



Third Session – Forty-Third Legislature  
of the  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Public Accounts**

*Chairperson  
Mr. Kelvin Goertzen  
Constituency of Steinbach*



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

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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON PUBLIC ACCOUNTS**

**Tuesday, January 13, 2026**

**TIME – 1 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Kelvin Goertzen (Steinbach)**

**VICE-CHAIRPERSON – MLA Jim Maloway (Elmwood)**

**ATTENDANCE – 8 QUORUM – 6**

*Members of the committee present:*

*Mr. Brar, MLAs Compton, Dela Cruz, Messrs. Ewasko, Goertzen, MLAs Maloway, Pankratz, Mrs. Stone*

*Substitutions:*

*MLA Pankratz for MLA Chen*

**APPEARING:**

*Tyson Shtykalo, Auditor General*

**WITNESSES:**

*Jeremy Akerstream, Deputy Minister of Justice and Deputy Attorney General*

*Charlotte Price, Assistant Deputy Minister, Courts Division*

**MATTERS UNDER CONSIDERATION:**

*Auditor General's Report – Efficiency of Court Services for the Provincial Court of Manitoba, dated July 2023*

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**The Chairperson:** Good afternoon. Will the Standing Committee on Public Accounts please come to order.

**Committee Substitution**

**The Chairperson:** Before we begin with our business today, I would like to inform the committee that we have received the following membership substitution for this meeting only: MLA Pankratz for MLA Chen.

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**The Chairperson:** This meeting has been called to consider the following report: the Auditor General's Report—Efficiency of Court Services for the Provincial Court of Manitoba, dated July 2023.

I am open to entertaining suggestions for—from the committee how long it should sit this afternoon.

**MLA Jim Maloway (Elmwood):** I would recommend we sit for an hour and then revisit.

**The Chairperson:** Mr. Maloway has recommended the committee sit for one hour and then revisit at that time.

Is that agreed? *[Agreed]*

At this time, I will—I'll also ask the committee if there is leave for all witnesses in attendance to speak and answer questions as on the record if desired.

Is that agreed? *[Agreed]*

Leave has been granted.

I'd also like to remind everyone that questions and comments must be put through the Chair using third-person vernacular as opposed to directly to members and witnesses.

Before we proceed, I'd like to inform all in attendance of the process that is undertaken with regard to outstanding questions. At the end of every meeting, the research clerk reviews the Hansard for any outstanding questions and the witness commits to provide an answer to and will draft a questions-pending-response document to send to the deputy minister or other witnesses. Upon receipt of the answers to those questions, the research clerk then forwards the responses to every PAC member and to every other member recorded as attending that meeting.

Does the Auditor General wish to make an opening statement?

**Mr. Tyson Shtykalo (Auditor General):** First, I'd like to introduce the staff members I have with me today. I'm joined today by assistant auditor general Wade Bo-Maguire, audit principal Marcia Vogt and audit manager Graham Hickman.

Mr. Chair, collaboration between the judicial and executive branches is essential for maintaining the principles of democracy, upholding the rule of law and ensuring effective governance. While a good working relationship between these two branches is

important, it must be supported by strong policies, agreements and practices.

This audit examined whether Manitoba Justice manages the delivery of court services for the Provincial Court efficiently. We undertook this work because case backlogs and lengthy delays in the court–Provincial Court of Manitoba have long been a concern. These delays impact access to justice, can cause revictimization and risk diminishing public confidence in the fairness of the justice system.

Mr. Chair, we concluded that the department does not manage the delivery of court services for the Provincial Court efficiently. We identified four key areas where improvements were needed.

First, the administrative structure between the department and the Provincial Court poses restrictions. While judicial independence exists, we found roles and responsibilities related to scheduling were not consistently followed.

There was a need for the Provincial Court and department to review existing administrative structure and determine where increased autonomy could be extended to the Provincial Court.

Second, technology did not support the efficient operations. We found court operations still relied on outdated paper-based systems, the integrated case management project was under way but progressing slowly and there was no overarching IT strategy to guide modernization.

Third, resourcing did not support efficient operations. We found considerable staff shortages in departmental positions that supported the Provincial Court. These shortages impact courtroom operations and contribute to delays.

And finally, risks are amplified in northern Manitoba. We found that limited Internet connectivity and staff shortages made it harder for people in remote communities to access justice.

Initiatives to reduce the court backlog were under way, but there was no formal plan to address delays.

This report includes seven recommendations aimed at improving efficiencies and reducing delays. We will release our follow-up report on these recommendations later this year.

I'd like to thank the many department officials, staff and other parties we met with during our audit for their co-operation and assistance. I would also like to thank my audit team for their diligence and

professionalism in completing this report. I look forward to the discussion today.

**The Chairperson:** I thank the Auditor General on behalf of the committee, and we thank your team, as well, for your work on this report and other reports.

Does the Deputy Minister of Justice wish to make an opening statement? And if he does, could you please introduce your staff that you have with you as well?

**Mr. Jeremy Akerstream (Deputy Minister of Justice and Deputy Attorney General):** I would like to take the opportunity to make an opening statement. Prior to doing so, in accordance with custom, Mr. Chair, I'd like to introduce Charlotte Price, who's the assistant deputy minister of Courts, who will be with me today. Charlotte has just begun in this role in the last—

**Floor Comment:** Nine months.

**Mr. Akerstream:** —nine months. And so we're happy to have her here today.

Unless there's any questions or concerns, Mr. Chair, I'd like to have the opportunity to make a brief opening statement.

Thank you.

Thank you, and thank the members of the committee. I appreciate the opportunity to appear before you today to provide an update on the Department of Justice's efforts and actions to implement the recommendations following the review of the efficiency of court services for the Provincial Court of Manitoba.

