the commercial drivers don't have kids in the car, for instance. But I think it's a good idea across the board for all driver's licences.

Mr. Balcaen: Thank you again, and I will make comment on that because of past experience.

There is many commercial drivers that have children below 16 in vehicles with them, whether it be owner-operators, particularly during summer breaks, if they have their children with them and they're driving and stuff. So it does happen. So that is, again, important to codify. Policies only go so far, but laws bring us that one step further.

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

K. Reimer: No. I guess just to say, I'm hopeful that it will be considered further as you guys—as you all develop more legislation.

MLA Jeff Bereza (Portage la Prairie): Karen, thank you for being such a fantastic advocate, but I'm sorry that you have to be an advocate. You know, as parents, when our kids go out, we want them to come home. We want them to come home safe.

Your work that you're doing are making sure that other parents won't have to suffer like what you have. And thank you so much for that, for all that you're doing. And, again, I just—I'm in awe of you.

Thank you.

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

K. Reimer: I appreciate those kind words. Yes, I really wish that I wasn't wearing this shirt or having to talk about this all the time, but I am in a position where I need to help save other people's children, loved ones, and I just need to do what I can do to help.

The Chairperson: Thank you.

Bill 3—The Manitoba Public Insurance Corporation Amendment Act

The Chairperson: I will now call on Ms.—we're moving to Bill 3. And I will now call on Ms. Mary Johnson, private citizen. Bill 3.

So, Ms. Mary Johnson, please proceed with your presentation.

Mary Johnson (Private Citizen): Thank you, and good evening. Thank you for hearing me this evening. My name is Mary Johnson. I live in Beausejour. I've been retired since 2010, but I'm an active community volunteer with our local Legion, with our local citizens on patrol, with the Coalition of Manitoba Motorcycle Groups and currently serve on the Manitoba Agricultural Services Corporation.

This presentation is personal, and it is my own. My concern is that this legislation change will prevent MPI from exploring other methods of calculating insurance rates that could benefit Manitobans more than the current method based on registered owner. I have, to some degree, been following the discussions on the CMMG meetings, as well as the Public Utilities Board rulings.

* (18:40)

In 2023, PUB recommended the government of Manitoba make legislative changes to prevent MPI to collect the data it states is required to proceed with changes to the basic insurance model. No legislation changes were made at that time.

I was looking forward to the research that was requested by PUB to determine what the impact on insurance rates would be if changes were made to the current registered owner model and what those recommended changes would be. You'll see a lot of my—lot of this is going to be questions asking about the information.

So I realize that the drivers with demerits pay a lot more for their driver's licences now than do drivers with merits. Certainly, in a family, that would lead to the vehicles being registered in the name of the person with the most merits, as that would provide the lowest insurance cost for the family. Manitobans are known to be frugal.

A second—a single-person family does not have that ability and must pay the premium on both their licence and their vehicles based on their driver premium. Is there a fairer and less costly method of calculating that premium? We don't know without access to the research that only MPI has data to access. It appears there was some work done in 2024, as the PUB makes mention in its 2025 ruling: it's a basic principle of insurance that the rating model should reflect risk and the evidence produced by MPI, including the testimony of MPI's chief actuary in this and past years, is that the primary driver model is more accurate at predicting risks than the current registered owner model.

But is the primary driver model the best model? Do we know, without additional research, how much difference it would make if the driver took full responsibility for the reason for their demerits on their licence, removing that cost from the insurance premiums on the registered vehicle owner? Insurance then would be for the vehicle alone based on that vehicle's risk factors and not that of the registered owner of the vehicle, as that risk would have been transferred to the driver.

Do we know without research how much the premium for the vehicle would be without the demerit penalty added to the vehicle insurance premium? We do not know without research what the impact would be on families. We do not know without the research if the current system is fairer for Manitoba drivers than a different system could be.

Do we know if a vehicle owner is a safer driver because they own the registered vehicle? Do we know if a non-vehicle owner is a riskier driver because they are driving someone else's vehicle, or perhaps their vehicle but it's registered in the other person's name who has more merits? Are drivers more responsible if they take full responsibility for their own business ventures? It's kind of like your kid, if they don't get—don't take responsibility, how does that affect their behaviour in the future?

I realize research and studies are expensive. I also realize that changes to technology are expensive. We don't know without the research if changes to a different system of calculating insurance other than the registered vehicle model would result in cost savings to Manitoba families. Without the research, we do not know if the cost of the study and the necessary technology changes would be less than change in revenue with a system change.

I understand from the 2025 PUB report that the Manitobans seem okay with the current model of insurance. I won't read the quote—it's in the document—but basically summarized, it—PUB stated they weren't going to look at those findings because they didn't see that they were applicable to the customer's views of the current rating model or the satisfaction.

My research, then, for this presentation leads to the understanding that ingraining the current model is a political decision, not necessarily based on sound actuarial data, but on public opinion and potential cost, as well as unwillingness for change. Are we, with this legislation, cutting the potential for fairer, safer and more effective if—more cost-effective public

insurance coverage for future Manitoba drivers and their families?

I continue to support public insurance and wish it to continue into the future for my children, my grandchildren or future 'generations.' Just let's keep it fair, affordable and accountable, and I would ask you just to look at the questions that I've asked when you're reviewing.

Thanks.

The Chairperson: So, thank you for your presentation.

Do we have questions?

Hon. Matt Wiebe (Minister responsible for the Manitoba Public Insurance Corporation): Mary, you're incredible—2010, you retired, and then proceeded to do so much for your community and for all Manitobans. You are amazing. I also appreciate that you've come here and you're advocating for this. I probably most appreciate that you ended your presentation by talking about the importance of public insurance, but also that you're talking about the future—your kids, your grandkids.

And that's really what we're doing this for, is to make sure that it's equitable for all Manitobans. We share the risk when it comes to public insurance. We also share that reward, which means that we also give a bit of a break to those 16-year-old kids, like my daughter, who's just about to get ready to learn how to drive. I'm sure you've seen that for your kids and grandkids too.

Am I out of time?

The Chairperson: Yes, the minister's time has expired for a question.

Mary, would you like to respond?

M. Johnson: My kids, for sure. I was—we had one car in our family and I had four kids, so they all learned to drive on that one car on my insurance, so my registered vehicle.

Mr. Wayne Balcaen (Brandon West): Appreciate very much your presentation here today, and I think it outlines the important questions that need to be asked as we move forward in this, and there's a number of questions and—you know, particularly stating that it's a political decision and not necessarily based on sound actuarial data. So I appreciate your thoughts and your presentation as you brought them forward.

The Chairperson: Mary, would you like to respond?

M. Johnson: Thank you, and, I guess, further to that, when I was doing the research, when I saw the recommendation for the driver model, I don't know if that was based on sound actuarial data either because we didn't see all of that discussion. So thank you.

Mr. Wiebe: I—these rules are really restricted, so 45 seconds. I ran out of time because I was talking about how great you are and how much I appreciate your time.

I just wanted to further say, I know we have some meetings set up in the next couple of weeks with, you know, various folks talking a little bit more about this bill. I just wanted to offer to you that we can spend some time together and we could talk—your specific questions. Because just, you know, the format of this committee may not be the best to answer exactly some of the specificity you're looking for, but I'm happy to do that one on one.

The Chairperson: Mary, would you like to respond to that?

Are there any other questions? No? Okay, thank you very much.

All right, I will now call on Douglas Houghton, Coalition of Manitoba Motorcycle Groups Incorporated. Okay, and so, Douglas Houghton, please proceed with your presentation.

Douglas Houghton (Coalition of Manitoba Motorcycle Groups Inc.): Good evening, Minister Wiebe, MLAs and staff. I'm Douglas Houghton. I thank you for this opportunity to speak to Bill 3, The Manitoba Public Insurance Corporation Amendment Act.

I've been a member of the Coalition of Manitoba Motorcycle Groups, CMMG, for more than 30 years and have served in many director capacities, 'intuding' 'dilector' at 'liarge', treasurer and president.

CMMG's primary vision is to promote safe and affordable motorcycling for all Manitobans and in this respect has appeared annually before the Public Utilities Board since incorporation in 1993. I've also appeared on many occasions to make personal representations.

I'm attending today to confirm CMMG support of the Public Utilities Board direction to have Manitoba Public Insurance move toward a more actually related—actuarially based driver safety rating, DSR, model based on the private driver model rather than the current registered owner model.

CMMG and other interveners have recommended that PUB direct MPI to continue a transition to DSR levels towards actuarially indicated discounts for the 2027 general rate application and recommend that government retract the prose—proposed legislation.

The registered owner model. M-P-O's—MPI's current registered owner model allows for premium avoidance by high-risk drivers. This model, which allocates premiums based on the record of the registered owner, does not reflect the real risk created by the actual drivers of insured vehicles. This model permits premium avoidance by high-risk drivers who can transfer vehicle ownership to a person with a higher DSR premium discount but continues to be the primary driver.

In some cases, the registered owner may not even drive the insurance vehicle or have an appropriate driver's licence for that vehicle type. This is particularly obvious in the case of motorcycles: the number of grandmas that own motorcycles that don't have motorcycle licences.

The government has announced that ensuring the registered owner model will ensure the vehicle insurance rates main—remain affordable for Manitoba families and that MPI remains stable and affordable. Instead, this legislation will 'remove'—sorry, reward high-risk drivers and penalize good drivers. When a high-risk driver transfers ownership to a registered owner, it lowers the vehicle's premium on that vehicle.

* (18:50)

However, premiums that they would have otherwise have paid under a primary driver model must be now recovered by the premiums of good drivers with higher DSR ratings. The cost must be recovered somewhere.

To illustrate, I'll use my own premium as example. Last year's DSR level provided me with a 40 per cent premium discount for three vehicles: a truck, a motorcycle and a collector car. My total premium is \$4,750, but with a 18—\$1,846 discount, I pay only \$2,869.

Should I have a major at-fault accident and several speeding variations, my annual premium would increase by \$1,846 to the base level of \$4,750.

Should I have the opportunity to transfer ownership to another person with a higher D-S-A rating, MPI loses that \$1,846 in premium revenue. When one considers that 40—34 per cent of accidents reported by MPI are caused by drivers who are not the registered

owner, this loss of premium income can be quite significant.

This premium loss has to be recovered somewhere and good drivers will pay. As well, not all high-risk drivers will have family or partner to whom to transfer ownership. That's incorporating basic inequity in the unfairness model.

When a driver who is not the registered owner is at fault, the current methodology provides for an increase in the cost of the driver's licence. But to my knowledge, the registered owner's premiums are not affected. There's little or no incentive for the registered owner to discontinue allowing these drivers to use their vehicle, nor for the drivers to improve their driving habits.

As the premium discounts rise and more drivers are aware of this system, there'll be greater incentive for more high-risk drivers to register a vehicle with someone with a higher DSR rate. This could further negatively affect future premiums.

If the registered driver model is to remain in effect, perhaps there should be a greater onus placed on the registered owner. Since the registered owner who permits the high-risk driver to use their vehicle on a regular basis—on a regular basis—perhaps there should be a premium surcharge placed on the registered owner's vehicle should it be involved in an accident caused by the high-risk driver.

In my last statement account for Autopac coverage, MPI clearly states that the driver safety rating system rewards good driving behaviours. Thus, MPI created a 'bolus'-malus system of merits and demerits based on the driver rating scale of the driver.

This, however, has not always been the case and will certainly not be the case with the registered owner model. The primary driver model requires that each insured vehicle is assigned to one primary driver. That is, the driver whose driving record and risk profile is used to calculate premiums because they're a person who drives the vehicle the most. A primary driver model ensures that the vehicle premiums are based on driving record. This ensures that those who cause accidents will pay the associated premium penalties and use—and reduce the premiums for good drivers.

It's a basic principle of insurance that ratings should reflect 'risk'. For the 2026 GRA, MPI's chief actuary stated that the primary driver model is the more accurate at predicting than the registered owner model.

Enactment of this proposed legislation usurps the role of the Public Utilities Board as it interferes with its role in reviewing and regulating MPI and setting reasonable premium rates.

In addition, it is questionable whether MPI has undertaken the appropriate studies and collected the relevant data to determine how the driver—primary driver model would affect rates, and which be more affordable for Manitobans.

I've been a supporter—and this is my own observations now—I've been a supporter of Manitoba Public Insurance since its introduction in 1971. This view is not necessarily shared by many of our CMMG members who have spent 33 years challenging MPI's methodology for determining motorcycle premiums. Although CMMG has not always agreed with PUB orders, I have personally found PUB to be comprehensive and fair in its deliberations.

MPI does not discriminate on the basis of age. I like this. Whether 16 or 60, all new drivers are treated the same when determining premiums. Our rates have generally been based on actual risk, rather than assumed risk, as by private insurance. Although Bill 3 does not affect age ability—eligibility, it does interfere with actual risk.

I believe it is important to achieve an actuarially sound DSR system and to implement a fair model for determining premium rates for vehicles. Whenever any government manipulates rates through a policy or legislation, whether it be for utilities, hydro or insurance, it risks future backlash.

My fear is that a future government may insist on actuarially sound rates. The resulting rate increases may be substantial, creating rate shock that the public is receptive to accept a change to private insurance. That's something I wouldn't want to see personally.

The primary driver model is not without its issues. It may be more difficult to administer and monitor as it depends on the honesty of the registered owner to identify primary and/or secondary drivers, as the case may be. Some owners may take the chance of not listing other regular drivers who may have a lower, negative DSR rating.

Unless there is an accident and detailed investigation, there's no way to determine if all vehicles will be insured appropriately or there has been misreportation or falsification. Will this model also include other regular drivers, such as spouses who might share the same vehicle on an equal basis, but have different DSR ratings? How would it work when

two or more vehicles are driven by different persons in the family?

Personally, I would not affect the current ability to loan your vehicle to a friend or other family member on an occasional basis to run an errand or when their vehicle is in for repair, et cetera. In some cases, particularly with a spouse or young drivers in a family, it may be necessary for financing purposes to list the parent or other income earner as the registered owner. Perhaps there should be some leeway given to new drivers who have not accrued any demerits but have not yet had the opportunity to gain merits.

