

**Fourth Session - Thirty-Eighth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

*Published under the  
authority of  
The Honourable George Hickes  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Eighth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
CUMMINGS, Glen	Ste. Rose	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
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ROCAN, Denis	Carman	P.C.
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ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
<i>Vacant</i>	Fort Whyte	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, December 1, 2005**

**The House met at 10 a.m.**

*PRAYER*

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**DEBATE ON SECOND READINGS—  
PUBLIC BILLS**

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, with the indulgence of the House, I would request that the vote that was pending on Bill 201 be withdrawn.

**Mr. Speaker:** The vote that was scheduled for this morning at 11:55 on Bill 201 has been withdrawn. Is there leave of the House for the vote to be withdrawn? Is there agreement? *[Agreed]*

**Bill 201—The Child and Family Services  
Amendment Act (Grandparent Access)**

**Mr. Speaker:** Bill 201, The Child and Family Services Amendment Act (Grandparent Access), standing in the name of the honourable Member for Rossmere (Mr. Schellenberg). What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Rossmere? Agreed? *[Agreed]*

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I appreciate the opportunity to speak to Bill 201, entitled The Child and Family Services Amendment Act. I think this particular bill is better known as the grandparent access bill, and I think it is a very important bill that has been brought forward now for the second time, brought forward by the Member for Minnedosa (Mrs. Rowat).

Clearly she feels that it is an important bill for all Manitobans, and I know she has been in consultation with grandparents and grandparents organizations across the province and seniors organizations across the province. Certainly we have a great deal of support from the senior community. I think we would find a lot of support for a lot of parents across Manitoba, and I think we would find a lot of support from children all across Manitoba for this particular bill.

I think we all recognize the important role that families play in raising children and the development

of children and the education of children. It is all very, very important.

**An Honourable Member:** Going to hockey games.

**Mr. Cullen:** We will get to some of those examples further on in my presentation, but it was not very long ago that we celebrated the International Year of the Family. That particular year, I believe it was 1994, was a very significant year for that. We really celebrated it in Manitoba and across Canada. I think internationally we recognize the important roles that families play throughout the world and we would hope that this government would recognize some of the important items that families deal with.

I know last week we debated the MPI bill which talked about recovering some costs there, and, unfortunately, this government did not recognize the important role that families play and little things in that particular bill regarding MPI that really would work to the benefit of Manitobans. Clearly, this Bill 201 speaks directly to Manitobans and some of the benefits that families play in our society.

Now, specifically this bill would provide the court the opportunity, the means to recognize the special relationships that exist between grandparents and grandchildren. Basically it goes on to say that it requires that the court consider the love and affection and any other similar ties that exist between the child and the grandparent. Of course, this would be on an application by a grandparent for access to the child. As I mentioned, it is the second time this piece of legislation has been brought forward, so I certainly would like to urge the government to have a look at this particular bill, debate it, and, hopefully, we can move it forward at some point in time.

The core of this legislation is fairly straightforward. It is a belief that grandparents share a special relationship with their grandchildren. Quite often, Mr. Speaker, we have heard it said that it takes a community to raise a child. In my view, the parents and the grandparents are all a part of that large community that it takes to raise a child.

You know, in my particular case, my wife and I, we have three children, and we do rely on the community to help get our children to where they are supposed to be, help with the education, and this time of the year, of course, it is hockey season. So

we rely on some assistance from the community to make sure that our kids do get to the proper rinks at the proper time. Fortunately for us in our situation, our parents, our children's grandparents, live fairly closely by. They take quite an active interest in their hockey events throughout the winter, so it certainly helps us out to have them participate in those events. So they are certainly a benefit to us and to our children in terms of getting them forward to sporting events, whether it be hockey, we have volleyball, and we will be into basketball season pretty soon, all sorts of events, whether they are going somewhere to baby-sit or whether they are going over to their grandparents to help out in their grandparents' yard as the case may be.

It reminds me of an incident that happened this past summer. We had such a deluge of water this summer. In fact, the Glenboro community and a couple of areas were hit with about five inches of water over a two-hour span, and that particular time, my in-laws' residence was inundated. The basement was inundated with water. So the rallying cries went out for help, and sure enough we went over there to help with the dehumidifiers and the vacuums and whatnot. At that point in time, we were fairly fortunate. Our children were there to help, too, so it is one of those situations where what goes around comes around. So if we are there to lend a hand and the grandchildren are there to lend a hand, the grandparents will be there to reciprocate sometime down the road and help out whenever that case may be.