Our purpose today is to clarify and outline the steps we have taken to address the recommendations in the report on efficiency of court services for the Provincial Court of Manitoba. Please note that the audit period examined between January 1, 2016, and March 31, 2022. This period included unprecedented global COVID-19 pandemic, which had a significant impact on the Provincial Court of Manitoba.

The department's Courts Division is unique in that it works at the crossroads of the three arms of government: executive, legislative and judicial. The proper functioning of the justice system requires close collaboration with the judiciary while respecting their independence from the legislative and executive arms. This relationship is governed in part by a memorandum of understanding mutually agreed between the executive and the three levels of Manitoba courts,

which compensates—which contemplates regular dialogue.

The department remains open to constructive engagement with the Provincial Court judiciary to ensure their independence and to improve the administration of justice. The Auditor General identified areas for improvement with seven recommendations. We take these observations seriously, and many of which are already under way at the time of this review and align with current departmental priorities.

\* (13:10)

Through extensive collaboration with the judiciary and stakeholders, the department continues to work to address the timelines of the justice system. Today, I will be updating the committee on the Auditor General's recommendations directed to the department and how the department has taken steps to implement the recommendations. If I might, very briefly, Mr. Chair.

Recommendation 1: The department continues to collaborate with the Provincial Court to address structural change. An assessment will be undertaken of the current structure in conjunction with the judiciary to meet the required needs.

Recommendation 2: The department continues to engage with the Provincial Court to address any concerns related to court scheduling. The review of this process is ongoing. As we work towards solutions through our Integrated Case Management project—I will often refer to that as the ICMS, just for the members of the committee this afternoon—but it's an important part of our technological structure moving forward.

Recommendation 3: The government of Manitoba has established a performance measurement framework consisting of the Supplement to the Estimates of Expenditure and the annual reports for planning and analysis to support monitoring and results, as well as operational improvement. The department will continue to refine performance measures to provide the best information to the public on justice systems and processes.

Recommendations 4 and 5, Mr. Chair, involve technology and advancements to modernize the justice system. A detailed project management schedule is in place for the Integrated Case Management project, which is overseen by a digital and technology solutions project manager. Courts Division has a dedicated ICM project lead who is supported by an

executive director and a director of the ICM operations.

The DTS project manager and Courts Division team leads reports to project sponsors on a biweekly basis. This includes updates on project schedule and budget. The project team is continuing work on the multi-year initiative, focusing on achieving phase 1, which will go live, my understanding is, January 26 of this year. And progress, of course, remains in place on phases 2 and 3.

A Justice technology committee has been struck to develop a strategy to support current and future information systems and technology-related capital infrastructure needs. The committee takes into account the needs of the Provincial Court. Digital technology solutions within the Department of Innovation and New Technology is now working directly with the department and judiciary on specific technology needs.

Recommendation 6 is under way to implement a strategy to ensure resources are in place to deliver court services efficiently throughout Manitoba. Courts Division is working with the Public Service Commission on a strategy to address staff shortages. As part of our commitment to attracting and retaining top talent, there was a special 2 per cent wage increase for key front-line positions, recognizing their critical importance to our organization. The department will continue to consult with the Provincial Court to ascertain its needs and fill necessary positions to support the court, including involving them in the hiring process for key support roles.

I'm also happy to report that the department has created an Indigenous Services Branch to provide central community support service in areas of Indigenous recruitment, training and mentorship of staff for development.

This unit, in partnership with Indigenous communities, lists jobs postings on Indigenous websites and job portals, and will prioritize working with Courts Division. Additionally, Courts Division is in—is also working with the Public Service Commission to utilize their Indigenous initiative for recruitment.

Lastly, recommendation 7 recommends that the department continue to work with the judiciary and justice system stakeholders to develop strategies to reduce delays and improve access to justice overall while respecting each other's roles. The department's quality management and research unit has completed a circuit court review. A review of the circuit

court dashboard and a summary of the report have been shared with the judiciary to help inform decision making related to scheduling and circuit court locations.

The unit has also completed a review of the Provincial Offences Court, and its recommendations are currently under review. The recommendations will support the court in finding efficiencies to improve processes and services.

The department has made significant effort to address the recommendations of this report and is committed to continuous improvement, ensuring resources are in place to support the efficient operations and modernizing systems to enhance access to justice and improve outcomes. We remain committed to continuous improvement, modernizing systems and ensuring resources are in place to support the efficient operations and enhance access to justice for all Manitobans. Next steps include completing the structural assessment, advancing the ICM project phases and implementing recommendations from recent reviews.

The Department of Justice is dedicated to strengthening our processes and delivering the highest standard of service for Manitobans. I welcome your questions and feedback and look forward to further collaboration.

**The Chairperson:** I thank the deputy for that statement and for your important work in this sphere of government.

The floor is now open for questions for the deputy or the auditor.

**MLA Jelynn Dela Cruz (Radisson):** Hi. Thank you for being with us this afternoon, folks, and for your work implementing the recommendations of the AG's office.

I'm wondering if you can update the committee on the current backlog statistics compared to the time of the report.

**Mr. Akerstream:** Thank you for the question as well. So I'm happy to report that there has been an overall reduction in backlog. At the time of COVID, near the time that this report was completed, sadly we had backlog percentages that neared 25 per cent in northern Manitoba and close to 20 per cent in the Winnipeg and southern Manitoba areas.

Those numbers have all been reduced. I don't have the most specific numbers right now. We're just about to find those out, but they—we've been reduced

by more than half, and in fact, in southern Manitoba, been reduced to close to zero.

I'm also happy to report, as it relates to delay, Mr. Chair, that in fact, Manitoba had only one stay as a consequence of a Jordan application. A Jordan, of course, refers to the issue of delay that was set down by the Supreme Court, which is 18 months for a provincial court setting and 30 months for the upper courts. Only one matter in the last 12 months has been stayed as a consequence by the courts of that, which compares quite favourably when we consider that across Canada, some 10,000 stays have been issued under Jordan. So we have made considerable efforts to be able to reduce.