Other options: How about remove penalties from the vehicle insurance? I would much prefer the primary driving model—primary driver model over the current registered owner model. However, should the registered owner model continue, there is a much simpler methodology to ensure that high-risk drivers pay a fair share of claims cost. Let's separate penalties from vehicle premiums. Use the Canadian Loss Experience Automobile Rating, CLEAR, to determine vehicle premiums based on the vehicle's risk and not just price. This can include other factors such as repair costs, injury and theft injury, and propensity to be involved in accidents.

Let's transfer all penalties to the driver's licence. Drivers and riders cause accidents, vehicles don't. So perhaps the easiest and fairest solution is to apply all accident and offence penalties to the driver's licence and not the vehicle. There will then be no financial incentive to transfer ownership. MPI has the data and driving records for all drivers. Therefore, the data required for this method is already available and runs with the driver's licence. It's a model that could incorporate fairness in premium methodology and much easier to enforce and administer.

Currently, if one is at fault in an accident, there are additional charges on the driver's licence. However, the majority of the penalty is applied to the—all the vehicles in their name, thus creating the incentive to transfer ownership to another owner with a higher DSR discount. This incentive is even greater when the driver has more than one vehicle in their name.

It is requested that the government of Manitoba delay this legislation until MPI has the opportunity to collect the appropriate data and ensure enactment of any changes for the DSR rating session—that it's fair, actually. I missed something there.

That concludes my presentation. Thank you very much for giving me this opportunity and for your attention to this matter.

The Chairperson: Well, first, I just want to say that was extremely impressive. You finished right with the timer.

So thank you very much for your presentation, and do members of the committee have questions for the presenter?

Mr. Wiebe: Thanks so much, Douglas, and thanks for your work with the coalition of motorcycle groups. We've had a chance to meet a number of times and my door remains open to you and to your group to ensure that we're capturing all of the points here—you're raising here.

I think you did talk about how this is—you know, it's essentially—it's a simpler model because we have—it's a public insurance model, we can actually control the driver licensing piece which allows us to apply that DSR, the driver safety rating, to the amounts that people pay. But, you know, I think there's some good points that you've made and I wouldn't mind talking to you more, so, again, my door's always open; happy to chat with you more. *[interjection]*

The Chairperson: Oh, Douglas Houghton, would you like to respond to the minister?

D. Houghton: I just thanked him for the compliment and the opportunity to visit again.

Mr. Balcaen: Thank you very much for your input today. It's very important to have people attend at committee and give their perspectives of what they've seen and what they've viewed over the years, and you have a vast amount of experience; extensive list of considerations here.

So I thank you for that, and I think it's very important in your next closing paragraph: you said it's requested the government of Manitoba delay this legislation until MPI has the opportunity to collect the appropriate data and ensure enactment of any changes for this DSR rating system. Great point, and I wonder if you wanted to elaborate on that.

D. Houghton: I don't have anything to follow up. I'll just give an idea, a comment on the last issue there was put in, where you put all the penalties on the driver's licence. In the case where—the example I gave of my own licence, if I lost that nearly \$2,000 of a discount rather than me transferring to another owner to not have to pay that.

* (19:00)

If that was put on my driver's licence—that penalty, the same penalty—and discounted over the years as it would usually—would be done, there would be no incentive for me to transfer to another owner, and that would be a fairer system. It's on the driver and not the vehicle.

The Chairperson: See no further questions, so thank you very much, Mr. Houghton.

So, before we move on to the next presenter, for the information of the committee, we have had Monique Currah [*phonetic*], private citizen, from Kleefeld, registered to present, and they have been added to the bottom of the list for Bill 3.

Mr. Wiebe: Yes, I just noticed the last presenter that you identified is from out-of-town, and so I think it would be appropriate to have all of the out-of-town presenters that are here in person to be able to present first, if that would be the will of the committee.

The Chairperson: So is it the will of the committee that this new presenter from out-of-town be granted permission to present now? [*Agreed*]

Okay. So I will now call on Monique Curki [*phonetic*]. I apologize if I'm mispronouncing your last name. Please correct me.

Please proceed with your presentation.

Monique Curci (Private Citizen): Good evening. My name is Monique Curci. I am an injured Manitoban, a person with disabilities and someone with lived experience navigating the Manitoba Public Insurance system. I am also a founder of Manitobans for MPI accountability and co-founder of Mino Odewin, an advocacy group focused on equity, accessibility and systemic reform. I am speaking today not only from personal experience but from what I have been hearing from many other Manitobans navigating the system.

I'm here to speak on Bill 3. While this bill aims to preserve stability within Manitoba Public Insurance's model, I am here to tell you that for many of the most vulnerable Manitobans, the current system is not stable; it is a barrier to recovery.

So Manitobans are required to use Manitoba Public Insurance; there is no alternative option. When a system is mandatory, it must meet a higher standard of fairness, accessibility and accountability. In practice, many injured Manitobans are experiencing a system that is difficult to navigate, inaccessible in practice and at times very harmful.

Navigating assistance while injured, particularly with a brain injury, is extremely difficult. Brain injuries affect memory, comprehension, processing speed and executive functioning, yet claimants are expected to complete complex forms, understand policies, track deadlines and advocate for themselves independently. The system assumes a level of functioning that may—many injured individuals simply do not have.

Under The Accessibility for Manitobans Act in The Human Rights Code, accessibility is a legal obligation. However, I was advised in writing by MPI that it is my responsibility to identify and communicate my own accessibility needs. As a newly injured person, I did not yet understand my limitations or how to define what I needed. Accessibility cannot depend on a person's ability to self-identify and advocate while injured. This is not accessibility; it is a barrier.

Throughout this process there is a significant lack of clear guidance provided to claimants. Individuals are not consistently informed of their rights, the full process or what is expected of them. This creates confusion and places the burden of navigating the system entirely on the injured person. When claimants disagree with decisions, they must go through an internal review process. This process is complex and requires deadlines—a detailed submission. Yet there is no guaranteed legal representation, very limited access to advocacy and no structured support. Injured individuals are expected to build and argue their own case while managing recovery.

Another major concern is how medical decisions are made within the system. Claimants may have long-term-treating health-care providers who have directly assessed and supported their care. However, in many cases, those opinions are overridden by MPI's health-care services and/or consultants who have never met the individual. This creates a perception and often a reality that medical opinions are being selectively relied upon in a way that supports denial of benefits. When the opinions of treating professionals are set aside in favour of internal or contracted assessments, it raises concerns about fairness, objectivity and trust in the decision-making process.

Another concern is the use of surveillance and the broader experience of being treated as though one is not credible. Many individuals feel as though they are presumed to be exaggerating or misrepresenting their injuries, particularly those with invisible disabilities.

A system designed to support recovery should not make individuals feel investigated rather than

supported. When benefits are reduced or cut off, this can occur abruptly and without meaningful transition. Injured individuals may be left without financial support while still recovering. This creates financial instability and adds additional stress at a time when stability is critical for recovery.

The First Nations tax-exempt income: In my own case, I identified a systemic issue related to how First Nation tax-exempt incomes were handled. While MPI has now taken steps to improve this moving forward, the issue still remains incomplete. There is no—there was no clear mechanism to identify those previously impacted, review past decisions or provide redress.

When systemic errors are identified, there must also be a process to address past harms. Otherwise, inequity remains.

Indigenous rights and cultural supports: This also raises a broader concern regarding Indigenous rights and cultural—culturally appropriate care. Manitoba has committed to reconciliation and frameworks such as the United Nations Declaration on the Rights of Indigenous Peoples. However, there were gaps between these commitments and lived experience. Individuals may be encouraged to access supports but face barriers when seeking culturally relevant or traditional healing practices.

A system that does not meaningfully support culturally appropriate care raises concerns about equitable service delivery in alignment with reconciliation commitments.

Escalation to oversight bodies: I have had to engage with ministers, the Ombudsman, and the Auditor General to—in order to address these issues. The level of escalation should not be required of an injured claimant, particularly one with disabilities. Accessibility and fairness should be built into the system, not something that must be fought for through external oversights. This is not a single experience; this is through my advocacy work. I'm hearing similar concerns from many Manitobans, particularly individuals with disabilities and those facing many systemic barriers.

Bill 3 strengthens and preserves the system without addressing accessibility gaps, lack of support, imbalance and decision making and limited accountability. Strengthening the system without reform risks entrenching these barriers.

I have recommendations: If Manitoba's going to maintain a mandatory public insurance system they

must—then it must ensure that protective identification of accessibility needs; independent claimant advocacy from the outset; fair and transparent medical decision-making processes; a restorative redress mechanism for those impacted by systemic issues, including First Nation claimants; and improved access to culturally appropriate and relevant supports.

Injured Manitobans should not be required to fight the designed—the systems designed to support them, especially while managing injury, disability and recovery. A system can 'compear'—can appear compliant on paper but still fail people in practice. Strengthening the system without addressing these issues will only deepen the harm.

Thank you for your time.

The Chairperson: Thank you for your presentation.

Mr. Wiebe: Yes. Thanks so much, Monique. Incredible presentation. Thank you for taking the time, being so impactful. The fact that you are somebody who's, you know, suffered injury but yet is able to come and advocate for others is huge.

I look forward to talking more to Manitobans for MPI accountability. I think some of the ideas you've already—you've raised were already actioning, actually, in a separate bill before the Legislature.

So happy to share some of that detail with you. And just, yes, I want to encourage you in that work. I think the accountability you're talking about is one of the benefits of the public system we have. You can come here and speak directly to the minister. I think that's actually the way it should work, is that we can hear from you and hear your concerns directly.

Thank you.

The Chairperson: Monique Curci, would you like to respond to the minister?

M. Curci: Yes, thank you very much, I appreciate that. You've definitely have supported me in the First Nation tax exemption. So I really appreciate you standing behind that—or your office standing behind that and holding MPI accountable for that.

So—and I look forward to continuing to make sure that, you know, Manitobans are being treated fairly and having—everybody's needs are being met.

So thank you.

Mr. Balcaen: Yes, thank you very much for your presentation and for your advocacy. It's important that people that have been through the system and

that see the gaps and that see the issues come forward and bring that forward because, as legislatures—as legislators—we may not know the pitfalls of the trials and tribulations that you may have to go through.

So I thank you for that, and if there's anything further that we can do as legislators, I would suggest and ask that you bring those forward to us so that we can address them at committees and at the legislative level.

* (19:10)

The Chairperson: Monique Curci, would you like to respond?

M. Curci: Thank you. I appreciate it. This is all new to me. This is my first night ever attending anything like this. I didn't know this was an option or that it was something available to us. So it was the last-minute thing. I'm—so I'm glad I was able to put something together and present and to hear the words that you guys are speaking. It really means a lot to feel heard.

The Chairperson: No further questions?

Thank you very much for your presentation.

Bill 4—The Constitutional Questions Amendment Act

The Chairperson: Okay, so we're going to move on to Bill 4.

And I will now call on Kevin Rebeck, Manitoba Federation of Labour.

Kevin Rebeck, please proceed with your presentation.

Kevin Rebeck (Manitoba Federation of Labour): Hi, I'm Kevin Rebeck, president of the Manitoba Federation of Labour. The MFL is Manitoba's central labour body, made up of more than 30 affiliated unions representing the interests of more than 130,000 unionized workers from every sector and every region of the province in the public and private sectors and in the building trades.

The MFL works to promote good jobs, fairness in the workplace and social and economic justice for all. Conservative governments across Canada have been taking extreme measures by using the notwithstanding clause to strip away the Charter rights of people who they don't like, such as unionized workers, trans youth and teachers.

Doug Ford attacked school support staff who were on strike for a fair contract and better pay by trying to use the notwithstanding clause to disregard their

right to strike and force them back to work. Scott Moe in Saskatchewan invoked the notwithstanding clause to implement a ban on youth from changing their names or pronouns at schools without parental consent. And most recently, Danielle Smith in Alberta invoked the notwithstanding clause to legislate Alberta teachers back to work and override their Charter-protected right to strike.

As right-wing governments become more extreme in their attacks, it's refreshing to see this bill that will require any future Manitoba legislation that invokes the notwithstanding clause to be referred to the Manitoba Court of Appeal within 90 days of its enactment. It would also require the Court of Appeal to offer an opinion as to whether the legislation in question violates the rights protected under section 2 or 7-15 of the Charter, and if so, whether that violation is reasonable and justified under section 1 of the Charter.

While we know this bill will not prevent the use of the notwithstanding clause by a future government, it would require the Court of Appeal to release a public opinion about any use of the clause. Requiring the Manitoba government justify their use of the clause before the court and for a judicial opinion about this, could be a useful tool for organizations, like unions, in fighting back against the use of the clause. And while governments in other provinces are doing their best to attack the rights of workers, we're glad to see that our Manitoba government is doing the opposite in affirming and respecting these rights.

Thank you.

The Chairperson: Thank you for your presentation.

And members of the committee have questions.

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, thanks so much, Kevin. Appreciate all the work that you do, standing up for working people in this province. I appreciate that you've laid bare for the committee some of the ways that this has been used in other provinces. Abused, some would argue. And certainly it's been used even just in the political discourse and the rhetoric around really, really important issues protecting workers and protecting young people and minorities.

You know, I think this bill is all about giving voters, giving citizens all the information so that they can hold governments to account if section 33 is invoked.

I think you're doing a great job of standing up for working people, so thanks again for presenting here tonight.

The Chairperson: Kevin Rebeck, would you like to respond?

K. Rebeck: Sure.

Yes, I very much appreciate government bringing this bill forward. I think having more dialogue and more explanation—I don't think Charter rights should be overridden at all. And if a government is going to take that draconian step, they should have to defend themselves repeatedly and in the public's eye and be held to account for that. This bill takes steps to do that, so thank you for bringing it forward.

Mr. Wayne Balcaen (Brandon West): Kevin, thank you very much for coming out to committee tonight and exercising your democratic right to express opinions and talk to this committee about that. So I would just like to thank you for coming out and appreciate your presentation.

The Chairperson: Kevin Rebeck, would you like to respond?

K. Rebeck: I appreciate coming here, raising these issues. It's an important issue for workers, for their families, for our youth, and to make sure that rights are protected and enshrined is a cornerstone of the Canadian values. So we're glad to see this bill coming forward.

The Chairperson: I don't see any more questions, so thank you very much.

I will now call on Mr. Chris Barsanti, private citizen.

So, Chris Barsanti, please proceed with your presentation.

Chris Barsanti (Private Citizen): Members of the committee, thank you for allowing me to present to you today.