I think as you go through those processes where you encounter different situations like that, it is a real binding process and a bonding process so that the grandchildren get to know their grandparents quite well. There is a degree of trust that is built up over the years so that they can turn to their grandparents for advice or they can turn there for some education.

I think it really speaks to a quality-of-life issue. With these days and a lot of parents are busy, they are working two jobs, they may not be home all the time. So the more people that you have that are close to your family, I think the easier it is for the children to go to talk to them. Maybe it is just as simple as some things and assistance with school work, but it is someone to go to that you can trust, you have a relationship with and they can certainly help you out with any issues that you may have.

\* (10:10)

One thing that I really remember about was my great-grandfather. He was a farmer by trade and I was always astounded by the stories that he would tell. He was one of those that just loved a good story and would stop and visit with almost anyone. It was really a valuable learning experience for me to hear some of the history of his farm background, his early years in farming, quite incredible to see the changes in farming over the years. He would talk about the threshing gangs that would get together and all the different work that had to be done at that point in time. This, of course, is way before the technology had advanced the way it is. So, yes, they were dealing with steam engines and threshing machines. Of course, horses were the mainstay at the time, and horses were very important in that area because without the good-quality horses things could not get done. So they, at that time, grew quite close to their horses which were a very important part of the business. So it was very educational for me to hear how farming was done at that point in time. Clearly, he passed on some of that information to us as well so that we can pass on that history to our grandchildren. So it is very, very important. *[interjection]* Yes.

I think it is important that we and this bill do recognize that there is a healthy relationship exists between most grandparents and most children, and, simply, this bill would extend that relationship so that there still is a bonding and a connection there. I think that is important if a family goes through a situation where there is a disagreement within a couple, and they go their separate ways. If the grandparents are there and they can deal with the child, I think that continues that healthy relationship; it continues that bond. I think it would serve to strengthen the child's resources, as well, as they move forward. If they have gone through a difficult time, they need someone there that they can attach themselves to and move forward in a positive way.

So, clearly, all this bill is suggesting is that the grandparents be involved in that support network, and I think it is very important for us as Manitobans to recognize that grandparents play an important role in that network. So all this bill is asking is for it to seek reasonable access, reasonable visitation rights for grandparents to grandchildren. I think it is something this particular government should support.

Mr. Speaker, I thank you very much, and I see my time is running out. So I do thank you very much for the time to put some important words on the

record for this very important bill. Thank you very much.

**Mr. Speaker:** Okay. Any other speakers? Seeing none, it will remain standing in the name of the honourable Member for Rossmere (Mr. Schellenberg).

**Bill 203—The Health Services Amendment and Health Services Insurance Amendment Act**

**Mr. Speaker:** Bill 203, The Health Services Amendment and Health Services Insurance Amendment Act, standing in the name of the honourable Member for Emerson (Mr. Penner), who has four minutes remaining.

The Health Services Amendment and Health Services Insurance Amendment Act.

**Mr. Jack Penner (Emerson):** As I had indicated the other day in my remarks that I was about to conclude. I had decided that I would conclude my remarks there and accede to somebody else who wants to speak.

**Mr. Speaker:** Thank you very much. Any other speakers? What do you want to do with the bill?

**An Honourable Member:** Stand.

**Mr. Speaker:** Well, it is not standing in anyone's name. It is open.

**An Honourable Member:** Question.

**Mr. Gregory Dewar (Selkirk):** I move, seconded by the Member for Elmwood (Mr. Maloway), that debate be adjourned.

*Motion agreed to.*

**Bill 200—The Manitoba Public Insurance Corporation Amendment Act**

**Mr. Speaker:** Bill 200, The Manitoba Public Insurance Corporation Amendment Act, standing in the name of the honourable Member for Burrows (Mr. Martindale).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Burrows?

**An Honourable Member:** No.

**Some Honourable Members:** Stand.

**Mr. Speaker:** No?

**Some Honourable Members:** Stand.

**Mr. Speaker:** No?

**An Honourable Member:** Question.

**Mr. Speaker:** Question? Is the House ready for the question?

Okay, leave for the bill to remain standing in the name of the honourable Member for Burrows has been denied.