I will say, for the committee and for the sake of fairness, that we continue to see some backlog in northern Manitoba. In part, we've gone through, I think, for the most part, the COVID delay, but in part because of wildfires and court closures as a consequence of natural disasters.

**The Chairperson:** Follow-up, MLA Dela Cruz?

**MLA Dela Cruz:** I would ask the department, as well, if they could maybe shed some light on the work that they've been doing to formalize a more comprehensive memorandum of understanding between the department and the courts that would allow the efficiencies anticipated by the Auditor General.

**Mr. Akerstream:** Yes, I'm joined, as well, by Assistant Deputy Minister Price, who was put in the unenviable position of coming in shortly after the time that this was published, which makes it more difficult for me to just blame her for the problems. But needless to say, it is an ongoing conversation, Mr. Chair.

I can tell you that we have had continuous meetings with the courts, both individually with each level of court, as well as with all three levels of courts together. There has been a conversation with respect to renewing the memorandum of understanding.

However, just before I go too far into that, I'd just like to turn everyone's attention, if they wish, to page 14 of the report. And in that, and I'll just quote from that report if I could. It's the fourth paragraph down in that page: "We were told that the relationship in Manitoba between the Department and the Provincial Court was well-established and functioning effectively. And the Department was aware of and responsive to the needs of the Provincial Court."

So I'll just use that quote as an indicator that our starting point is one where we have a clearly

well-functioning relationship. I want to point out that we take very seriously the recommendation made by the Auditor General, and these are complicated matters.

And I want to point out two very important pieces: No. 1 is we are committed to not only respecting judicial independence, but doing so in a manner that is reflective of the needs and the growing changes that we see in the Manitoba—in Manitoba's court process, including the commitment to access to justice. The only way that we feel that we can do that is working in a collaborative manner with the courts, and that's something I think we've established and been able to do.

I think that we have seen, and there's no question that there were times when there was a bit of a lack of communication; we recognize that fact. Through ADM Price's leadership, we have seen an increase in communication, an increase in decision making that's done jointly and collaboratively. And there's also been the addition of a position which is—what's Elissa's position title?—*[interjection]*—executive legal officer that serves all three branches of courts that we work with on a regular basis.

The MOU is something that is under an ongoing review, and of course we are continuing to work together with respect to that. However, I will say that that's a secondary priority. The first that we're working on—and I should say that this is with the consent of the courts and in conjunction with the courts—is looking towards a reorganization of the department to be able to better establish administrative support for the courts.

**The Chairperson:** I thank the deputy for that response.

Just for clarification on MLA Dela Cruz's first question, she asked a question regarding the court backlog times, and I think you'd indicated, Deputy, that they were improved. And did you make a commitment to provide those statistics to the committee today, or provided as a question taken under advisement? *[interjection]*

Deputy Minister.

\* (13:20)

**Mr. Akerstream:** I apologize. I apologize for my breach of procedure. I hope that won't lead me to be held in contempt of this House.

Well, I'm endeavouring to try to have that answer provided to us this afternoon. We're in real time trying

to provide that information. We do have those statistics. If not, we can certainly provide it at a later point.

**The Chairperson:** Thank you for that. And we're both learning procedures in our roles, so don't feel the need to apologize.

Other questions from committee members?

**MLA Carla Compton (Tuxedo):** Now, first and foremost, I'll acknowledge the justice system and legal system are not my area of expertise, but one of the things I found very interesting was around the case management and, for lack—the release side of things, that I just had a couple—maybe a question or two around, because actually it felt very similar. It feels like there's some overlaps with health care that really kind of jumped out to me.

So I'm really curious in the improvements of communication with stakeholders and other community groups and organizations around the supports while folks are in facilities, if that's the right term, to then preparing them for when they're discharged—released—and the probation side of things.

Because one of the things that was flagged was lack of supports or—I can't remember the term, what's—their case—their release-care—sorry. I'm using health-care language, but, you know, they said, like, when they were first brought into the system, they're already starting to think when this person is released on probation, one of the things that was talked about, they say their plan would be addictions treatment, maybe mental health, maybe certain things. But there isn't really a plan in place, like that wrap-around support of, well, who is helping this person with their addictions treatment; is this person actually on board with that treatment, right?

So around that preparation for success in that probationary period and to be successfully back into regular life, what progress has been made in that process or in that policy or procedure that supports folks that are in the system, and acknowledging that there's very strong components of trauma, generational trauma, systemic racism, right?

We know there's an overpopulation of Indigenous folks, and I was really interested to even learn a little bit more about the Indigenous branch that you've lifted up. But how are we truly supporting people to be successful? Not just process them through the system faster, but that—part of addressing that backlog is that we don't have people reoffending and ending up continually in that cycle.

So I hope maybe I'm kind of clear in my question.

**The Chairperson:** It's an excellent question, MLA Compton. I know this afternoon, later this afternoon, we'll also be dealing with issues around reintegration and recidivism, and at that point, the deputy might have other staff here as well, so he may wish to defer that question. An excellent question, but may wish to defer 'til that staff is available.

**Mr. Akerstrom:** In fact, I would like that; to be able to hold that question, because I do think it's an excellent question, one that's related more so to the report that we'll have Todd Clarke, our assistant deputy minister of corrections, here shortly.

However, I would like to address part of that question because I think you've—we've touched on a very important part of the work that's being done in courts. And so I thank you for that question, both in terms of the spirit and the importance of it as we recognize it, as well, but also because I think it's properly addressed, Mr. Chair, with your respect, both here and in the following proceedings.

So Manitoba is very fortunate to be able to work in a very collaborative way with our provincial court system. And we have a number of specialized courts in Manitoba that address some of the needs. So when we have an individual coming into custody—and we'll address this more so later—we talked about some of the assessments and the intake, and look forward to addressing that part of the question momentarily.