I'd like to start with a poem that you might have heard before: First they came for the communists / And I did not speak out / Because I was not a communist / Then they came for the socialists / And I did not speak out / Because I was not a socialist / Then they came for the trade unionists / And I did not speak out / Because I was not a trade unionist / Then they came for the Jews / And I did not speak out / Because I was not a Jew / And then they came for me / And there was no one left / To speak for me.

Bill 21 in Quebec was passed in 2019. It was what you might call a game changer. Until then, section 33 had largely only been used in Quebec as a form of protest. It was assumed that it would be political suicide to use the notwithstanding clause; that the electorate would punish any government that was so unwise as to blatantly violate our Charter of rights; that if section 33 were ever invoked, it would only be done rarely and only when absolutely needed—until 2019.

Section 33 can be used to suspend sections 2 and 7 through 15 of our Charter rights. These are generally all of the rights that people popularly view as their God-given natural rights, rights that Canadians proudly and dearly hold: freedom of conscience and religion; freedom of thought, belief, opinion and expression; freedom of the press; freedom of peaceful assembly; freedom of association; the right to life, liberty and security of the person; rights against unreasonable search or seizure; the right not to be arbitrarily detained or imprisoned; the right not to be subjected to cruel and unusual treatment or punishment; the right for every individual to be equal before and under the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Pretty much the only rights not covered by the notwithstanding clause are our electoral and democratic rights, our mobility and language rights and Indigenous rights.

And then, in 2019, Quebec passed bill 21, which made it illegal for a wide range of public sector workers to wear religious symbols while on the job—a clear violation of freedom of expression and freedom of religion.

However, not only was this law passed; shockingly, it was passed with the pre-emptive use of the notwithstanding clause, fully declaring it to be shielded from all of sections 2 and 7 through 15. This meant that no court could say with any authority that bill 21 was in violation of our Charter. It allowed the government of Quebec to say, without any fear of contradiction from the courts, that they were confident that bill 21 was compliant with our Charter.

This was a game changer. The cat was out of the bag. And once one premier used section 33 this way, it was only a matter of time before other premiers, or even possibly our Prime Minister, also used the notwithstanding clause to suspend our Charter rights. I wish I was wrong.

Unfortunately, since bill 21 was passed, section 33 has been used or been threatened to be used 21 times these past seven years. It was almost used to require vaccinations in New Brunswick. It's been threatened to be used to require involuntary drug rehabilitation in New Brunswick and British Columbia. It's been used in Alberta to limit the ability for transgender individuals to seek care and participate fully in society, and in Saskatchewan and Alberta to restrict transgender individuals from safely assuming their authentic identities.

It's been threatened to be used to impose minimum prison sentences at the federal level. And in Quebec, several other bills expand on the ban on religious symbols to 'include'—to include daycare workers, school volunteers and has even gone so far as to ban public prayer: all protected by section 33.

Shamefully, the notwithstanding clause is no longer being used rarely or in cases of an emergency. It has become a common, everyday occurrence. What was once thought to be political suicide is now a way to appeal to your base. And when the provincial elections came next, the voters did nothing.

Supporters of section 33 might say this is how it should be; that the voters had their say. I would remind the committee that an election is a multi-headed beast. While the notwithstanding clause has to be renewed—renewed every five years—meaning that, in theory, the public could punish a government for its use.

* (19:20)

The use of section 33 ends up being just one of many issues with an electrical—within an electoral campaign and easily gets buried by other more pressing concerns such as health care, affordability, education or crime.

While Canadians are very proud of our Charter, it's rarely front of mind, which is very unfortunate because our Charter is there to protect all Canadians so that we can enjoy these rights and freedoms and to limit what laws the governments can pass to infringe on these rights. Governments across Canada have now learned that they can use the notwithstanding clause without fear and, having learned that, are using it more and more often.

Soon, our Charter won't be worth the paper it's written on. And while it hasn't been used in Manitoba yet, I think it would be unwise to assume that it won't ever be used here in the future, nor do I think it's wise

to assume that only one side of the political aisle might use it.

Sadly, as politicians become more deeply polarized, politicians of all stripes will see a tool that can be used to win a quick few points with their voter base. And if the past seven years have taught us anything, it will be used. First they came for the religious, then the trade unions, then transgender people and the homeless. It could be your freedom of speech that's next, or your right to protest. It's just a matter of time.

Bill 4 is meant to be a solution for all of this. Generally, there are three guardrails that are proposed to help protect our Charter rights and limit the use of the notwithstanding clause. The first is that section 33 never be used pre-emptively, that it will only ever be used after the court has been able to offer its opinion and all appeals have been heard. This preserves the necessary checks and balances within our system and keeps the electorate better informed.

The second is that a clear and detailed explanation must be given as to why the notwithstanding clause needs to be used, how it is compliant with section 1 of the Charter and that its use is demonstrably justified in a free and democratic society and why other legislative means aren't sufficient.

The third guardrail is that in order to invoke section 33, a two third majority of the legislative body is required. This preserves legislative supremacy while making sure that its use is broadly supported and necessary and reduces the chances of it being weaponized against minority groups.

Bill 4 only covers the first two guardrails. In requiring any use of the notwithstanding clause to refer to the court, the public will hear if bills violate section 2 or 7 through 15 of the Charter and if those violations meet section 1 of the Charter. But even if a court finds the bill to be in violation, any majority government can still easily use section 33 to remove our Charter rights for purely political reasons. It's of great importance that our Charter rights be better protected by amending Bill 4 to include the third guardrail of requiring a supermajority in order to invoke the notwithstanding clause.

It should also be noted that Bill 4 is too easily removed by any future government. Anything that is passed by a simple majority can easily be removed by a simple majority. That is why a second amendment to Bill 4 is needed. Bill 4 should use section 43 of the 1982 Constitution Act that permits any legislature and

Parliament to pass a bilateral constitutional amendment that would enshrine all three of these guardrails. Any future changes would then need both the consent of the provincial Legislature and Parliament, making it much more difficult for any future government to repeal the law and further erode our Charter rights.

Bill 4 is a step in the right direction, or maybe only a half step. It does not offer all of the protection that it can, and those protections are far too easily removed. Our Charter rights have always only been as good as the people upholding them. For nearly 40 years, the tradition of upholding those rights was enough. For the past seven years, history has shown the folly of believing that tradition would always be enough.

Now we need laws to help support our tradition of human rights, and I ask all of you to make the necessary amendments to Bill 4 so that the notwithstanding clause cannot be used by a simple majority and that it cannot be repealed by the simple majority of the Legislature and will also need an act of Parliament. When one right is threatened, they're all threatened.

First, they came. Who among us will speak? Or even more importantly, who among us will act?

Thank you.

The Chairperson: Thank you for your presentation.

And members of the committee have some questions?

Mr. Wiebe: Yes, thanks so much, Chris. Really, really good presentation and really forceful and clear. And I really appreciated it. I know we've heard from you previously through your correspondence, but to hear in person, I really appreciated it.

You know, this really is about a balanced approach and a made-in-Manitoba approach, I would suggest, one where we have that prairie pragmatism, and I probably have a little more faith in the electorate than you're presenting here today. But I think there's maybe, you know, something to be said for trusting the electorate to a greater extent, and that's really what we're trying to achieve here. Section 43 obviously would be a much more complicated step to take than we're, I think, allowed to do around this table. As you said, we need to, you know, work with the Government of Canada, but I do appreciate your interest in this and your perspective. It's been helpful.

The Chairperson: Mr. Chris Barsanti, would you like to respond?

C. Barsanti: Yes, and thank you for putting forward Bill 4. It is a step in the right direction, as much as like to see the additional guardrails. You know, it's—it may not be as front of mind, as immediate, to people as affordability or health care, but I think, as we look across Canada and see how it has been used in other provinces, while it may not seem as important, as immediate, it is easily as important as affordability and health care.

We really don't miss, you know, what we've got until it's gone, and I can't imagine that some of your colleagues, like Mr. Oxenham or others, looking across the country, would feel safe with only just these two guardrails. The super majority and tying it to the 1982 Constitution Act would really preserve our rights, rather than just leaving it up to a future government to repeal the legislation by just a simple majority. And then we'd be back to square one.

Mr. Balcaen: Just like the other presenters, I'd just like to say thank you for coming out today and presenting and taking up the—your democratic right to present at this committee. It's very important that we hear from all Manitobans on this, so thank you.

The Chairperson: Well, just—Mr. Chris Barsanti, did you want to officially respond to Mr. Balcaen?

C. Barsanti: No, just thank you, and if there are any other questions.

Hon. Glen Simard (Minister of Municipal and Northern Relations): You referenced a third guardrail. What was your inspiration to suggest those guardrails? *[interjection]*

Just—excuse me, sorry. I just need to recognize you first.

So, Mr. Chris Barsanti.

C. Barsanti: The third guardrail has been proposed by a number of organizations including the Canadian Bar Association and even dates back to—this is also commonly known as the Lougheed amendment. So Premier Lougheed, a Conservative—former Conservative premier, has also recognized that having a simple majority being able to use the notwithstanding clause was probably not wise.

The Chairperson: Okay, I don't see any further questions, so thank you very much for your presentation.

Before we move on, I've been given a note. There is a presenter, Ben McGillivray. He is an online presenter. However, he has a disability and is on for speaking to—or providing presentation to bills 2, 3 and

4. And for his needs, he's reaching the end of where he might be able to be available to present.

Is it the will of the committee to allow Mr. McGillivray to present to those bills concurrently and right now?

Mrs. Rachelle Schott (Kildonan-River East): Have we already heard from all of the out-of-town, in-person folks?

The Chairperson: Yes, we have heard from all of the out-of-town folks who are here in person. Normally, we would go to virtual after the in-person, but as this person has a disability, their request has been made for his needs.

So is the table—is the committee agreeable? *[Agreed]*

Okay.

**Bill 2—The Non-Consensual Distribution
of Intimate Images Amendment Act**
(Continued)

The Chairperson: Okay. So next we're going back to Bill 2. I will now call on Ben McGillivray, and he is presenting via Zoom. Okay.

Oh—*[interjection]* Just one moment there, Ben. I'll just acknowledge you.

So, Ben McGillivray, please proceed with your presentation on Bill 2.

* (19:30)

Ben McGillivray (Private Citizen): Okay, yes, it won't—I won't be 10 minutes, but thank you, Madam Chair and honourable members of the committee, for the opportunity to speak a few—tonight on Bill 2. I strongly support this legislation being passed because I believe it's a very important piece of legislation.

I thank you for your time and attention.

Did everybody get that?

The Chairperson: Yes.

B. McGillivray: That's all I have to say.

The Chairperson: Okay, thank you.

And does the committee have any questions?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, thanks, Ben. Great to see you, and thanks for your participation in the democratic process. It really means a lot.

Thank you.

The Chairperson: And Ben, would you like to respond to the minister?

B. McGillivray: Just to thank him for his time.

Mr. Wayne Balcaen (Brandon West): Likewise, Ben, thank you very much for your presentation and for coming to committee and I'm sure what we'll hear on the next two bills as well.

So, thank you.

The Chairperson: And Ben, would you like to respond to Mr. Balcaen?

B. McGillivray: No, just to say thank you again.

The Chairperson: Okay, I see no further questions.

**Bill 3—The Manitoba Public Insurance
Corporation Amendment Act**
(Continued)

The Chairperson: So, Ben, you can proceed with your presentation for Bill 3.

Ben McGillivray (Private Citizen): The presentation will be the same. So, you know, what I just presented for all two, for the next two are the same.

The Chairperson: Okay, thank you very much, Ben.

**Bill 4—The Constitutional Questions
Amendment Act**
(Continued)

The Chairperson: Okay, so just confirming, you said that—that's also the same for Bill 4 as well? Okay.

So I'll just open up one more time, is there any further questions from the committee?

Hon. Matt Wiebe (Minister of Justice and Attorney General): I just want—once again, thanks, Ben. Appreciate your time, appreciate your support of this legislation. I think it's important, so, thanks so much.

The Chairperson: Ben, would you like to respond to the minister?

Ben McGillivray (Private Citizen): Yes, no problem. Any time, Minister.

Mr. Wayne Balcaen (Brandon West): And, again, I was expecting a couple of times on the bills, but thank you so much for your presentations, participating in this democratic process. It's very important for us here at the Manitoba Legislature.

So, thank you.

The Chairperson: Ben, would you like to respond to Mr. Balcaen?

B. McGillivray: Thank you, Mr. Balcaen.

The Chairperson: Are there any further questions from the table? I don't see any.

Okay, thank you very much, Ben, for being here.

**Bill 2—The Non-Consensual Distribution
of Intimate Images Amendment Act**
(Continued)

The Chairperson: Okay, then we'll go back to Bill 2, now.

And I will now call on Mx. Lou Roberts, private citizen. We're just going to double-check if they're online.

Okay, so we're—Mx. Lou Roberts will be placed to the bottom of the list and we will come back to them.

So I will now call on Mrs. Fernanda Vallejo, from Latinas Manitoba Inc.

And please correct me if I mispronounced your last name—oh, just give me a moment.

So, Mrs. Vallejo, please proceed with your presentation.

Fernanda Vallejo (Latinas Manitoba Inc.): Good evening, everyone. My name is Fernanda Vallejo, and I represent Latinas Manitoba Inc., a community organization that supports immigrant women and families in Manitoba, especially Spanish-speaking communities.

It's an honour to be here today and to speak with you. I would like to speak in support of Bill 2, which addresses the non-consensual distribution intimate images.

In today's digital world, technology has created new ways for abuse and exploitation to happen. When intimate images are shared without consent, the emotional damage can be devastating. Victims often experience fear, shame, anxiety and long-term psychological harm.

Many victims do not report these situations because they feel embarrassed—okay, or they are—yes, they don't want any kind of judgment on them.

Strong legislation like this is important because it sends a clear message that privacy, dignity and consent must be respected online just as they are in the real world.

There is also another important reason why reporting these crimes matter. In some cases, when victims feel safe enough to report the non-consensual

sharing of images, authorities may discover larger patterns of abuse or exploitation. Sometimes these reports help identify individuals who are targeting multiple victims or reveal broader networks of exploitation.

So creating awareness or encouraging victims to report safely can help protect others and prevent further harm. When people trust that the law will protect them, they are more likely to speak up, and the victims speak up, communities become safer.

Protecting digital privacy is not only about technology, it's about protecting dignity, safety and respect for every person in our society.