Are there any other members wishing to speak? Seeing none, is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 200, The Manitoba Public Insurance Corporation Amendment Act.

Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Speaker:** All those in favour of the motion, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to the motion, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

\* (10:20)

**Formal Vote**

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, I clearly heard that we were louder. Therefore, on that basis, I have to ask for a recorded vote.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

The question before the House is Bill 200, The Manitoba Public Insurance Corporation Amendment Act. All those in favour of the motion, please rise.

\* (10:40)

### Division

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

#### Yeas

*Cullen, Cummings, Derkach, Driedger, Dyck, Eichler, Faurschou, Gerrard, Goertzen, Hawranik, Lamoureux, Maguire, Mitchelson, Murray, Penner, Reimer, Rocan, Schuler, Taillieu.*

#### Nays

*Aglugub, Allan, Ashton, Bjornson, Brick, Chomiak, Dewar, Doer, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Melnick, Nevakshonoff, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith, Struthers, Swan, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 19, Nays 28.

**Mr. Speaker:** The motion has been defeated.

### MATTER OF PRIVILEGE

**Mrs. Bonnie Mitchelson (River East):** Thank you very much, Mr. Speaker, and I stand on a matter of privilege, and at the end of my matter of privilege I will have a motion for the House.

This is a sad day, Mr. Speaker, for Manitobans who are disadvantaged in this province. When we see the arrogance of a government that has forced closure on second reading before this bill even had the opportunity to go before a committee of this Legislature—

**Mr. Speaker:** Order.

#### Point of Order

**Mr. Speaker:** The honourable Government House Leader, on a point of order.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, perhaps, for the benefit of the use of House business, if you could elicit from the honourable member if she indeed has a matter of privilege, or is this just a rant?

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

The honourable Official Opposition House Leader, on the same point of order?

**Mr. Leonard Derkach (Official Opposition House Leader):** Yes, Mr. Speaker, on the same point of

order. I sense a touch of sensitivity on the part of the Government House Leader and, indeed, he should be embarrassed and so should his government for imposing closure on a bill when, in fact, the signal was that usually the procedure in this House is that, when all members have had an opportunity to speak to a bill, then that bill moves on to committee.

When the Opposition House Leader asked for the vote, it would have meant that this bill would indeed have the opportunity to move to the next stage, which would be committee stage, where the public could come in and make their views known. That is something that was not allowed in this legislation, and that is a sad day for Manitoba when the curtain falls on something like this and curtailment of debate is imposed by the government on an opposition bill.

**Mr. Speaker:** The honourable Government House Leader, on the same point of order.

**Mr. Mackintosh:** Mr. Speaker, on the matter raised, the question was called. If members opposite wanted to continue to debate, they would have that ability. Of course, there is no resemblance at all to any closure, time allocation or anything of the sort. We simply called for a question. They did not have to call for the question either. They could continue to speak. The debate was open.

\* (10:50)

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. I am dealing with a very serious matter here. A point of order, matters of privilege are very, very serious, and I need to hear every word that is spoken. I ask the co-operation of all honourable members please. The honourable Member for Inkster, on the same point of order?

**Mr. Kevin Lamoureux (Inkster):** On the same point of order, Mr. Speaker, *Beauchesne's* and our standard rules, and I believe all parliamentary rules, will reflect on the importance of a matter of privilege and that an individual, whomever or whatever political party they might belong to, does have the right to stand up and express through a matter of privilege when they feel that they have been denied the opportunity.

Mr. Speaker, I truly believe that the member, for whatever reasons, wanted to express that we all have the right to have access to a matter of privilege. The Government House Leader should be sensitive enough to respect the fact that a member does have

that right, and it is not appropriate to use a point of order in order to interrupt a matter of privilege.

The member was just getting underway in expressing what I saw was the first time in 14 years, to the best of my knowledge, where a government actually denied the opportunity for a private members' bill to actually go to committee. I think that is a very serious precedent, and I anxiously await the member from River East's comments in regard to her matter of privilege, and would suggest that the Government House Leader be patient and that he did not have a point of order. If anything, Mr. Speaker, he should probably apologize to the House for standing up and interrupting the member's matter of privilege.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, he does not have a point of order, and I will once again remind all members that points of order are to point out to the Speaker a breach of a rule or departure of practice, not to be used for debate.