In terms of release plans, one of the things that we're very fortunate in Manitoba to have is a number of what we call helping courts. And that's the term that we use across Canada, or North America, Mr. Chair. And, of course, with the helping courts, the focus is on being able to deal with offenders in a very different way.

So I'll give you three examples of our helping courts in Manitoba. We have the drug treatment court, which I'm happy to say that we have both in Winnipeg as well as in Brandon, the Westman drug treatment court. We have the mental health court. And we have the FASD court, which is a unique court of its kind in Canada.

And the reason that I want to address that question here, Mr. Chair, is because we have to understand that the process does affect the ultimate issue with respect to release. Where these courts become beneficial is they focus on the unique needs of individuals and offenders: so, for example, an individual that is offending primarily because of their

FASD, their diminished mental capacity; an individual that's offending because of their mental psychosis, for example, in mental health court, where they're not at a point where they're not criminally responsible, but it's clear that with long-term care and treatment, they wouldn't be part of the criminal justice system. And I'm happy to stay—and I personally can say to the Chair that I've been part of this in my previous incarnation as a federal prosecutor.

Since 2007, Winnipeg has been one of the first drug treatment courts in Canada. And in the most recent survey from 2021—which would have happened during this material time—between 2015 and 2021, the recidivism rate was zero per cent for graduates of the Winnipeg Drug Treatment Court—an incredibly effective number.

And the reason I want to point that out is because, when you look at research internationally with respect to recidivism and addictions more specifically, you can say that, for example, the recidivism rate in some institutional settings is 67 per cent. There's a study in California—from the University of California—that talks about, with addicts, the recidivism rate can be as high as 90 per cent.

So I'm happy to be able to share those numbers with you because the progress that we've made with respect to these types of helping courts and this focus on specialized individuals and treating those individuals in a different way in our court process absolutely helps not only the recidivism rate but helps to keep our community safer, not only with respect to the law and order side of it, but creating healthier communities, to your question.

So I should say, as well, that we are working right now with respect to the implementation of community courts, and all of these courts, Mr. Chair, are focused on the idea that we are going to address recidivism, that we're going to address risk in our community and that we're going to have better outcomes for individuals with specialized needs.

The reason I want to pull it back to the Provincial Court process is because we are working in partnership with the provincial courts. In fact, each of those courts has a steering committee that consists of prosecutions, court staff, the administrative staff and judges. And it's a great example of how we collaborate together to be able to find innovative solutions that serve the needs of Manitobans.

The other piece I want to talk about—and if I could, with the Chair's respect, I'll defer part of that

answer to our next sitting—but the reason that these courts become so important is because they focus on longitudinal concerns. So, in other words, we're putting people in place with probation services.

So I'll give you the example that I can relate most directly to, which is drug treatment court. That's often a 12-to-18-month process. Individuals are sober, they're often back in school or employed by the time they graduate and they're looking towards building a more positive future. We then pair them with probation officers that are familiar with the program. This is also true in FASD court, where obviously the outcomes are going to be somewhat different, tailored to the individual needs.

But, Mr. Chair, they are—the focus is on longitudinal success, so in other words, long-term success. And rather than just dealing with an individual, dealing with their day in court and moving on to the next individual, these are long-term commitments to being able to the—ensure that those individuals have support in the community through partnership with not only other government departments but not-for-profit agencies and other non-government entities, employment and end—education opportunities.

And in those types of cases where we've been able to successfully collaborate with the courts, we've seen some very successful results, and I'm happy to say that our Provincial Court of Manitoba continues to be a strong partner with us in those courts and others that are focused on better outcomes for Manitobans.

So I thank you for the question. Thank you, Mr. Chair.

**The Chairperson:** Thank the deputy for the question, and there may be further information you want to relate from the incarceration perspective in the next report.

Follow-up, MLA Compton?

**MLA Compton:** Yes, and apologies for my own mixing up of similar, related but separate meetings here.

Would you be able to—would the deputy minister be able to speak more to the Indigenous branch, and 'particularlary'—particularly around the relationship-building happening. Because, again, I'm thinking about system policy and we know the significance and importance of consultation with in the changing and evolving of these policies. So I'm curious how that relationship-building is going and if there's already

some fruitful results of policies that feel productive, helpful, less harmful in that vein.

**Mr. Akerstream:** Thank you for the question.

I really welcome that question. I want to start off by prefacing my comments simply to say this. Reconciliation is a pillar of Manitoba Justice. As you've seen in some of these reports, though our population is 18 per cent—I think it's in the other report that you're referencing—our incarcerated population is approximately 80 per cent, and the number of individuals who are participants in the justice system is probably similar to that.

\* (13:30)

Right now in Justice, I believe we're at approximately—is it 10 per cent overall staffing for Indigenous? *[interjection]* I believe it's about 10 per cent overall staffing of Indigenous population in the justice system. We think we need to do better.

And let me say this—and I'll address this simultaneously if I might—not just with respect to Indigenous populations, but other overrepresented groups in our justice system. So, the Indigenous Services Branch has been started in the past, I believe it's 18 months now. I'm having difficulty with dates, Mr. Chair. I'm sorry; getting to that age.

I'm happy to say that we were very successful having Mike Pierre. Many of you will know him; he's a long-time civil servant. He actually was part of our correction to Indigenous spiritual providers. He was the director of that program, and we're happy to have him in the role now as executive director in the Indigenous Services Branch. He is an incredibly gifted individual and a deeply spiritual man and one who often leads sweats for community members and for our civil servants, and we're very, very privileged to have him in our staff, and I consider him a friend as well.

So that branch is a small branch right now, but we're working very closely with the public safety—sorry—public safety; we're working closely with public safety, too, but the Public Service Commission and we are focused with that branch on the idea of recruitment and retention of Indigenous employees.

So there's a number of initiatives that are happening, but really starting at the community level and the grassroots level: working with groups, working with community, hearing the needs of community.