Thank you for the opportunity to speak today.

The Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, Fernanda, thank you so much for coming. You've got such an incredible voice for Latinas here in Manitoba. It's great to always hear from you, and look forward to chatting more as this bill—as this legislation goes through the process.

You know, I think you've identified a couple things. First of all, the barriers that certain communities face in terms of sharing and reporting, I think that's an important element. And also the factor now, these are maybe old problems, but now new technology layered on top makes it so important to get it right and to address what young people especially, but all people, are experiencing today.

So I just wanted to thank you for your presentation. Super well done.

The Chairperson: Ms. Fernanda, would you like to respond to the minister?

F. Vallejo: Yes, so I don't know if we can create some solutions or how to create more awareness. I mean, you're the government, you can create a lot of, I don't know, marketing. I don't know how to make the victims feel safer to report—maybe in different languages? And as I mentioned in the other room, if you need ever something in Spanish, you can count on the organization, Latinas Manitoba.

Mr. Wayne Balcaen (Brandon West): Thank you for your presentation, very impactful, and it's important to make sure that we hit on some of those key areas, and what you said is the communication piece.

And I'll speak from a previous law enforcement career, as I know a lot of the officers go out into the community and talk about this particular legislation and the impacts that the Criminal Code have on this as well. So I would continue to advocate for education in schools and universities and in public about this particular legislation and what's enacted in the Criminal Code.

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

F. Vallejo: No, thank you for the feedback. Yes, so hopefully we all can work together, yes.

Mrs. Rachelle Schott (Kildonan-River East): Nice to see you again. Thank you so much for all the incredible advocacy you do for your community and your ability to bring folks together from all different party lines, different places of origin.

And, in regards to how we can help and work together, I think just really, as we saw at your recent women's day event, just make sure that folks know that, you know, government is accessible. They can go contact their local representatives, find someone like yourself that they trust and help lift up those voices.

So just thank you so much for being here. It's a great first step, and we look forward to continuing to work with you.

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

F. Vallejo: Oh, thank you for your time and attention and bringing this matter to the table.

The Chairperson: Okay, seeing no further questions, we will now move back to Bill 3.

Bill 3—The Manitoba Public Insurance Corporation Amendment Act

(Continued)

The Chairperson: And I will now call on Mx. Lou Roberts. All right, Mx. Lou Roberts?

Okay, they will be dropped to the bottom of the list.

I will now call on David Grant, private citizen.

* (19:40)

So, David Grant, please proceed with your presentation.

David Grant (Private Citizen): Again, thank you.

I can link this one to the—my talk on Bill 31. The reason that I stopped drinking is that in the '60s, my only vehicle was a motorcycle. And even as a teenager, I was smart enough to notice that alcohol and motorcycling was a really bad idea. So I'd go to parties on the motorcycle, act stupid, get on the bike sober and go home. And I've kept that pattern going for almost 60 years.

So back to Bill 3. Good drivers enjoy reduced rates. When I arrived here 40 years ago, that wasn't the case. So—and ironically, the MPI spokesman said the justification for charging careful middle-aged people the same as 16-year-olds for insuring a car was that otherwise, if they use the risk model, kids with a bad record wouldn't be able to insure cars, to which I thought, that's probably a good idea.

But anyway, that was the MPI policy in the mid-'80s, and we've moved on from that, and now there are penalties for people who are—have terrible records. And I sort of agree with the gentleman who spoke before, that one way of dealing with this is to take more of the burden of bad record stuff and put it more on the driver's licence than on the vehicle, but the—because the other way of doing it—and I know some jurisdictions in the US—I have friends where they insure the car and no one else is allowed to touch that car if they aren't on the insurance company's list. Now, enforcing a system like that is very clumsy, because, you know, what if you need help; you're hurt or whatever, you need to lend your car. If it isn't on the list, you're in big trouble.

So I think the MPI system is better, and, again, like the other gentleman, compliment MPI in doing a bunch of things right. And the same with the whole idea of, in the old days, when I got here, my motorcycle was three times as expensive as it was in Ontario. And we discovered that part of that was that when a bus runs over your motorcycle, the motorcycle group pays for it, even though it was not at fault. And, ironically, I had that happen in 1970. Stopped at a light, the city bus behind me was planning on running the light. So he putted the bike down the street, and it didn't hurt me at all, because I had my helmet on, and it just gently pushed me. I took a few steps, and shared information with the driver.

But it did cause—realize that there was a problem back then, that MPI had not brought its fairness in—and I gather they have now, that the motorcycle rate group pays for the losses that they cause, and not for the losses that somebody else causes. So in the '80s

and '90s, that was a problem, and I would compliment MPI on fixing that problem already. And I would say that the—Bill 3 is probably a good idea, and it could be adjusted, because I think it's the only practical way, is leave—is enact Bill 3.

Initially, I didn't like it, but I think Bill 3 is good, as long as more of the burden is put on the driver's licence of the bad driver. And, basically, that's about it. Thank you again for the time, and another good rule with a follow-up, and I'm sure you're in touch—the minister is in touch with MPI regularly, and two of us now have suggested shift that burden a little bit, and maybe that's what we'll see.

Thank you.

The Chairperson: So thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Matt Wiebe (Minister responsible for the Manitoba Public Insurance Corporation): Yes, I think—I appreciate the comments, David, and I think you're on the right track. We want to make sure that those bad drivers, or those who are unsafe on the roads, pay a higher rate, higher penalties, and that's accomplished through the DSR.

We're giving a more of a discount for those who are good drivers. This upcoming year is the second year in a row, so that's a good news story. But it's also about keeping it simple, understandable; cut down on the red tape. And, of course, this is the model that Manitobans understand and trust, so that's what we want to support.

The Chairperson: David Grant, would you like to respond to the minister?

D. Grant: Thank you, Minister. And I would remind you that right now we do penalize people who are bad drivers because they're a higher risk. My car that's out here goes out of my—it gets started up in the winter about three times a month. Go out for groceries and it sits there.

So its risk is much less than yours because it's in use more, and we don't have a way of reflecting that, because this is not only a low-value car, but it's hardly ever out in traffic—never in rush hour.

And I know the commuting people pay a bit more because they're exposed to that, and it would be nice if us old people that never use a darn thing had that reflected.

But I know we're doing the right thing, and the minister is helping with that.

So thank you.

Mr. Wayne Balcaen (Brandon West): Thank you, Mr. Grant, again, for coming to committee today and bringing these suggestions forward.

Of course, your experience over the years with MPI and with driving, hearing your stories about your motorcycle adventures, you know, make us think about some of the issues that MPI has already addressed and will continue to address.

So thanks for bringing your issues forward and speaking to this committee. *[interjection]*

The Chairperson: So—David—sorry. No, no, just a moment. I need to acknowledge you first before you speak.

So, David Grant.

D. Grant: And the ironic thing, without taking up too much time about that bus crash, is that I had been pulled over by—street police—street officers at the time, and I had accelerated to get through a yellow light before it turned lawful. But the street cops, a block later, said, don't do that.

So the next afternoon, going down the main street of Windsor, and I see a yellow light. So I stopped. And motorcycles at 20 kilometres can stop awful fast. So it wasn't really the bus driver's fault. He was planning to run it, and I had just been warned, so I was super observant. So ironic.

Thank you, again.

The Chairperson: Seeing no further questions, thank you very much.

I will now call on Ms. Zainab Mansaray from Canada Sierra Leone Friendship Society Inc.

And please correct me if I've mispronounced your name, but Ms. Mansaray, please proceed with your presentation.

Zainab Mansaray (Canada Sierra Leone Friendship Society Inc.): Good evening. My name is Zainab Mansaray. I'm here on behalf of the Canada Sierra Leone Friendship Society Inc., affiliated with Canada-Africa Relation Enterprises.

I've been involved in Canada Sierra Leone Friendship Society since 2016—2016, yes. And due to the community, I've been involved since I came here.

Right now, I have 50,000 students alone, carrying my head.

Sometimes they ask: Why you care about people? You live by yourself. Because I get more information from people. I work with homelessness. And I knew lots of the reasons why others are homeless. And I was the first one who raised up in Manitoba, saying: Oh, we have a high rate of homelessness. They need to do something about it.

Cut it short. The reason I'm here today for Bill 3 about MPI, I understood saying politics, governments, the people, we are all one. We need to bring something that we can at least mix-match or balancing. Balancing in the sense that, based on the information I'm getting with the elders, right now from here I'm running again to go work with elders. I've been working for health-care aide for 18 years. I go on nursing, but I can't see blood.

Then I go into international development and conflict resolution. So we gather with the seniors telling us about the generation, the problems, this, politics, all everything. We call it cultural educational club. But if it doesn't touch you today, it will touch your children. It will touch your grandchildren. Some policies that we are—they are making, we need to think: What will come next?

* (19:50)

If you jump, like my parents used to say, if a chicken mother with ant jump over the firewood, the chicken will not. They will come down. I hope you understand what I'm saying.

The MPI, yes, I understand, because me too, it judges me. Sometimes I'm a slow driver, and everything I do, I slow, I take my time.

I came from Sierra Leone, West Africa. My mother, the day the queen entered into the house, the day he was born. So sometimes, when you travel, you know more and you get it more. But I don't come and say, oh, this is me, until you go back to my country. I don't drink. I don't smoke. I don't—I only go places like this to gain more knowledge.

So MPI, they need to go back to the cloister and discuss about people who smoke, people who drink, just like they do with the life insurance. That's—I want. Like, for me, I don't drink, I don't smoke. How could I go? But because of what we do, or because of my colour, or because of others' colour, especially we Africans, yes, we are—we understood her saying driving is a privilege.

But we down there, me, I never drive. They don't allow me to drive in my country. They—I drive here. But I drive a necessity. Because, like, as I'm saying, I work with the homeless. I have to pack the food in my trunk, taking it, giving people with no money, they don't pay me. Manitoba don't give me a dollar. I applied, they don't. But I'm pleading, speeding. The other day, elderly who want to die on my own with the puffer, the puffer at the back, she was sitting at the front.

I passed by. Police harass me. They gave me two, three hundred dollars—tickets. I plead, no. Let them look according to humanity. Look at it. And now, the MPI ask me to pay \$680 for a—what they call, a licence. Why? Why are the wicked suffer—or what, the innocent suffer for weakness? Because of my colour? I just need you back to go to the drawing board, discuss about this with MPI.

I understand maybe they go, because sometimes, as a worker, you go by what the staff say or the policy says. But the other one, I'm asking again, they need to put the MPI issue on the ballot box. Let's see who will I—how they call—who will vote? Because a lot of people are complaining. Others are moving out because Manitoba is stuck with us.

So let me stop there. Anyone, because, like, I'm running again, my people need me. And I care more. But MPI, they need to go back to the cloister. For we Africans, we came here to work to help. We don't come just because of—we came for a reason. Look, like, Afghanistan today; look at the Middle East today.

People are running. We are innocent. But when we come here, we run, we leave everything. We ask for a loan, they don't give one. But they'll ask for a loan to educate, yes. We appreciate knowledge is good. But what we understood now, with what is going on, it's really, really—it's disappointing. This is not so Manitoba friendly, looks like.

So I'm pleading on behalf of my community, on behalf of the Canada-Sierra Leone friendship, behalf of the Canada-Africa relation, to look back to the drawing board. Not everybody, they see. Let them don't cover—don't read the cover of the book, or read what you see on the cover of the book, it's different with what is inside.

Thank you. I'm open to any questions or concerns.

The Chairperson: So thank you for your presentation.

And do members of the committee have questions for the presenter?

Mr. Wiebe: Ms. Mansaray, thank you. You are an inspiration. The incredible advocacy that you're doing on behalf of your community and for all Manitobans, it's really remarkable. Thanks for taking your time because your time is very valuable because you're doing so much work.

So a couple of things I just wanted to say. We have the—some of the lowest auto insurance in the country here in Manitoba. It's something we can be proud of. And I can assure you that there's—in no way would someone's colour or ethnicity or origin dictate what they pay for insurance. And we want to keep it that way. It's a public insurance model. That's for everybody. And so I just wanted to assure you of that and thank you for your time.

The Chairperson: Ms. Mansaray, would you like to respond to the minister?

Z. Mansaray: Yes. Thank you, Minister. Yes. Well, in fact, the last time we went to the courts, I advocate for youth that, yes, going into trauma or something, then they gave me an email so I can email you, the Justice, to discuss about these youths. Because some of them, not only they are doing crime, but when you're—just like my parents used to say: Sorry, I came from so much province.

So like those were saying, the one fish in a basket, the spoiled one, if you mingle with those fish, with the one fish that's spoiled, you spoil the whole story. So in terms of justice, when there is a crime for one, they gather it all. So I got information, everyday stories, stories including the seniors. I really appreciate, but if we join together to make Canada, Manitoba great.

I've been here for 24 years. I never go out. So like they are asking me, say, why you are still here? Go somewhere like—yes, they said there is so many places to go. Even, like, my parents, where they came from, Nova Scotia, I just go there once for when we do university.

But thank you. I hope Manitoba, the Province, to recognize what we do. And so meet with the people.

Mr. Balcaen: Yes. Again, I'll repeat, thank you for your advocacy, for showing up today, for expressing your concerns and supporting your community. I know in Brandon we have a similar advocacy group, the African diaspora, that they make sure that they look after their community as well.

And, you know, having contact with government is very important because we can continue to advocate for what your needs are. So thank you for coming to committee today and exercising your democratic rights. *[interjection]*

The Chairperson: Just a moment. *[interjection]* No, that's okay, that's okay.

Z. Mansaray: Yes. Thank you so much, thank you for recognition and not only Africans, because like even in my community, Sierra Leone, they have their own. For me it's a diversity. Just like we say, like downtown, we African Black people, they hide. They feel shy because some of us, they will—the community will be laughing at them, say look at you, you came here, look what you are doing, or whatever.

* (20:00)

But, like, our organization is a diverse—just because I'm the founder, I'm a Sierra Leonean, and—one that we met again, like the past, Jim Carr, when—yes, the minister, who found out the Canada-Sierra Leone information on the citizenship rights. So that's made me—but we are all one and it's a bundle for diversity.

Thank you so much. I hope this will take into consideration.

Thank you.

The Chairperson: Thank you.

I will now call on Ms. Peggy Barker from Consumers' Association of Canada, Manitoba branch.