\* \* \*

**Mr. Speaker:** We will continue with the matter of privilege, and I will remind all honourable members that a matter of privilege should be raised at the earliest opportunity and it should not be turning into a debate. It should deal with whether a prima facie case has been established.

**Mrs. Mitchelson:** Well, thank you very much, Mr. Speaker. I guess, it just goes to show the arrogance of a government and a Minister of Justice (Mr. Mackintosh), a minister that should be looking for justice for all and, especially, justice for little people, people who do not have the ability to defend themselves, do not have the ability to speak up against the system that has been put in place.

Mr. Speaker, it is an unfortunate day when members of the Legislature, private members, who bring forward legislation because of individuals that come forward to us from time to time and ask us to advocate on their behalf because they do not have the ability to do it themselves. They do not have the financial resources. They are living below the poverty line. These individuals come to us, as legislators, as members of the Legislature, and each and everyone of us have the opportunity to bring forward legislation to try to improve the circumstances and the lives of those individuals. That is exactly what I did with this piece of legislation.

Government has every right to vote against that legislation. Many times, Mr. Speaker, private members' bills, private members' legislation dies on the Order Paper at the end of a session because a government is not prepared to deal with it. But, in all my years here in the Legislature, I have never seen this kind of heavy hand from a government as I have seen today when closure was placed on a private members' bill before it had the opportunity to go to committee hearings and have the public provide input on this legislation.

They would have been within their right, after hearing the public, to come back into this Legislature on third reading of this bill and vote against it. But they have denied members of the public, many members of the public, I believe, that might support the New Democratic government or party because they believed that the New Democratic Party was a party who stands up for the little people.

Well, Mr. Speaker, what we have seen today is disgusting for a party that talks the talk but does not walk the walk. We have a disabled woman, a woman who, through no fault of her own, was involved in a car accident and ended up with brain damage. She cannot speak out against the system for herself. She asked for someone to speak out and advocate on her behalf—[interjection]

**Mr. Speaker:** Order.

**Mrs. Mitchelson:** I attempted to do that. I attempted to do that in this Legislature.

Mr. Speaker, we see the Minister of Justice (Mr. Mackintosh), who should be looking at justice for all, we see the Minister of Family Services (Ms. Melnick), who advocates or should advocate on behalf of individuals like the women we are talking about, like the woman that needs an extra \$160 a month, and it is not going to make her a rich woman. An extra \$160 a month will only improve her circumstance very slightly. She still is not going to be a rich woman. She still is not going to be able to live the kind of lifestyle that she should be able to or that she might be able to if she had not been injured in a car accident.

Mr. Speaker, I know that the government will stand up and say, "Well, it was our government, when we were in power, that brought in no-fault legislation that has resulted in the circumstance that this woman is in today." We have indicated and we know that almost every bill that comes into this Legislature is an amendment to a piece of legislation

because over years and over time we have found that there are flaws in legislation and that they need to be improved and they need to be updated. So almost every piece of legislation has an amendment.

We are prepared to admit today that as we worked with no-fault insurance over the years there were some loopholes, some issues within that legislation that needed to be amended, that needed to be fixed. This is one of those amendments, one amendment that would help the life of one woman in our community.

Mr. Speaker, we have seen a government that has closed its mind and closed its ears and closed its heart to someone who desperately could use a little bit of support.

This is a sad day for Manitoba. This is a sad day for this Legislature when we see the kind of heavy-handed, arrogant tactics used by the Minister of Justice, who should be looking at justice for all and putting closure and asking for a vote on a private member's piece of legislation.

As I said, it is unprecedented. In the number of years, I have been in this Legislature for close to 20 years now, and I have never seen that kind of heavy-handed arrogance when it comes to dealing with a vulnerable Manitoban.

So I would ask you, Mr. Speaker, to review back over the years in this Legislature to see when this kind of activity has ever happened before because I believe it sets a precedent, and it sets a precedent for a heavy-hand of government in the future to deny private members of this Legislature the ability to bring forward legislation and have it dealt with.