As one can imagine, there are a number of stigmas to working in Justice. There are a number of stigmas

within community to working with Manitoba Justice, or the government generally. And so we find that having a branch that is made up of Indigenous people who can make—who can relate, who can share their stories, who can overcome those bridges and obstacles—we're very optimistic that that's one that's going to be well received in community and well received with respect to the 'eventuring' hiring practice.

Now, because we're such a big department, over 3,000 employees, it's going to take us time to get to those numbers. But we think that the practices and procedures of that group are going to continue to bear fruit. We've already seen it in terms of more applications for individuals. We're working with respect to how to hire individuals on First Nations, especially in larger communities, to provide better services, especially in northern Manitoba.

One can imagine, for example, the use of communities like OCN, Pimicikamak or Norway House as being centres for justice excellence and for being able to provide support and employment. And of course we're also implementing, in addition, I've talked about the spiritual care practice at—on our prisons. We also have our Indigenous court workers, our court workers program.

And so these are all examples of how we're creating more visibility for Indigenous practitioners, Indigenous individuals within the justice system and, more importantly, at least from our perspective, focusing on that front line.

Now, we do have a focus, as well, on the executive branch. We want to create Indigenous leaders; we want to continue to raise people up. But the focus right now is actually on front-line workers. So we're looking at things like Indigenous service providers, jail guards, looking at sheriffs, for example. We've made a significant push on sheriffs, Indigenous court workers and others.

So all of these are certainly works in project, but we have seen good response from community. To your question, more specifically, this is not a situation where we are dictating a policy. We are listening, we're consulting, we're working with community.

I want to tell you—and if I could, I'm just going to step back for a moment, because I think it is important and relevant, Mr. Chair, if I could, to this conversation. In April of 2021, we started in Justice what we call the Justice steering committees. And there's two

of them. There's a Métis Justice steering committee, and there's a First Nation Justice steering committee. These were started in response to a very difficult and tragic situation and, under the minister at the time, we began to form relationships with leadership groups.

For example, right now, on the First Nation—and I'll just focus on the First Nation, because I think the Métis Committee speaks for itself—but on the First Nation steering committee, we have the Assembly of Manitoba Chiefs, Southern Chiefs Organization and Manitoba Keewatinowi Okimakanak.

Through the work that we've done in the past four years—and this, I think, more directly relates to your issue—we have worked in partnership to develop an Indigenous Justice strategy, which has yet to be published because we are working with community to ensure that individuals are comfortable with it. But we've also made a number of strides with respect to both legislation and internal policy.

Let me be clear: when we talk about backlog, one of the things that we can overlook, technology is unquestionably an important part of that, and that's why we've pivoted to the ICMS strategy. But the other piece that we think is crucial to that is what we call community justice. We often talk about it as being restorative justice, and Manitoba is one of the few—like, I think it's the only jurisdiction that has legislation on restorative justice.

But we are pivoting to community justice, and we feel that communities have to have a much more vocal role. And we are working with individual communities, specifically OCN and St. Theresa Point at this point—at this time—but other communities, as well, to implement community justice action strategies and plans.

And so there's a number of initiatives, and I won't get into details because they go outside of courts, but when you look at First Nation safety officers, when you look at the expansion of First Nation policing, when you look at some other pieces. A very good example, though, of how it implicates courts is the law that was passed which allows band bylaws to be recognized under The Summary Convictions Act, and that's the first of its kind in Canada. And I can tell you that, to your question, the answer isn't so much that we did it in consultation, we did it at the behest of, and in partnership with the—with, our First Nations partners.

And so I'm happy to say that we've had the opportunity, I've had the opportunity myself, along

with another assistant deputy minister, to speak twice at the Assembly of First Nations conferences nationally to talk about the work that we're doing because of our commitment to reconciliation and not—and though we talk about it in terms of partner—in terms of consultation that's clearly met, we actually talk about it in terms of partnership and being able to work for it because we think that's just a pillar to being able to be successful in Manitoba's justice system.

Thank you, Mr. Chair.

**The Chairperson:** Thank you, Deputy.

**Mr. Diljeet Brar (Burrows):** My question is regarding staffing shortages, and this report highlights that staffing shortages is a big problem and the department is aware about that, and they suggest a strategy to address this staffing issue.

I want to understand this issue in detail. When I say detail, like what kind of vacancies are there? Is it highly professional or it's supporting staff? We have percentages here, 8 per cent in Minnedosa and 41 per cent in The Pas. So is it 20 vacant out of 50 or it's two vacant out of five?

And what are the barriers and issues and problems the department is facing to fill these vacancies? Is it a training issue? Is it a recruitment issue? Is it a retention issue? And what kind of strategy the department is working on, as mentioned that the department is working with the Public Service Commission to develop a strategy. So what kind of strategy is being developed and what's the progress so far?

**The Chairperson:** Thank you, MLA Brar; a number of questions contained within that question.

**Mr. Akerstream:** Thank you for the question. An important question, needless to say. The delivery of justice is obviously predicated on being able to provide staffing and provide the support necessary.

Through the past two years, we've actually seen a significant decline in our overall rates. Just—if you'd like me to, I can perhaps read into the record and provide information to the committee if you see fit, Mr. Chair. But I'll give you just an example that I think will address the member's—the honourable member's question.

So, for example, in The Pas—and I'll just—I'll focus here just on court staff—there are a total of nine positions in The Pas. At this time, two are vacant, just to give you an example. So I want to be clear, because we talked about percentages, but I wanted to give you an implication in terms of numbers.

In Thompson, which again, we talk a lot about in the northern communities, on that same court staff position, there are a total of 18; four are vacant at this time. And I should say as well that there was actually interviews for one of those positions in January. So all of these are in process, and I won't go through them all unless the member has a question.