So, Ms. Peggy Barker, please proceed with your presentation.

Peggy Barker (Consumers' Association of Canada—Manitoba Branch): Good evening, everyone. Thanks for the chance to speak to the committee today—thank you. My name is Peggy Barker, and I'm a board member of CAC Manitoba.

CAC has, for several decades, been an intervener at the PUB hearings regarding MPI. So that's why I'm here today. Recently, the Manitoba Seniors Equity Action Coalition joined us in the interventions and we're represented at these hearings by the Public Interest Law Centre.

Bill 3 would enshrine in legislation the model where vehicle premium discounts are based on the registered owner. Now, a number of people already tonight have spoken about this, and I apologize if I'm repeating things. The change that would enshrine in the legislation, the model, would interfere with the

core element of the Public Utilities Board's mandated jurisdiction. In addition, there's a lack of evidence supporting that this model is the most affordable and most effective in creating safe driving in Manitoba.

A central element of the Public Utilities Board's rate-setting role includes the appropriate allocation of costs between ratepayers. In 2022, the Manitoba Court of Appeal confirmed that the PUB's rate approval mandate includes jurisdiction over the DSR, driver safety rating system, including the authority to examine and designate the specific methodology by which customers are grouped in order to ensure premiums are just and reasonable. This allows the PUB to impose premiums, discounts, surcharges and classifications, including through the DSR system.

The Court of Appeal also found, at that time, that the PUB can require Manitoba Public Insurance to change the way it classifies customers to ensure rates are just and reasonable and that the PUB can issue directives to MPI to provide information regarding the classification of customers.

Vehicle premium discounts are determined based on the registered owner of the vehicle. This system allows people lower on the DSR scale and who may be riskier drivers to register their car to someone else in the household who has a better driver record and a bigger discount. This distorts the system, as the vehicle premium does not reflect the driving record of the person most often driving that car.

For many years, evidence in the PUB hearings has shown that safer drivers who are in the upper portions of the DSR scale are paying more than they should in relation to their risk. PUB has directed MPI—sorry for the acronyms—to do a study to determine the impacts on insurance rates of a different model, such as one based on the primary driver of the vehicle. To date, such a study has not been done.

MPI's data shows that in over one third of collisions on Manitoba roads, the driver is not the registered owner of the vehicle—over one third. And the proportion is even higher for the higher levels of the driver safety rating scale.

In 2024, 47 per cent of the accidents involving vehicles registered to DSR-18 drivers occurred while someone who was not the registered owner was driving the vehicle.

When people register vehicles to their household's safest driver to save money, the safest drivers are paying more than they should based on their risk. It's not just a small number of drivers. All drivers on the positive

side of the DSR scale are overpaying relative to their risk. Over the years, evidence in PUB hearings has shown that a primary driver model could be a way for premiums to better reflect risk and better reward safer drivers.

In the primary driver model, the vehicle insurance premiums would be linked to the primary driver of the vehicle, rather than the registered owner. And, beginning in 2021, PUB directed MPI to develop a plan to transition the DSR system from the current registered owner model to a primary driver model.

The plan was to include a pricing study, which would assess the impacts on rates of a change to the primary driver model, so that MPI, the PUB and interveners could make an informed decision based on what best interests—what were the best interests of MPI's customers. The study has not taken place.

CAC Manitoba and the Manitoba Seniors Equity Action Coalition participate jointly in the PUB rate hearings relative to MPI. Due to this lack of evidence of rate impacts on MPI customers, we have never taken a position on the registered owner model versus the primary driver model.

Bill 3 also interferes with the PUB's mandated jurisdiction and the independent regulation of MPI. Further, MPI has not yet done a study to determine which model is more affordable for Manitobans. There's no publicly available evidence that the current model best promotes affordability in the short or long term.

So, in conclusion, affordability and safety are top of mind for MPI customers. The DSR, driver safety rating, is intended to reward safe drivers, encourage improvement among poor drivers and enhance public understanding of how driving behaviour affects insurance premiums.

If the model better reflected driver risks, it could better meet its objectives in encouraging safe driving. And this, in turn, would make roads safer for all, reduce claims overall and make rates more affordable in the long term.

We urge the Legislature to preserve the independence and mandated jurisdiction of the PUB in setting just and reasonable rates. We recommend that the registered owner model not be enshrined in legislation in order to preserve the PUB's jurisdiction over the allocation of costs to customers in setting just and reasonable rates.

And we recommend that the government release any evidence available that the registered owner model makes rates more affordable in the long term.

I would like to repeat that CAC Manitoba is not at this point taking a stance on the model that should be used, but rather that PUB's jurisdiction over setting the allocation of costs to customers in a just and evidence-based manner must be preserved.

Thank you for your consideration.

The Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Mr. Wiebe: Thank you, Ms. Barker, for your presentation.

The work of the CAC in the PUB process is so very important, so thank you for that work.

I also appreciate that you are working with seniors' advocacy group, which is—I know we have a meeting scheduled, and we, of course, received correspondence from. I look forward to that meeting.

We are focused, as a government, on affordability as a primary concern for us when it comes to public insurance, and so I'm hoping that there's going to be some opportunities at that meeting to talk about opportunities for us to further deliver on that promise to Manitobans.

* (20:10)

Thank you very much for your work.

P. Barker: I appreciate your comments, Minister Wiebe, and I look forward to meeting with you and discussing this further.

Mr. Balcaen: Well, thank you, Madam Chair.

Thank you very much for your presentation today: very impactful, very informative, touches on a lot of the facts of the matter that are before us on this legislation. So I appreciate your vast experience on this, your advocacy and for bringing that forward for Manitobans to hear at committee.

Thank you.

P. Barker: Once again, thank you for your comments. I appreciate the opportunity to speak here, and, judging from the number of people that have been responding to Bill 3, it's—it is definitely an area that is touching on a lot of people's concerns, so I'm happy to be able to work on it further.

Thank you.

The Chairperson: See no further questions, thank you very much.

And I'll just offer a friendly reminder to the committee, when referring to the Chair it's—honourable Chair is the correct way, thank you.

Bill 4—The Constitutional Questions Amendment Act (Continued)

The Chairperson: Okay, we are moving on to Bill 4, and I will call now on Mr. Paul Moist. He is virtual, so he is coming online here.

Mr. Paul Moist—okay, you're coming on. Here we go. So, Mr. Paul Moist, please proceed with your presentation when—once you turn your camera and mic on, please.

Paul Moist (Manitoba Federation of Union Retirees): Okay, honourable Chair and members of committee, the Manitoba Federation of Union Retirees is the Manitoba affiliate of the 500,000-member Congress of Union Retirees of Canada, chartered by the Canadian Labour Congress, and we are retired union activists and proud members here in Manitoba of the Manitoba Federation of Labour.

We appear this evening to support Bill 4, the use of section 33 of the Charter, the notwithstanding clause, to set aside fundamental rights is an increasing and a worrisome trend in our country.

Bill 4 will ensure that all such legislation in Manitoba, should it be introduced, must first seek the Court of Appeal's view on whether the legislation violates section 2 or section 7 to 15 of the Charter and whether the legislation is reasonable and demonstrably justified pursuant to section 1 of the Charter.

Our focus tonight will be on labour rights, which are Charter protected in Canada and of fundamental importance in any democracy. Labour rights are, after all, human rights. The use of the notwithstanding clause in ending labour disputes—there's three examples since the invocation of the Charter.

The first was in Saskatchewan in 1986. This legislation was ultimately withdrawn when the Supreme Court found that that legislation did not violate the Charter's freedom of association clause. Charter interpretation thankfully has evolved since 1986, with the seminal Saskatchewan Federation of Labour case in 2015, the third in a trilogy of cases affirming the right to free collective bargaining, which includes the right to strike as a fundamental feature of collective bargaining rights in Canada and was therefore Charter protected.

The next example of the use of section 33 in a labour matter was in 2022, a decision by the Ontario government to strip 55,000 education support workers of their legal right to strike. The workers, with massive public support, vowed to strike notwithstanding the introduction of bill 28, the Keeping Students in Class Act, which provided for massive fines for individuals and unions should they strike.

Bill 28 was introduced on October 31, 2022, received royal assent on November 3 of that year and, on November 8, the government announced it wouldn't act on the legislation, and the union announced it would return to the bargaining table. The legislation was repealed on November 14, 2022, by the Ford government, and a negotiated deal was achieved on November 20 and subsequently ratified by the parties.

The latest example and the only other example of the use of section 33 involves the Alberta government and their public school teachers last fall. After legal strike action of 23 days duration, the government introduced bill 2, the Back to School Act. The Canadian Civil Liberties Association called the legislation unhealthy for Canadian democracy. This bargaining remains unresolved, and the legislation is being challenged in the courts by the teachers and, indeed, the entire Alberta labour movement.

Professor Jason Foster of Athabasca University stated, quote: Alberta's move is unprecedented in provincial labour history and only the third such use in Canadian history. It kind of makes a mockery of collective bargaining. Close quote.

Canada's federation of labour leadership—we heard from the Manitoba leader earlier tonight—but all 10 leaders and three territorial leaders, representing over 3 million workers, called bill 2, quote, profoundly dangerous, saying that, when rights become optional, they cease to be rights.

Bill 4 seeks to preserve fundamental human rights, including labour rights, from the tyranny of the use of the notwithstanding clause to set aside such fundamental rights. It's good legislation, and we hope it receives the unanimous support of the Manitoba Legislature.

So we thank you for your time, and we're happy to answer any questions you might have, honourable Chair.

The Chairperson: So thank you for your presentation.

And do members of the committee have questions for the presenter?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Thanks, Paul. You're—you've got such an important voice in the public discourse of Manitoba generally, and the fact that you continue to advocate on important issues like this really just shows how broadly the impacts of the usage of the notwithstanding clause can be on so many, not just working people but vulnerable folks and minorities.

And, yes, the fact that you're stepping up as a representative of the union retirees, again, just shows that this is a broad issue. And I really appreciate your support of this and your endorsement of this bill. I hope it's supported unanimously as well.

Thanks.

The Chairperson: Mr. Paul Moist, would you like to respond to the minister?

P. Moist: Yes, just to say, thank you for those comments.

And I do want to say that the Manitoba Federation of Union Retirees, we, of course, advocate on retiree issues, but we also exist to support the current workforce. And somebody, one of you mentioned earlier tonight to another delegation about the importance of affordability. Workers in all sectors in Canada and every jurisdiction in the country are feeling the pinch these days of rising gas prices and rising food prices. And I think affordability is an issue.

And we are retirees, we're concerned about retiree issues, but we also support the current workforce today. And a lot of people fought for the right to establish collective bargaining rights in Canada. And those rights cannot be trashed by the invocation of section 33 of the Charter. The Charter has actually evolved over the last 50 years—almost 50 years, to the point where collective rights, the right to engage in collective bargaining, the right to join the union of your free choice and the right to engage in legal strike action if required, are Charter-protected rights.

And there's about 200 countries in the world. Less than half of them have the right to free collective bargaining. And it's a good thing that Canada has those rights. And the Manitoba Legislature is doing the right thing by bringing this bill forward.

* (20:20)

Mr. Wayne Balcaen (Brandon West): Thank you very much for your presentation.

Just—I've spoke to many of the presenters tonight, both online and in person. It's important that we hear

from a wide cross-section of Manitoba, and I appreciate your input.

The Chairperson: Mr. Paul Moist, would you like to respond?

P. Moist: No, that's fine. I thank you for your time tonight and for all of your deliberations.

The Chairperson: All right, thank you.

I don't see any further questions from the committee.

Bill 30—The Intimate Partner Violence Death Review Committee Act

The Chairperson: So we will now move on to Bill 30.

So I will now call on Mrs. Fernanda Vallejo from Latinas Manitoba Incorporated.

So, Mrs. Vallejo, please proceed with your presentation.

Fernanda Vallejo (Latinas Manitoba Inc.): Thank you so much. Good night, everyone.

So my name is Fernanda Vallejo. I represent and I'm the founder of Latinas Manitoba Incorporated, a community organization that supports immigrant women and families in Manitoba, especially Spanish-speaking communities.

It's an honour to be here today and speak with all of you. I would like to speak in support of Bill 30, which focuses on reviewing deaths related to intimate partner violence. Intimate partner violence is a serious and ongoing issue in Canada. Statistics show that women is killed by a partner or a former partner approx. every six days. Many of these tragedies happen after years of abuse and may have remained hidden or unreported. Victims often stay silent because they are afraid, because they depend financially on their partner or because they want to protect their children and keep their family together.

Through my work supporting women in the community, I have seen how complex these situations can be. In one tragic case connected to our community, a woman suffered of abuse for more than 16 years. After she finally separated and tried to rebuild her life, the emotional and psychological impact of those years continued to affect her deeply. Sadly, she passed away not long after beginning that process of rebuilding her life. This shows how long-term violence can leave deep and lasting scars even after the relationship ends.

I also want to acknowledge that speaking up is not easy. I know this personally. When I was younger, I experienced abuse in a relationship that lasted many

years. Like many victims, I believed the situation might improve, and I wanted to keep my family together. The moment I finally spoke up and the law intervened was the moment my life changed. The intervention gave me safety and possibility to rebuild my life.

Laws and systems that study and learn from tragedies are essential, because they help us identify warning signs, improve responses and prevent future violence. A death review committee allows experts to carefully examine these cases and understand where systems may have failed and how protection for victims can be improved. Every life lost should teach us something. If we learn from these tragedies, we can strengthen prevention, support victims earlier and potentially save lives.

I know that a lot of people from my community, especially women, they keep their self in silence because of their immigration process. They think they're going to get in problems if they speak up. If reporting, they think that CFS is going to come and take their kids away and because of cultural situations. But maybe we can try to create more awareness and create—and share these resources, maybe from the airport, or since the moment they are approved to come to this country, so they can know what are their rights.

And that was one of the topics that we were talking this Saturday, 14th—we hosted a round table, and I was happy to see a lot of the women that I support speaking up. They—I'm so proud of them—and I just want to bring this here to the table. It's not happening only in my community, it's happening everywhere around the world. But here in Canada, in Manitoba, we can try to do something to save lives.

The Chairperson: Thank you for your presentation.

Do members of the committee have questions for the presenter?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Thanks so much again, Fernanda, for staying around to present on this bill as well. I really appreciate your strength and sharing your own personal experience as a foundation, but your advocacy for others is incredibly amazing.