Mr. Speaker, the simple thing for this government to do would have been to let the legislation die on the Order Paper, as they have in two other sessions of this Legislature. That would have been, I suppose, the most humane thing to do. But to stand in their places and to vote against this legislation when the public has been denied, now, the opportunity to come before committee is something that I have never experienced, and something that I would never want to experience again in this Legislature.

\* (11:00)

So, Mr. Speaker, I would ask you to take this issue as the serious issue that it is, and I would move, seconded by the Member for Charleswood (Mrs. Driedger), that this matter be referred to the

Committee on Legislative Affairs and report back to this House.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

**Mr. Mackintosh:** Mr. Speaker, this is first of all, an issue around an understanding of House proceedings. This legislation, I think, was brought forward to the House three times, three bills have been brought in, in three successive sessions, and, indeed, the opposition has been saying, "Well, why do you not deal with the bill?"

Well, Mr. Speaker, the bill has been dealt with each time it has been raised by way of, first of all, meetings with the member who brought in the legislation, by engaging officials at MPI, by engaging, then, an outside, independent legal advice, to determine, if indeed, there is a shortcoming and an unfairness with the provision. We took it very seriously to make sure that the individual in question and, indeed, anyone affected by this amendment should enjoy the change that was urged by the Member for River East (Mrs. Mitchelson).

Mr. Speaker, as a result of very intensive work over the course of the introduction of the bill on three occasions, it was conclusively determined that the provision, in fact, would only be unfair. It would allow for double-dipping, a provision that was brought in by members opposite for a good reason, and that is that insurance schemes, auto insurance schemes, must not allow for double-dipping and must not allow for someone who has income from another source, by happenstance to, then, enjoy an enhanced income replacement just because of the accident.

So now, Mr. Speaker, the issue at stake here then is, what is the impact on people of that class? The review that was conducted showed that not only would it be unfair, but there is not a basis, a rational basis, to accept the proposition.

So that was well known, of course, to the member and, indeed, by correspondence in the spring, the member opposite knew of our position, and we put it on the record again, I believe, last week. So, Mr. Speaker, procedurally, by calling for the question, it is to deal with the matter so that other matters in private members' hour can be given more time now, after the bill has been introduced three times. So it is just a procedural issue, and an misunderstanding on their part in terms of how that can be dispensed with. If members opposite wanted



to continue to debate on it, all they had to do was stand up, and debate would continue. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak to this matter of privilege. Clearly, this bill and the matter being raised by this bill is an important one, and its importance has been demonstrated by the repeated introduction of this bill on several occasions. It covers an important area of policy with respect to the Manitoba Public Insurance Corporation. It would certainly have helped to not only clarify the issue but to move this forward and have a better public debate to be able to move this forward into committee stage where citizens from all over Manitoba could have had a chance to present their views. It is usual for bills which come to a vote to have a chance to get on to committee stage where there can be some public discussion. It is clear that what the intent of the government is is to shut down the public input on this bill.

I note, for example, that of the speakers on this bill that there has been only one government speaker speak to date. Clearly the Minister of Justice, in the matter of privilege, is almost trying to make up for his lack of having spoken on the bill by talking about the bill itself and why he is not happy with the bill, but the matter of privilege deals with the issue of being able to get citizens from around Manitoba to come forward to give their points of view so that we as legislators can hear those points of view. The matter here is clearly an issue which should be taken further, Mr. Speaker, and I would have hoped that this matter could have gone to committee stage so that we could have had that input.

I regularly get a whole variety of issues coming related to MPIC and its policies and people who feel that they are not treated as fairly as they should be, and, quite frankly, it would have been a good opportunity for people to come forward with some of these issues. I would expect that the overall could have been improvement in the policies and procedures and laws as concerned the Manitoba Public Insurance Corporation.

So we on the Liberal side see it as unfortunate in the way that the government has proceeded on this occasion and we would support this matter of privilege.

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, I will be very brief and I hope my comments might be useful in your making a decision on whether or not my colleague's privilege may have been violated.

The fact is, Mr. Speaker, that this piece of legislation that was brought forward as a private members' bill is intended to highlight what probably needs to be some major examination of our no-fault insurance.