In Brandon, as an example, 12.5 regular staff and two casual staff. There's a total of 0.5 vacancies. So half a person is missing there, but that's been posted and that actually closed on October 7. Give you examples, just—and I—and again, I really want to address this question because at the time of this report and leading into 2023, there were a number of vacancies.

Dauphin—again focusing on courts—Dauphin: fully staffed, seven positions; Flin Flon: one position, fully staffed; Minnedosa: two positions, fully staffed; Morden, there's two positions. It looks like we have—oh, one position that looks like that should—looks like maybe a mat leave, but we're working on that. We're—and I'll just point out that one of the strategies we have there is we're using the clerks of the Portage la Prairie to help assist in Morden.

Portage la Prairie: six positions, fully staffed; Steinbach: three positions, one vacant on a mat leave; Swan River: 1.5 positions, fully staffed; Winnipeg: 50 positions. Five court clerks are currently vacant; however, I'm happy to say that interviews were completed on December 29 and reference checks are in place.

So I won't go into all the details and the stages on each, but we certainly agree with that. As I've said, we've seen a 2 per cent increase to front line—to essential and front-line staff, and I should mention that since the time of this report there has been an increase in the overall wages for MGEU members.

So in the circumstances, although vacancies continue to be an issue, we don't think that this is a training issue, this is a recruitment and retention problem, especially in northern Manitoba, as the member can identify from the numbers we've provided. It's one of the reasons that we actually implemented the Indigenous Services Branch to be more specific to those communities and more community-minded.

\* (13:40)

We have taken steps as well. We've heard some pushback with respect to some of the barriers that individuals were facing in terms of being hired, including a fairly lengthy period of time for security

checks to be completed. And we have taken internal steps to be able to not only increase training in some cases—for example, for Sheriff Services—to provide stipends for training, whereas previously it was an unpaid training period, and to be able to work with community to find appropriate individuals.

So in all these circumstances, though I'm sad to say we still do have some vacancies, as you can see, there's been an overall improvement. A number of areas are fully staffed and we continue to work towards implementing those pieces.

I would identify the causes being recruitment and retention, and specifically the reasons that groups like the ISB: changes in training, changes in stipends for training, and really working very closely with the Public Service Commission has been an important part of it.

And I can actually tell you—and I won't get into all the machinations of government—in some of these instances, the Department of Justice has taken over the lead in these matters so that we can work with community to be able to be successful in recruitment rather than relying on a centralized process, recognizing the need for speed in terms of trying to fill some of these positions.

**The Chairperson:** Just for clarification, and I'm not sure if the deputy was reading from all the different court locations and the staffing positions, but can you provide to the committee the full list of vacancies from all the different court positions in Manitoba? Not now, but at some point—thank you.

**Mr. Brar:** Is retention still an issue? If it is, what strategies are we planning to address this?

**Mr. Akerstream:** Yes, thank you, Mr. Chair, for the question. Yes, retention continues to be an issue, longer term. A number of issues for that.

One of the issues that we're seeing is that, for court clerks in particular, it's a job that requires a great deal of overtime, partially because of travel to circuits and oftentimes because courts are sitting late to deal with some of the backlog issues we talked about earlier. It's more acute in northern Manitoba.

A number of steps have been taken. So, obviously, we've addressed the 2 per cent wage increase, we've addressed some of the training pieces we just talked about in the recruitment-retention piece.

On the Indigenous side, we talked about the Indigenous Services Branch in terms of recruitment,

but also in retention to being able to provide training and support for individuals, smudges as needed. We have sweats that are available for our Indigenous staff, and we also have a number of other—I won't call them wellness, but supports for individuals who are our staffing.

I want to talk a little bit about wellness. We do have a very extensive and robust wellness program in the Courts Division—it includes Crown attorneys. It's the only one of its kind in Canada but it's now being extended to court staff, specifically to deal with PTSD and some of the vicarious trauma that individuals face as a consequence of the work they do.

One can imagine, for example, a young court staff sitting through a child pornography case or an abuse case and the type of trauma that that could induce. So we do have wellness programs in place that we think go directly to the issue of retention.

We also recognize this, that for many people, a court clerk is a way to step into government, and there's been movement. And to be candid with you, we've embraced that in many ways, and I say that in this way: at no point are we trying to reduce or diminish the importance of court, but we recognize that for individuals who want to be part of the civil service, creating different opportunities in terms of working with Prosecution Service or other areas in Justice create a strength in the department for us of individuals who have a whole-of-justice background and experience.

And the consequence of that is—and this is in the last three years we've done this, actually—we've been able to create more transfer and opportunity. So I'll give you an example. If an individual is making the same compensation in Prosecution Service and courts, a younger individual without a family might choose courts because they have the opportunity for more overtime, whereas an individual with a family may choose to go to prosecutions to have a more predictable type of schedule for their family needs.

And so we've embraced that to create more transfer opportunities, more opportunity for cross-training and give individuals an opportunity to have a more fulsome journey in Justice.

So we think that between, obviously, the focus on the Indigenous piece—the Indigenous cultural piece—and ensuring that individuals feel part of the team and that they can feel included in the team; the pay issue—the 2 per—not only the general MGEU increase, but the 2 per cent increase for front-line staff; the wellness

issues and the flexibility that we're showing for cross-departmental movement; we're really trying to address those issues in terms of retention, and really more so than that, focus on the idea that—and I say this often and this is just me alone—we always, when somebody works in Justice, we think that there's such an incredible opportunity to give something back to society and to give something back to Manitobans.

And so our job is always the same, that if a person applies because they want a job, we want to convert it from being a paycheque to being a purpose. And we want to work long term to having members of our team that are focused on serving Manitobans and serving the interests of Manitobans.

Thank you for the question, Mr. Chair.

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

And just for clarification—this goes to my newness as a Chair—I'd asked if you would provide the full list of vacancies for the court system. You'd indicated to me that you would, but me simply saying that on the record, I guess, is hearsay for the committee.