And, yes, I just want to recommit to you that I think it's important for us to understand how we can reach into community and support women, support those who are facing IPV and really just make a difference to break down some of those barriers that you've talked about.

And so I just wanted to thank you again for coming.

The Chairperson: Mrs. Vallejo, would you like to respond?

F. Vallejo: Absolutely. Another of the barriers here is when we are reporting, the police officers usually tell us how to talk to a judge or how to speak to someone who has the power of decision. So how to talk so they won't blame us or judge.

We had a situation of another lady who called 911, and instead of taking the abuser, they took her because she didn't speak English. So more resources. Yes.

Mr. Wayne Balcaen (Brandon West): Well, thank you very much, again, for staying and reiterating some of your comments tonight. And I would agree with you that there needs to be work done on this intimate partner violence has some of the highest rates in Manitoba across all of Canada.

And, you know, I hate to see the fact that somebody you know called 911 and didn't get the attention that they needed because of language barriers. I know that's something that is being worked on. But I appreciate you bringing these forward. We can always do better when it comes to protecting people in our society.

F. Vallejo: Thank you, and if we can try to work also with Maintenance Enforcement Program, which is another big problem. So they try to do stuff, but I don't know if they're really solving the problem.

In my case, my ex-partner, he never even give us a diaper. He's owed like more than \$20,000. So my son is nine years old now. They let him go out of the country and move to another province. And now—yes, just an example.

MLA Jeff Bereza (Portage la Prairie): Thank you so much for your presentation.

Intimate partner violence is horrible. Unfortunately, I've dealt with it in my family as well, too. Thank you so much for coming forward with this, because there's much too much of it. And we as legislators need to work on this. Thank you so much.

F. Vallejo: You're welcome. And thank you so much for your time, once again.

The Chairperson: I see no further questions. Thank you very much.

I will now call on David Grant.

David Grant, please proceed with your presentation.

David Grant (Private Citizen): Once again, I'm here to speak to a bill that I strongly support. And I think

we had a pattern going a year ago where every time I spoke here, it was in strong support of one of Mr. Wiebe's bills. In this case, it's obvious, and that the analysis of—that this committee will be doing will be essential to help prevent more of these terrible things.

On the other hand, that this committee is needed says that current processes are ineffective. That's sad. If only police would include more in their reports on root causes and so on, we wouldn't have this—such a dire need for this. And I would suggest that there is an area where we could improve this. As I read the bill, the committee, once it's formed, may choose to investigate a spousal violent death.

* (20:30)

And I would suggest that, if we made it, that they must investigate everyone. It would increase the number of hours spent doing this work, but it's still not going to be a full-time job. My understanding is we're not talking many of these every month, that a committee that does its job can do the groundwork and so on on maybe a meeting or two a month.

So—and I think the people working on this stuff—you've got professionals. I'm guessing they're going to be as motivated as I am with the drunk driving thing, and I would expect that if we increase their workload by making the investigations mandatory, it shouldn't increase the cost a lot. I'm guessing if you're going to put 12 people together that are highly motivated, they're not going to expect their base pay rate or anything. You know, they—I do a lot of volunteering in the community, and it's sort of said that we work for doughnuts, because we go in and volunteer our time, many hours a year and sometimes there's food at the meetings, but we just do it as a volunteer.

Not that this committee has to be volunteers, because they are professionals. But I would expect that meeting more hours is not going to cost more, and I think it would make sure the mandate is fulfilled. And I remember that back when bill 36 was brought in, like two years ago by Mr. Wiebe, that one of the things I brought up then is that when you have an organization whose job is to investigate, if the person being investigated is a good friend, then we might not do much of an investigation and I see too much of that.

And, again, I've dealt with Minister Wiebe's assistance on this, that I think there's a strong case in this case that we just say investigate, but then we follow it up with a new bill that would require a minimum standard of investigation.

Workplace safety requires investigations in certain cases, and that may constitute—in one case I followed up on many years ago, the investigation consisted of a workplace safety rep sat at a company meeting, said nothing, and that was the end of the investigation. There was no report.

And I would like to see us mandate—that this government mandate—the minimum standards for what is considered an investigation. And we don't want to bring up Bev Rowbotham or anything, but we can see that when a person is famous or infamous enough, all the dot—all the t's may not be crossed in the process.

And I think starting off with—make these things mandatory, and I guess I can leave it at that. And I would like to work with Mr. Wiebe because I think it would be in your jurisdiction to craft a bill that would require every government-required investigation to meet our standards, the standards that all of us in this room would expect. Because if there's supposed to be an investigation, and somehow in paperwork the investigating team loses the evidence, I would say they should be required to call, ask the complainant again, rather than say, oops, we lost; dog ate my homework; we're not doing any more.

And I've seen that happen with regulators, where they say, oops and dismiss the charges. And I don't want to see that happen any more. I don't think anybody here wants to see that happen. And we know that people are people, and sometimes their best friend is up for investigation. We don't want to see that.

And so that's basically all I had to say. It's a great idea. It's very important. Let's make them mandatory, and let's improve the standard—the minimum standard for an investigation in Manitoba.

Thank you.

The Chairperson: So thank you for your presentation.

And do members of the committee have questions for the presenter?

Mr. Wiebe: Yes, thanks, David. Happy to continue to work with you. We're on a roll of bills that you're supporting. I appreciate your presence and your presentation.

Thank you.

D. Grant: Yes, this is an amazing list of bills. Sometimes I'm busy with projects and volunteering, and I don't get to look at the list. This time I did. And last week it was a huge list. And then Monday it's even more.

And anyway—yes, I think I've left word with your staff that there was—one of your bills says—42 says: This definition will be in the regulations. But there's no indication what that's going to be.

So, again, with your staff, it might be nice if the preamble and summary said: Here's what it's going to—what the definition will be.

But, yes, it's a very busy session, and congratulations on doing that and let's hope this all comes to fruition.

So thank you again, Mr. Wiebe.

Mr. Balcaen: David, again, thanks for your input on this and coming out to all of these committee meetings, expressing your views and bringing them forward. It is appreciated. *[interjection]*

The Chairperson: Oh, just a moment. David Grant.

D. Grant: That's why I followed up with Mr. Wiebe that, having been around a long time and involved in complaint systems as adjudicator and appeal person, I've seen a lot of stuff go wrong. And I think we're all hoping to have things not go wrong ever and I think these—that's why I make suggestions occasionally and they're all meant in a positive way.

And thank you very much.

The Chairperson: So I see no further questions, so thank you very much.

Okay, back to Bill 2. I am calling Mx. Lou Roberts—they had been placed at the bottom of the list. Let's see, so I'm calling again Mx. Lou Roberts.

I'm not seeing them, so they will be dropped off the list of Bill 2.

And then Bill 3. I'm now calling on Mx. Lou Roberts. I'm calling again: Mx. Lou Roberts.

So they will be dropped off the list now as well.

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. Wiebe: In numerical order is fine.

**Bill 2—The Non-Consensual Distribution
of Intimate Images Amendment Act**
(Continued)

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

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

Hon. Matt Wiebe (Minister of Justice and Attorney General): Yes, I would just like to put a few words on the record on Bill 2, The Non-Consensual Distribution of Intimate Images Act. I wanted to say at the outset this is incredibly important legislation and it's—was co-developed alongside the Canadian Centre for Child Protection, who work very closely with us—our department, our experts—to craft this legislation.

The bill will address legislative changes recommended in the report that were following from the comprehensive five-year review of the act which was formally known—formerly known as The Intimate Image Protection Act.

Manitoba continues to demonstrate leadership by strengthening The Non-Consensual Distribution of Intimate Images Act. The bill will better protect persons who have had their intimate images distributed without their consent or who fear that their intimate images are about to be distributed—and this is an important point—that it provides that level of protection as well.

The amendments will strengthen the act by promoting the protection of women and girls and supporting key initiatives in the Manitoba Safer Neighbourhood, Safer Downtowns Public Safety Strategy, as well as Mino'Ayaawag Ikwewag strategy, along with Canada's framework to address gender-based violence.

This legislation is leading the country. We intend to continue to do that work to ensure that we are, and again, to work with the experts in this field. Look, everybody understands the need for this legislation, but also the need to continue to enhance and build off of the legislation that exists.

This is an issue that affects young people, it affects vulnerable folks and it is the kind of thing that I think, you know, all of us as parents, that are parents, or can put ourselves in those shoes, everybody wants to protect kids and this is the way to do it.

So I do expect that there's going to be broad support for the bill from the committee and from the Legislature. I hope that it's passed quickly because it will make a difference. As we go through the process,

I know we will have a few amendments to present to the committee, but I hope that it's all done, again, in the spirit of making the legislation stronger and with support of all parties.

* (20:40)

Thank you, honourable Chair.

The Chairperson: We thank the minister.

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

Mr. Wayne Balcaen (Brandon West): Respect to Bill 2, of course, very important to make sure that we are protecting children, that we are protecting individuals that have intimate images distributed without their consent. And I think continuing to build on the bill is important.

Do I or we think this goes far enough? Certainly not, but it's a start. When we combine this with the Criminal Code of Canada and the sections under that piece of legislation, it's a step in helping individuals that find themselves in this situation where their intimate images are shared.

Again, I would like to shout out to the Canadian Centre for Child Protection, the excellent work that they do. I worked with them extensively in a previous career. I still have communication now, and I think it's very important, the work that they continue to do and the advocacy that they have supporting not only this bill but victims that find themselves having their intimate images distributed.

I know they had great success with project Arachna [*phonetic*], I believe it was, and still do with crawling the web and removing these intimate images. So I will continue to support that work, the very important work that they do to protect the vulnerable and—for those whose intimate images have leaked onto the web.

It's a very dangerous place, of course; we know that once it's out there it can be out there for a very long time, including moving from the Internet to the dark web and even more difficult to control. So, again, very important to have legislation that protects individuals. Happy to support it: I think we need to continue to improve on this and do as much as we can to protect our youth and anybody who's subject to a non-consensual distribution of their intimate image.

Thank you.

The Chairperson: We thank the member.

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

Also if there is agreement from the committee, the Chair will call 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.

Shall clauses 6 and 7 pass?

An Honourable Member: No.

The Chairperson: Shall clause 6 pass?

An Honourable Member: No.

Mr. Wiebe: I would like to move an amendment

THAT Clause 6 of the Bill be amended in the proposed subsection 12(2) by striking out "For certainty, a person has" and substituting "A person may have".

Motion presented.

The Chairperson: The amendment is in order.

The floor is open for questions.

Mr. Wiebe: We're happy to bring this amendment.

As I said earlier, the work of developing this bill was done in conjunction with the Canadian Centre for Child Protection, and C3P is an incredible organization who does amazing work. You know, by developing this legislation alongside them, we've been committed to listening and to ensuring that we get this right. And part of the amendment that we've brought forward here addresses the fact that the reasonable expectation of privacy may have left a potential loophole in the bill.

By making this amendment, we know that this meets more closely with the recommendations of the Canadian Centre for Child Protection. And as I said, we're continuing to work with them and happy to continue to do that.

Mr. Balcaen: Just a question for the minister. Just wondering if bringing amendments forward here is just showing that sometimes these legislations are rushed and not looked at fully at the beginning? I noticed that this happened a few times on these, so just an observation.

Mr. Wiebe: Well, I would hope that the member opposite isn't criticizing the work of C3P because they do incredible work and they work alongside us and our team to ensure that the legislation is right.

I know that they keep a quick pace when it comes to developing the legislation and we're keeping up with them. And so, we want to make sure that we respond to their pace and we get bills to the Legislature as quick as possible.

As I said, technology is rapidly evolving, and that's why it's important to listen to experts—groups like C3P when we're developing this legislation, but also, when they bring amendments like this, to pass them and get them into law.

Mr. Balcaen: Yes, certainly make sure that the record is clear on this, is that the Canadian Centre for Child Protection does amazing work. I supported them for many years in my previous career. I continue to support them.

My criticism is actually about the minister and bringing bills forward that are rushed, because we've seen this a number of times, so certainly not against the Centre for Child Protection; more so about bringing bills forward that are rushed causes confusion for people. And just want that out there that it's noted by the general public.

Mr. Wiebe: Well, I'm sorry to hear that the member opposite is confused and we'll try to help bring him along to make sure he understands the work of C3P. As I said, we operate at their pace.

And when it comes to the important work of C3P, it impacts real people in the real world. Now members opposite held up legislation in the past. They made political games out of important legislation. I'm hoping he's not going to follow suit again. But always happy to help him understand and make sure he understands the work that's being done here and bring him along. We'll take as much time as he needs to make sure he understands.

The Chairperson: Is the committee ready for the question?

An Honourable Member: Question.

The Chairperson: So the question before the committee is as follows:

THAT Clause 6 of the Bill be amended in the proposed subsection 12(2) by striking out "For certainty, a person has" and substituting "A person may have".

Amendment—pass; clause 6 as amended—pass.

Shall clause 7 pass?

An Honourable Member: No.

* (20:50)

The Chairperson: So honourable—in a moment.

Honourable Minister Wiebe.

Mr. Wiebe: I move

THAT Clause 7 of the Bill be amended in the proposed subsection 13(2), in the part before clause (a), by adding "in good faith" after "distribution occurred".

Motion presented.

The Chairperson: The amendment is in order.

The floor is open for questions.

Mr. Wiebe: This amendment speaks to concerns about how—which—how documents—sorry—how intimate images can be shared and when they are being done so, in what we call the public interest. We understand this, of course, around this table and I think any common sense person on the street would understand that to mean individuals like law enforcement or prosecutors within the context of a court case, and I think that's the intent of the bill.

What we're doing here today is simply amending to strengthen that provision to ensure that by talking about the distribution of the image in good faith really just nails down that specific cases where the intimate image may be shared without being applicable in this bill. Again, worked—work alongside the C3P to ensure that the legislation is as strong as it can be and some of the strongest in Canada.

The Chairperson: Is the committee ready for the question?

Some Honourable Members: Question.

The Chairperson: The question before the committee is as followed—is as follows:

THAT Clause 7 of the Bill be amended in the proposed subsection 13(2), in the part before clause (a), by adding "in good faith" after "distribution occurred".

Amendment—pass; clause 7 as amended—pass.

Shall clauses 8 and 9 pass?

Some Honourable Members: No.

The Chairperson: Shall clause 8 pass?

Some Honourable Members: No.

Mr. Wiebe: I move

THAT Clause 8 of the Bill be amended in the proposed clause 14(1)(b.2) by striking out "remove or de-index" and substituting "remove and, where applicable, de-index".

Motion presented.

The Chairperson: The amendment is in order.

The floor is open for questions.

Mr. Wiebe: The proposed amendment before the committee here, again, really responds to the evolving nature of the technology that we're talking about here. You know, we've been clear in the bill that we want these images removed from Internet subsidiaries and we want this—these images taken down promptly.

What this does is this indicates the indexing of the image rather than the—its presence, so to speak, on the web itself. And I think this really responds to the evolving nature of the technology and fits very much with how C3P has indicated we can expect the challenges around removing these images might go into the future.

The Chairperson: Is the committee ready for the question?

An Honourable Member: Question.

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

THAT Clause 8 of the Bill be amended in the proposed clause 14(1)(b.2) by striking out "remove or de-index" and substituting "remove and, where applicable, de-index".

Amendment—pass; clause 8 as amended—pass; clause 9—pass; clauses 10 and 11—pass; clause 12—pass; enacting clause—pass; title—pass.

Shall the bill be reported?

Some Honourable Members: Agreed.

The Chairperson: Oh. Bill as amended be reported.

Bill 3—The Manitoba Public Insurance Corporation Amendment Act
(Continued)

The Chairperson: Moving on to Bill 3.

Does the minister responsible for Bill 3 have an opening statement?

Hon. Matt Wiebe (Minister responsible for the Manitoba Public Insurance Corporation): I just wanted to start by thanking all the presenters that came out to speak to Bill 3 and appreciate their time and their input to the process.

What we're doing here really is about preserving MPI's current insurance model, and it's one that has delivered affordable rates to Manitobans for many years. MPI's current driver safety rating scale, which runs from minus 20 to plus 19—soon to be plus 20—allows those drivers who have a good driving record to get discounts and those who have a poor driving record to pay more and to correct their behaviour.

Drivers with positive safety ratings, they receive big discounts. And the higher they are, the larger the discount. We want cheap insurance, and we want it to go to those drivers who are the safest on the roads. This is what the model we're talking about here today, the registered owner model. And it really is about delivering affordability to Manitobans. It's based on the principles of public insurance, which includes the universally available insurance, a simple rating system that encourages road safety and, ultimately, at the end of the day, affordability. And we're able to deliver some of the most affordable rates in Canada because of it.

This is, of course, in contrast to the primary driver model, which determines that a vehicle premium discount using the driver safety rating of the person who spends the most time driving the vehicle rather than the registered owner, should be what's applied. Individuals who would declare who typically drives the vehicle when insuring it, and if someone else was driving the vehicle, they may not be covered. And that would determine the price of the insurance. Violations could result in claim denials or other consequences.

The model is used primarily in private insurance models. And I could imagine that's why members opposite are so keen to vote against this bill. And I hope they do because Manitobans understand public insurance. Public insurance that protects affordability is what Manitobans are asking for, and, you know, little less red tape, a little less complication, Manitobans appreciate that as well.

So we are keen to bring this bill forward, to pass it at committee, bring it back to the House and let Manitobans know that their government stands on their side when it comes affordability and the cost of living today. This is just one step that we can take to ensure that that is maintained.

Thank you, honourable Chair.

* (21:00)

The Chairperson: We thank the minister.

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

An Honourable Member: Certainly.

The Chairperson: Mr. Balcaen.

Mr. Wayne Balcaen (Brandon West): Well, thank you for the opportunity to speak on Bill 3 and as the minister stated, our government is actually very much opposed to this bill and it has nothing to do with the affordability; it has to do with process and the fact that this government is shirking its responsibility when it comes to process.

It was clear from the Manitobans that presented today that they have grave concerns with this legislation and many—many have seen through this government's charade and realize that this is a bill with the express goal of overruling our independent Public Utilities Board.

This government needs to let the PUB do its job—the job that it's mandated to do—and not have government control the PUB.

Thank you.

The Chairperson: We thank the member.

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.

Shall the bill be reported?

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Chairperson: I hear a no.

Voice Vote

The Chairperson: All those in favour, 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 Ayes have it.

Recorded Vote

Mr. Balcaen: A recorded vote.

The Chairperson: A recorded vote has been requested.

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

The Chairperson: So the motion is accordingly passed.
Bill be reported.

**Bill 4—The Constitutional Questions
Amendment Act**
(Continued)

The Chairperson: All right, moving on to Bill 4.

Does the minister responsible for Bill 4 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): I'm pleased to put just a few words on the record about Bill 4, The Constitutional Questions Amendment Act. This bill amends The Constitutional Questions Act to require that whenever the Legislature passes an act that invokes section 33 of the Charter, what's commonly referred to as the notwithstanding clause, the Lieutenant Governor-in-Council must seek the Court of Appeal's opinion on whether the relevant provisions of that act violate the Charter.

Anytime section 33 is invoked, it should be subject to robust public discussion. This amendment does just that. It will better inform the public debate and will assist in the democratic process. Making it mandatory for the LGIC to seek the Court of Appeal's opinion whenever the Legislature invokes the notwithstanding clause allows input from the courts.

Judiciary—judicial commentary can provide voters with reliable and impartial information about the effect of the legislation in question on Charter rights. Honourable Speaker—honourable Chair, pardon me, this section 33, the notwithstanding clause, has been used by governments now across the country, most notably by right-wing governments in our neighbouring western provinces.

And it's very concerning because we've seen this playbook from other jurisdictions. We've seen how rights have been trampled in places like the United States by right-wing governments, and now the cousins of the members here that sit at this table want to use the same kind of rhetoric and the same kind of attack on minorities and on working people.

What we're proposing here is a made-in-Manitoba balanced approach. It gives the voter the information that they need to make an informed decision, and I trust the voters of Manitoba. I believe that they will make the right decision in standing with governments that promote a unified one Manitoba approach.

Parties or governments that promote the use of hateful rhetoric, they have no place in this province. And this is just one more way that we can protect the

rights of the most vulnerable in our province. So, you know, maybe members opposite will have a change of heart. Maybe they will see the folly of the ways of the governments in Saskatchewan and Alberta.

Unfortunately, I see the member opposite shaking his head, indicating that he does want to continue with that hateful rhetoric. I hope that he doesn't do that and I hope that he votes in favour of this bill so that we can protect Manitoba's charters—Manitobans' Charter rights.

Thank you, honourable Chair.

The Chairperson: We thank the minister.

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

Mr. Wayne Balcaen (Brandon West): Sure, I just have a short opening statement for this. It surprises me that this is the government's priority when there's so many other issues within our province that need addressed.

No Manitoba government has ever used the notwithstanding clause, which leaves me asking what is this government's plan—this NDP government's plan—to use to overrule?

Thanks.

The Chairperson: During the consideration of a bill, the preamble, 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; preamble—pass; enacting clause—pass; title—pass.
Bill be reported.

**Bill 30—The Intimate Partner Violence Death
Review Committee Act**
(Continued)

The Chairperson: All right. We're moving on to Bill 30.

Does the minister responsible for Bill 30 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Bill 30, which restores Manitoba's Intimate Partner Violence Death Review Committee, is an important bill because this work is too important to leave undone.

This committee previously existed in this province, but, unfortunately, it was shut down under the former Conservative government. And now, for years, nothing has replaced it. Reviews were paused, oversight disappeared, and Manitoba lost a key tool to learn from tragedies and prevent future deaths.

Bill 30 fixes that failure. This bill re-establishes the former Domestic Violence Death Review Committee, sets it out in law, sets out the structure, the role and its purpose, and it provides clear authority for the secure collection, use, disclosure and digital storage of information. It includes strong privacy protections and it ensures multidisciplinary membership from victim services, from police, from prosecutors, medical experts, academics and from community organizations.

The committee does not interfere, of course, with criminal cases and it does not assign blame. It really is there to examine those systemic gaps where systems fail and how we, as a Province, can do better.

This bill is a meaningful step toward preventing gender-based and intimate partner violence deaths in Manitoba and I hope that there's support from all parties to re-establish this committee.

Thank you, honourable Chair.

The Chairperson: We thank the minister.

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

Mr. Wayne Balcaen (Brandon West): And it's curious that this minister calls this a key tool to preventing intimate partner violence.

* (21:10)

I'll be clear: our party supports strong legislation about safety, about intimate partner violence. We've seen it skyrocket under this NDP government in the last three years. Manitoba has the highest rate of intimate partner violence within Canada. So it's important to make sure we properly fund our police forces and make sure that we have adequate staffing to respond to these areas, something that we've seen is lacking.

When I talk about a key tool, and—surprising that the minister would use those words. I know he hasn't been in law enforcement or in justice and maybe he isn't aware of Supreme Court rulings, particularly *R. v. Jordan*, and in that ruling, trials can take up to two years when we're talking about serious offences. And homicides are certainly serious offences, and people dying at the hands of their partner are certainly serious offences.

So two years to get to a trial, and then the time it takes to go through trial, and then the time that it takes to appeal; some of these cases will be reviewed three and four years later. To me, that is not a key tool. We need something that will talk about what has hap-

pened and make progress in days or months, not four years or five years down the road.

So I agree that we need strong protection and I think it's very important to make sure that Manitoba continues with strong protection for individuals that suffer intimate partner violence. We can always do much better, and there's lots of room in this legislation to improve, to make it safer and to make it better for people that suffer at the hands of perpetrators and particularly at the hands of intimate partner violence.

Thank you.

The Chairperson: We thank the member.

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

Also, if there is agreement from the committee, the Chair will call 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*]

Clause 1—pass; clauses 2 through 5—pass; clause 6—pass; clauses 7 through 10—pass; clauses 11 through 13—pass; clauses 14 through 16—pass; clauses 17 through 21—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 31—The Highway Traffic Amendment Act (*Continued*)

The Chairperson: Okay, moving on to Bill 31.

Does the minister responsible for Bill 31 have an opening statement?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Thank you to the public, members of public, who came out to present on Bill 31, and in particular to Karen for your advocacy. It's inspirational and it's incredibly important to the process. I think I expressed to you when we met the other day how much value I put in the real-world experiences, you know, the heartbreak that your family has gone through and just the strength that you present in formulating legislation.

It's very, very important to us as legislators to hear directly from victims, and it's the part of my job that I consider very sacred and very important. And so I just want to thank you for allowing me to hear you out and to continue to work with you.

This is another step in the right direction when it comes to sending a clear message to all Manitobans

that you should never get behind the wheel of a vehicle if you are impaired and it sets out some pretty strong penalties and guidelines around that.

First and foremost, I want to highlight the important provision to introduce a zero per cent BAC requirement for drivers of class 1 to 4 commercial and emergency vehicles. You know, this is—these are the kind of vehicles that can do a lot of damage, obviously in terms of fatalities and injuries on our roads, but also the expectations we have for people who are driving these vehicles, that they are professionals and that they should be operating at the highest standards.

It's—we require it in so many other areas of our society. And for those who are driving these vehicles it's important to send that very clear message there's no ambiguity about it: it's zero—zero per cent alcohol. If you've had one drop of alcohol you're not to get behind the vehicle—behind the wheel of that vehicle that you operate. And so I think it sends an important message.

But, of course, there's other measures that are to—undertaken that continue to move the needle here in Manitoba as compared to other provinces, including increasing the licence suspension for drivers who are registering their first warn from three to seven days, and for a further four days when a child is in the car; extending that interlock—Ignition Interlock Program to drivers who receive the three-month roadside suspension, closing the loophole that was identified; and imposing a zero per cent BAC on all drivers who fail or refuse roadside screening or who are convicted of impaired—an impaired offence.

You know, this work continues. We are working with MADD Winnipeg, with MADD Canada, to ensure that we're listening to their expertise and their voices. We're listening to law enforcement; we're working with Manitoba Public Insurance; we've committed that we want to bring legislation forward in every legislative session and I think, Karen, you mentioned it's a non-partisan issue; I see it that way as well.

And so as we bring forward this legislation, I hope we pass it and we get to work on the next tranche so we continue to be leaders in the country and moving the needle. But at the end of the day, what is it about? It's about sending that clear message that we take it seriously as a government and to be able to talk on behalf of victims, to express how devastating impaired driving can be and is.

So I continue to be that advocate and ally in that work and I just want to thank you, Karen, for being

here tonight, for sticking around, for all the work that you've done and will—and you continue to do and to MADD, Mothers Against Drunk Driving. What an incredible organization and we just value their work so much. So thank you for—to the members of the committee for support of this bill.

The Chairperson: We thank the minister.

I'll also take this moment to just remind the minister not to engage folks in the gallery moving forward. Thank you.

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

Mr. Wayne Balcaen (Brandon West): Thank you for the opportunity to speak to Bill 31. I must say it's an important piece of legislation. Again, I have to say that there's always room to move these forward and to make more significant changes.

We heard from presenters today regarding facts that could be brought forward and amendments that could be brought forward that are very impactful, that could help save Manitobans' lives and I will continue to work with advocates and individuals who wish to bring these steps forward.

I've tried—I've tried ad nauseum to work with this minister on these points. I've tried to bring amendments forward to help strengthen this and each time they're turned down. So it's disheartening and discouraging when the minister has many times talked about being non-partisan and bringing things forward, yet when the same amendments are brought forward that he talks about today that are important, that the public have brought forward, are the same amendments that he's denied every time we've been at committee and talked about impaired driving laws.

* (21:20)

I spent many years—it's personal to me as well, going to fatal accidents and seeing the carnage from impaired driving, to see the hurt, talking to victims, telling them face to face that they've lost loved ones, that they're not coming home. And I think it's very important that we continue this work, that we continue making sure Manitoba roadways are the safest they can be.

And I think, without reservation, we should have the toughest anti-drinking and driving laws in the entire country. And I think it's important to scour other provinces and all of their legislation and make us No. 1 in the country. And I'll continue to do this, whether

it's working with the minister or being forced to bring legislation forward independently.

So thank you for the opportunity to speak to this bill.

The Chairperson: We thank the member.

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

Also, if there is agreement from the committee, the Chair will call 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; clauses 4 through 9—pass; clauses 10 and 11—pass; clauses 12 through 14—pass; clauses 15 through 18—pass; clause 19—pass; clause 20—pass; clause 21—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 9:22, what is the will of the committee?