So I'm going to ask you specifically: Will you provide for this committee a list of all the vacancies of the court system?

**Mr. Akerstream:** Though there was no objection to your question on hearsay, we will provide, in fact, the list that was shared so that it can be part of the record and for clarification for all members.

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

Further questions?

**Mrs. Lauren Stone (Midland):** So in your comments, I think it was to MLA Compton's question, you had mentioned technology and how that's huge for modernization and efficiency. So can you just dig into, a little bit deeper into how the integrated case management system is going, the progress on that, any roadblocks that might be limiting your ability to fully implement that and how you're working through some of those roadblocks?

**The Chairperson:** Thank you, MLA Stone.

**Mr. Akerstream:** I thank you for the question. It's important—a very important part of the overall strategy for Justice, and I just want to point out not a new focus, either.

When we talk about technology we often talk about efficiencies in the court process, and rightly so because we want to be able to maximize our

resources, recognizing that they're not infinite. But we also recognize, as far back as 1991, when the AJI was published, that there was comments about the ability of individuals to come to court. And so the idea of being able to make virtual appearances, of having technology being utilized in different ways to help, especially in northern and rural communities, we've recognized that for a number of years.

I wonder, Mr. Chair, if I might do something a little bit unorthodox here and perhaps ask my assistant deputy minister to answer some of that question because she has some very detailed information; she's been part of that committee. And with the court—with the—sorry—with the Chair's permission and the committee's permission, I'd like to turn it over to Assistant Deputy Minister Price to be able to answer that question in a more fulsome manner.

**The Chairperson:** It's not at all unorthodox, it's welcome.

**Ms. Charlotte Price (Assistant Deputy Minister, Courts Division):** So the project itself has been ongoing for a number of years, but actually hit the ground in 2023. And phase 1, as the deputy minister spoke to earlier, actually we're coming online as of January 26, the phase 1 which is for Court of Appeal and Family Resolution Service.

At this time, it's mainly inward-looking, so case management—I'll read a little bit of what its primary function is, but it's for the primary repository of all digital court-related documents and will include evidence and other aspects. We have been working very diligently. This is a project that is also working with digital technology services, DTS, under a separate department in government.

The roadblocks that we had encountered leading up to this time just was the go-between between the two departments. But since, I would say, earlier in 2025, we've really wrangled this down. I know initially it was bi-weekly meetings, but actually we're meeting a lot more than that; it's probably 75 per cent of my job is on the ICMS project, and that's because it is such an important project for government.

It—I believe it is the second largest technological project for government at this time, but the largest that is going to affect the public. And it really is a leap forward in access to Justice as we're moving forward with this. It's very exciting, also very nerve-wracking, because it is—it's going fully tech, and so some of the things that we're grappling with at the moment is the security of it. That is very important from a privacy

standpoint, but also just the security of information that is coming into government for the—and the courts because judicial information is so important. And, of course, because it's a separate branch of the executive, it is important that there is policies in place that are distinct to the judicial side.

So all of these aspects, it's a very unique project because it is working with the executor—sorry, executive branch of government, but also the judicial branch of government and bringing all these players together. But as I said, we are meeting very regularly. The staff are excellent; not only my staff, but also the staff from DTS have been very—have really stepped up in moving this forward, and the fact that we're able to actually get phase 1 moving, it's very exciting for us and for all Manitobans.

**The Chairperson:** Thank you, Assistant Deputy Minister.

Just a reminder to all members to pose your questions through the Chair. The deputy minister and the assistant deputy minister are setting a fine example for all of us, and we can follow their example closely.

Further questions, follow-up?

\* (13:50)

Can the deputy minister provide, or the assistant deputy minister provide, the schedule for the different phases for the I-S-ICMS program and the expected timeline for those schedules?

**Ms. Price:** Thank you, Chair, for the question.

So, as I said, Court of Appeal and Family Resolution Service, starting on January 26, that is phase 1. My understanding for phase 2 is going to be expected—we're looking at going live in 2027, and then—May 2027. And then Court of King's Bench, we're looking to kick that off, actually, in February of this year, but that will extend out beyond that. Sorry, I don't have that date in front of me right now, I can get that after the fact. But the whole project is to be wrapped up by 2029.

**The Chairperson:** Thank you, Assistant Deputy Minister, for that response.

Further questions?

Can the deputy minister just speak a little bit about, and I should get clarification because there was going to be a response on the court backlog times, and if you don't have those here today, that's fine; you can certainly put them in the record if you do. If not, it's just an undertaking for the committee in the future.

We want the right information. Doesn't have to be timely today if you don't have it with you, but you can just let us know on the record if that's coming today or in the future.

But can the deputy minister speak a little more about the interrelation between the department and the court when it comes to responsibility for backlogs? Because I know that, and you spoke to it early in your presentation, Deputy, articulately, that, end of the day, the responsibility really is in the court's purview and there is influence, but only so much that the department can do in terms of moving that along. Can you speak a little bit more to that and then also provide clarification on the statistics for current court backlogs?

**Mr. Akerstream:** Yes, with respect to the court backlogs, I will undertake to provide that information to the committee. It's not forthcoming at this time, but we will be able to provide those—that information shortly, as well as the vacancies in court clerks, if that pleases the Chair.

With respect to the question that you've asked—I feel like I'm doing a law school examination, I'm starting to sweat a little bit—so the interrelation, obviously, of judicial independence is crucial. There's three fundamental tenets of judicial independence: tenure of term, financial reward effectively and judicial scheduling.

So if you look at—I think it's on page 15 of the report, I referred to page 14 before—there's actually a very nice breakdown between the interrelationship of these two different pieces and so, obviously, very complicated.