Some Honourable Members: Committee rise.

The Chairperson: Committee will rise.

COMMITTEE ROSE AT: 9:22 p.m.

WRITTEN SUBMISSIONS

Re: Bill 2

About the Canadian Centre for Child Protection ("C3P")

C3P is a leader both within Canada and globally on the issue of reducing online child sexual exploitation. C3P operates Cybertip.ca—Canada's national tipline for reporting the online sexual exploitation of children.

C3P is the authorized agency to provide support to Manitobans under The Non-Consensual Distribution of Intimate Images Act (Manitoba) (the "Act"). It is the reporting entity designated to receive reports of child sexual abuse and exploitation material (referred to as "child pornography" in the legislation) under The Child and Family Services Act (Manitoba), and federally under section 2 of An Act respecting the mandatory reporting of internet child sexual abuse and exploitation material by persons who provide an internet service.

C3P's Position on Bill 2

C3P supports expanding and clarifying rights for individuals whose intimate images have been or may be shared without consent and believes this Bill is vital in addressing these harms.

We support the Bill's many positive elements which include:

- a. Adding "nearly nude" imagery.
- b. Recognizing threats to distribute an intimate image as a civil wrong.
- c. Directing courts to consider victim views on publication bans.

However, certain provisions require refinement to address concerns we raised during the consultation process. This submission outlines these provisions and our recommendations.

Recommendations

1. Interpretation: distribution of intimate images (s. 1(2) of the Act)

We continue to recommend repealing section 1(2) of the Act which requires distribution be to someone other than the person depicted in the image. Distributing the image to the person depicted is a coercive tactic, which may be seen as an implicit threat, or may be done to humiliate or silence the person. It is not clear that an implicit threat is covered by s. 5(2) of the Bill, so keeping s. 1(2) of the Act risks denying recourse to individuals who are sent their own intimate images.

2. Reasonable expectation of privacy for un-identifiable persons (s. 6 of the Bill)

Identifiability should not be a prerequisite for protection. However, stating conclusively that an unidentifiable person has a reasonable expectation of privacy may overreach. To address this, we recommend amending the wording to "may have a reasonable expectation of privacy". This change acknowledges the protective intent while allowing courts to assess the circumstances in each case.

This approach aligns with the intimate images legislation in PEI and New Brunswick. It is also consistent with the Uniform Law Conference of Canada's model NCDII act, which recommends adding "whether or not the individual is identifiable" as part of the definition of "intimate image".

3. Public Interest Defence (s. 7 of the Bill)

The proposed addition of s. 13(2) to the Act deems any distribution for the purposes of a law enforcement investigation or court proceeding as in the public interest. Without qualifying language, this exception risks misuse or overly broad interpretation that could allow harmful or malicious sharing under the guise of legal process.

Section 7(3) of PEI's legislation provides a helpful model, specifying that public interest includes circumstances where the image was distributed in good faith for law enforcement, legal proceedings, etc.

C3P recommends explicitly requiring good faith and lack of harm to ensure that the provision is narrowly tailored and considers the plaintiff's experience. For example, the words "where the distribution occurred in good faith and does not pose an undue risk of harm to the depicted individual..." could be added.

Regarding proposed section 13(2)(b), C3P is concerned that deeming all distribution of intimate images for the purposes of a court proceeding to be automatically "in the public interest" is overbroad. The current wording could be interpreted as granting blanket justification for litigants to circulate intimate image. We recommend removing the reference to "a court proceeding". We strongly believe the courts must retain the discretion to manage sensitive material appropriately.

4. Internet intermediary orders (s. 11 of the Bill, proposed s. 14(1) (b.2))

The proposed provision requires Internet intermediary or other person to, "make every reasonable effort to remove or de-index the intimate image" pursuant to a court order. C3P is concerned the word "or" creates ambiguity and is likely to weaken its effectiveness. For example, if an intermediary only de-indexes without removing the image, it remains accessible on the platform which leaves the victim without a full remedy. The legislation intends to minimize harm and prevent further distribution; allowing compliance with only one action (remove or de-index) does not achieve this goal.

C3P recommends amending the language to: "...make every reasonable effort to remove and de-index where applicable the intimate image..." This wording ensures complete removal, including any cached copies, and de-indexing where appropriate.

5. Definition of "Internet intermediary" and reference to "search engines" (section 8 of the Bill)

While the Bill's definition of Internet intermediary appears to include search engines, proposed language

in s. 8 directs defendants to have "the image de-indexed from any search engine", implying that search engines are not caught by the definition of "Internet intermediary". "Search engine" does not appear anywhere else in the Bill or the Act, and the use of the term creates ambiguity. Clarifying the relationship between these terms would ensure consistent interpretation and effective implementation.

6. Liability of Internet intermediaries limited (s. 11 of the Bill, proposed s. 15.1(1) of the Act)

We are deeply concerned that this provision is overly broad and vague and may allow platforms to avoid responsibility in circumstances that do not warrant it. The phrase "address unlawful distribution" could be interpreted broadly as implementing general policies or blocking future uploads of intimate images generally, rather than having to ensure the intimate image at issue is removed, de-indexed promptly and reuploads prevented. Numerous examples exist where tech companies have refused to remove content for a significant period even after having become aware of its nature. This can cause the individual depicted in the images direct and long-lasting harm. The proposed immunity provision appears excessively generous to platforms by pre-emptively foreclosing citizen's ability to pursue recovery from a platform.

We prefer this provision not be included at all, but if it is to remain, we recommend further consultation before finalizing the wording. A suggestion is to reword it to focus on addressing and preventing distribution of the intimate image at issue: "... if the Internet intermediary has taken reasonable steps to address the unlawful distribution of the intimate image".

Conclusion

Many of Bill 2's proposed amendments are crucial to protect individuals from nonconsensual distribution of intimate images. However, we urge Manitoba to consider the above recommendations and welcome the opportunity to discuss them further, if desired. Thank you.

Monique St. Germain
Canadian Centre for Child Protection Inc.

Re: Bill 4

To the Honourable Members of the Legislative Assembly of Manitoba:

Rainbow Resource Centre is grateful for the introduction of Bill 4, which takes meaningful steps toward reinforcing civil liberties and affirming

Charter-protected rights in Manitoba. We strongly support the bill's intent to uphold constitutional freedoms and ensure that the Canadian Charter of Rights and Freedoms remains a stable safeguard for all Manitobans, particularly 2SLGBTQ+ communities and other historically marginalized groups.

However, we respectfully urge this Legislature to consider strengthening the bill further by introducing additional, explicit limits on the provincial use of the Notwithstanding Clause. Recent events in Alberta demonstrate how quickly and profoundly the clause can be used in ways that undermine rights, target vulnerable communities, and circumvent judicial oversight.

Governments in Quebec, Ontario, Saskatchewan, and Alberta have increasingly relied on the Notwithstanding Clause to shield legislation from constitutional challenge. Overall, the notwithstanding clause has been used or threatened to be used by political leaders 21 times over the past seven years. For example:

- In October 2025, Alberta invoked the clause to pass Bill 2, the Back to School Act, forcing teachers back to work, imposing a four-year contract, and overriding collective bargaining rights—an action the Alberta Teachers' Association called "a reckless and historic abuse of power."
- Alberta has also used the clause to protect a trio of laws affecting transgender youth, including restrictions on gender-affirming health care, limits on participation in school sports, and barriers for students seeking to update names or pronouns. These laws have been widely criticized by human rights advocates and are currently facing constitutional challenges.

These examples illustrate the real-world consequences of a provincial government invoking the Notwithstanding Clause without robust procedural safeguards. They demonstrate how quickly essential protections, particularly those affecting 2SLGBTQ+ people and other vulnerable communities, can be overridden.

While Manitoba has not taken such steps, the best time to protect rights is before they are threatened. In addition to the proposed amendments requiring any use of the clause being referred to the Court of Appeals, we recommend further strengthening of Bill 4 by incorporating some or all of the following:

1. Requirement for use of the Notwithstanding clause to also require a constitutional amendment under section 43 of the 1982 Constitution Act.

2. Enhanced legislative thresholds, such as a supermajority vote, for passage of legislation invoking the clause.

3. A requirement for broad, multi-stage public consultation prior to any use of the Notwithstanding Clause.

4. Explicit prohibitions on using the clause in areas that disproportionately affect marginalized communities, including 2SLGBTQ+ Manitobans.

5. Regular sunset reviews shorter than the maximum five-year period—ensuring ongoing democratic accountability.

These measures would ensure that Manitoba remains a leader in rights protection and does not follow the troubling path recently taken in Alberta and other provinces, where the clause has been used to bypass judicial scrutiny and pass legislation that significantly affects teachers, workers, transgender youth, and other vulnerable groups.

Rainbow Resource Centre urges the Manitoba Legislature to seize this opportunity to strengthen Bill 4 and ensure that the Notwithstanding Clause cannot be used as a blunt instrument to override the rights of Manitobans. A democracy is strongest when its protections hold firm, even in moments of political pressure. We believe Manitobans deserve no less.

Thank you for your consideration, and for your continued commitment to safeguarding the rights and freedoms of all people in Manitoba.

Chris Turyk,
Director of Collaborations & Systems Change
Rainbow Resource Centre

Re: Bill 4

As the committee is no doubt aware, the rise of populism and the threat that this presents to the rule of law is more present than it has been since the implementation of the Charter of Rights and Freedoms in 1982.

Section 33 of the Charter, also known as the notwithstanding clause, allows for the government of the day to avoid judicial review of legislation or action that cannot pass judicial scrutiny. Section 1 of the Charter would normally allow government to infringe upon Charter protected rights so long as it can

demonstrate that it is doing so for a pressing and substantial objective, that the law or policy is rationally connected to this objective, and that the law or policy is minimally impairing of the Charter right that it might infringe upon. The government must also be able to demonstrate that the beneficial effect of the law or policy are not outweighed by its negative effect on the Charter right in question—that is, it must be proportional. Section 33 allows a government to circumvent judicial analysis of government actions or legislation.

When the Charter was originally drafted and negotiated, no doubt Section 33 was negotiated in to maintain supremacy of our legislative branches. There may be circumstances when it is necessary for the government to infringe upon our rights for purposes that our elected representatives deem appropriate. But this is something that should not be done lightly. It was envisioned that there would be a political cost to using the notwithstanding clause, and indeed in our history the notwithstanding clause has only been used a handful of times (primarily in Quebec through blanket application in the early days).

Since 2020, we have seen the rise of populism all around the world and particularly in North America. We have had federal leaders and some provincial governments more recently suggest the use of the notwithstanding clause to make wholesale changes to laws they don't like or to resolve dispute with labor. Much of this is pandering, but it is dangerous. What a future government might do should be of concern to this government today.

While we do not expect the current Government of Manitoba to engage in the wholesale suspension of our Charter rights, we should be very concerned about what a future government might do. This bill, forcing a reference to the court prior to the invocation of s. 33 is a step in the right direction. The issue is that it is only a bill and is therefore subject to the same limitation that any bill is subject to—it can be repealed by a future government by simple majority.

We submit something more is needed within the bill.

Section 43 of The Constitution Act 1982 allows for a Province to seek an amendment as far as the Constitution applies to it. Seeking Parliament's assistance in binding a future legislature is possible under this section. Making bill 4 a constitutional change would require a two thirds vote to repeal it. Such a change would make sure that whatever end the

legislature was attempting to achieve was assuredly one which was pressing and substantial.

Thank you,

Christopher G. Gamby
Director of Communications
Criminal Defense Lawyer's Association of Manitoba

Re: Bill 4

Good evening,

Thank you for the opportunity to speak on this important bill.

My name is Marianne Hladun, Regional Executive Vice-President for the Prairies with the Public Service Alliance of Canada (PSAC). PSAC is one of the largest unions in Canada and the largest federal public service workers' union, with a total membership of approximately 245,000 members, of which I have the honour and privilege of representing close to 30,000 in the prairies.

With members across three provinces, I have a unique vantage point when it comes to following and responding to issues that affect workers and communities throughout the region. In light of the introduction of Bill 4, The Constitutional Questions Amendment Act, and my recent experiences with the Alberta government's decision to invoke the notwithstanding clause in ways that threatened the Charter rights of teachers and trans children, as well as, Saskatchewan's recent use of the same provision to override the rights of trans children. I would be remiss not to also mention the Ontario government's now-repealed use of the clause in 2022 to restrict education workers from striking. For all these reasons and more, I felt it was important to speak to this legislation.

While this bill does not prevent a government from invoking the notwithstanding clause, it does something important, it strengthens transparency and accountability when that extraordinary power is used.

Bill 4 would require that when the notwithstanding clause is invoked, the matter be referred to the Court of Appeal so the court can provide an opinion on whether the legislation violates Charter rights and, if so, whether those violations could be considered reasonable and demonstrably justified. It also establishes a clear timeline for that review.

This may sound procedural, but its impact is meaningful.

The notwithstanding clause allows governments to override certain Charter protections for a period of five years. Because this power is significant, its use should be accompanied by the highest levels of transparency and scrutiny. Manitobans deserve to know when their rights may be limited and to have access to independent legal analysis about the implications of those decisions.

Charter rights exist not only as legal principles, but as commitments that define the kind of society we want to be. When governments use extraordinary powers such as the notwithstanding clause, it is essential that those decisions are subject to open scrutiny. Independent judicial review helps ensure that the public understands both the legal implications and the broader impact of such decisions.

We are living in a time when democratic institutions and norms are increasingly being tested. Around the world, and here in Canada, we are seeing governments willing to push the limits of Charter protections for political purposes. In that context, safeguards that

strengthen transparency, judicial oversight, and public understanding become even more important.

The rights that many communities rely on today were not easily won. They were achieved through decades of advocacy, organizing, and legal struggle. Workers' rights are part of that history as well. As the labour movement often says, an injury to one is an injury to all. When rights are weakened for one group, the protections for everyone become more fragile.

Bill 4 is not a perfect solution, and it does not prevent the use of the notwithstanding clause. But it does establish an important safeguard.

In a healthy democracy, governments must remain accountable to the people they serve. Measures that reinforce transparency, accountability, and informed public debate strengthen our democratic institutions.

Thank you again for introducing this legislation and for the opportunity to speak today.

Marianne Hladun
Regional Executive Vice-President
Public Service Alliance of Canada–Prairies

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>