So we—the role of the executive branch is to administer and enforce the law—mostly administer, just for the sake of argument—whereas the judicial branch interprets and applies the law. However, the issue of judicial scheduling does fall under the purview of judicial independence, and there's a number of reasons for that in terms of court being able to make its own determination as to how long it will take for a matter to be heard. And the list goes on. That includes, as well, the assignment of writing days by the chief judge and the assignment of judges to hear decisions, none of which we take exception with. In fact, we work very closely with the courts to be able to safeguard that responsibility.

Practically speaking, the answer to your question is—I was going to say a simple one, but it's not. Prosecution—the Manitoba Prosecution Service meets

with the judiciary on a quarterly basis, and there's a number of discussions around the issue of scheduling.

Now, let me be clear when I talk about the issue of scheduling. At no point is the Department of Justice or Manitoba Prosecution Service in any way trying to influence the scheduling of the judiciary. It's rather a conversation with respect to resources and resource allocation. And so just to give you a very simple example of that, we have an intake court for trials in, I think it's courtroom 403, if I remember correctly; it used to be when I used to practice. And so in that you may have an entire docket and a number of trials set for hearing. And the ratio of bookings, for example, is agreed upon between the courts and Prosecution Service.

The assignment of dates is provided by the court. So for example, the court will let prosecutions know and the bench generally—sorry—the bar generally, know the number of dates that are available and the number of slots that are available, and then prosecutions would work with defence counsel to be able to co-ordinate the earliest date possible. Oftentimes, I should point out, that's done in assistance with the judge by way of pre-trial motions or otherwise in pre-trial courts, and the judge can help in that process and help to facilitate that process.

So it's a complex interplay insofar as there's no question that the administration of justice from a resourcing, from a hiring perspective, from a financial perspective, falls within the Province. But how those resources are allocated and the manner in which they're allocated as it relates to the judiciary falls squarely within the realm of the court. So as you can appreciate—and it goes back to my very earliest comments, absent us being able to work together, and obviously this is covered to some extent in the 'memorandng' of understanding, which comes from 2016, but it also is fundamentally about the ability to communicate.

And so I can tell you, having personally been a member of that committee during COVID, that there is always a willingness on both parts to be flexible to be able to meet the needs of the province and to be able to recognize the different allocation of resources.

And I can tell you, as well, that it becomes a complicated matter with respect to changes in law. So, for example, if you—whether it's in Manitoba or across the country, one of the areas that's becoming increasingly complicated for scheduling purposes is sexual assault trials because of the third party records applications under section 276 of the Criminal Code.

And the reality is it's only through working together in a collaborative manner that we are able to maximize those efficiencies.

And again, at no point is that—the department directing those efficiencies. This is absolutely being led by the courts. But it is—it's a question of utilization. And the answer of utilization depends on a joint process, one that respects the judicial process and one where prosecutions and the Department of Justice generally are working towards allocating resources in the most efficient manner.

**The Chairperson:** I thank the deputy for that. I think that it's helpful to have on the record.

And, of course, the influence that I refer to is the financial influence that the department has. And so I thank you for acknowledging that.

MLA Maloway, mindful of the fact that this committee is supposed to rise at 2 p.m., you have a question that you want to pose within that time, or are you seeking for additional time?

**MLA Maloway:** I think we should extend for a few minutes.

**The Chairperson:** Do you have a suggestion of what those few minutes might be?

**An Honourable Member:** Oh, 10 minutes.

**The Chairperson:** MLA Maloway is asking for an extension of the committee of 10 minutes.

Is that agreed? *[Agreed]*

**MLA Maloway:** I'd like to ask a question about the IT program.

So we are to believe that we are on a paper system, and we're going from a paper system right to the best product available right now on the market, I guess, right? Which would be cloud-based, I would assume. So I wanted to ask some questions about that, given that we've had some issues with Autopac, and I've never seen an IT program yet that ever come in on time and on budget. So forgive me if I'm a little bit suspicious about all of this.

But I do want to just ask some questions about the vendors. Who are the vendors and what is the vendor arrangement? Is it like the land titles where it's private, run by private people, or is it run by government itself and where you just access the software programs? Then I'd like to know, where are the storage, like, the servers? Are they in Canada or are they in the United States? Like, is this company a Canadian?

And then I have a question about the superusers too. Like, how many are there, and are they government or are they part of the IT system? Because on SAP, I think we had like three superusers back in the day. I don't know what the situation is now.

**Ms. Price:** The vendors are Thomson Reuters. It is being housed in Canada. They—could you repeat the question on the number of users, sorry?

**MLA Maloway:** Well, the number of superusers are the—basically refers to the people that have super access to the system, right? And SAP would have had, I think, three or six—it's a number—it's a while back now.

But I'd just like to know who the superusers are—not who they are but are they industry or are they government people, and how many of them are there, because I'm concerned about the security of the system, right?

**Ms. Price:** The—right now we're working through the security protocols in regards to the access. As I said, right now we're still looking just internal. DTS—even though it's being held in the cloud, the government has a lot of oversight over the information that's coming in and out.

Not only that, there are specific logs that are being provided by Thomson Reuters to government on—in terms of how access is going so that DTS can also be reviewing the security protocols.

I'll have to get back to you on what you mean by the, like, superusers. I'm not really sure on that terminology.

**The Chairperson:** Undertaking's been provided by the assistant deputy minister on that particular question.

Mr. Maloway, follow-up?

**MLA Maloway:** On—my follow-up would just be, is that—is this project on time and on budget at the moment?

**Ms. Price:** It is on time and it is underbudget.

**The Chairperson:** Any further questions?

Hearing no further questions, I'll put the question on the report to the committee.

Shall the Auditor General's report—efficiency of court systems for the Provincial Court of Manitoba, dated July 2023, pass?

**Some Honourable Members:** Pass.

**The Chairperson:** The report is accordingly passed.

Before the committee rises, I'd like to ask all members please leave behind their copies of the report so they can be used again at future meetings or appropriately recycled.

The hour now being 2 p.m., what is the will of the committee?

**Some Honourable Members:** Rise.

**The Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 2 p.m.

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