The House Leader who is also responsible for the MPI act can defend what has happened here as simply a misunderstanding over procedure. I would like to put on the record that it is much more than that, Mr. Speaker. It is time that there was a review, and it has consistently been asked for a review on this side. If we cannot have a review, this is the only vehicle that is available to this side of the House to highlight the issues that need to be examined within the MPI act.

If the government is too weak to amend the act, that is why it is raised on this side.

**Mr. Speaker:** If the honourable member is rising with new information, I will recognize the honourable Member for Carman. New information?

**Mr. Denis Rocan (Carman):** Mr. Speaker, I rise this morning to speak on this matter of privilege basically because of the remarks that were just put on the record by the honourable Government House Leader where he says indeed if we were prepared to speak on this bill, that we should stand in our place.

I was standing in my place, but as was indicated by my House Leader, we had a clear indication from the Government House Leader that we were prepared to have a vote on this issue which we assumed to be in a positive nature. Unfortunately, we were mistaken.

I guess it is somewhat heartbreaking, Mr. Speaker, because when you look at this issue that is presently before us, \$160 is what this individual, and I hear the terminology, had clawed back.

Mr. Speaker, Merry Christmas to this wonderful little individual who, through no fault of her own, no fault of her own ended up in an awful precarious position where indeed this \$160 would help this individual go on through life, give her a little bit of comfort, if you will. Yet I look at members opposite and, yes, indeed, each and every one of them have their heads down, and we should have our heads down because not that we were asking for a policy change.

\* (11:10)

Mr. Speaker, I will dare you, Sir, to go through their records and since when was the last time that

we in this Legislature stood up for the little guy, in this instance this little woman, this person? When was the last time we stood in our places and tried to specifically deal with one issue for one person?

Yes, on our side of the House as opposition, Her Majesty's Loyal Opposition, we will try and get government to change policy. In this instance we were not asking for a policy decision. We were asking for case specific: one individual, name, numbers, name of that individual was on the record and the \$160 that this would mean some sort of a comfort to this individual.

We, I say we, the ministers in this House, oh, merry Christmas, because each and every one of the ministers of the Crown will spent \$160 guaranteed on a Christmas dinner, and I hope we think about this individual, this individual that we do not want to deal with here. No, we bring it to a vote and we going to kill this thing. We will kill it.

Mr. Speaker, this does not happen in this House. I cannot recall ever having a case-specific individual—we are raising one person. We are bringing it to the limelight. Well, welcome to the bowels of Hell because that is where we are right now. Because, if ever we had a chance to deal with one case, one issue for one person, this was it. We are not asking to turn the whole province inside out. We are not asking for MPIC to change all its policies and amend every one of their decisions that they take. We are asking for one person, one person, and I think what we were looking for, the Government House Leader, maybe the individual happens to be the minister responsible, why would he not stand in his place and say that we will give the corporation the opportunity or the luxury to look at this one case specific, this one individual who is crying out for help because, no fault of her own, ended up in a car accident and being clawed back this hundred and sixty bucks.

Where are we? Where have we ended up? Where are we now? What are we doing? I mean, we are not crying here because we are closing hospital beds. It is not that. We have one person, one individual who, unfortunately, is going to spend one heck of a merry Christmas.

I believe my colleague, the honourable Member for River East (Mrs. Mitchelson), has made her case under matter of privilege because her privileges as an independent member of this House, I believe, had been breached because, unfortunately, we were of the opinion that the government was going to support

this piece of legislation through second reading, move it on to committee where individuals would have an opportunity to come and make presentations. I would have been proud to have seen this individual come and make her case to the members because we were all, I was hoping, 57 of us, going to stand here in our places on behalf of this individual.

So I do support the Member for River East in this one case specific, and I beseech and I beg the minister responsible that he would give some direction to the corporation and to cut this woman \$160 cheque that they are attempting to claw back. Thank you, Mr. Speaker.

**Mr. Speaker:** A matter of privilege is a serious concern so I am going to take this matter under advisement to consult the authorities, and I will return to the House with a ruling.

The hour being past 11 a.m., we will now move on to resolutions.

## RESOLUTIONS

### Res. 4—Public Safety

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I move, seconded by the Member from Ste. Rose (Mr. Cummings),

WHEREAS all Manitobans deserve to feel safe in their home and in their community; and

WHEREAS high levels of violence and crime diminish the reputation of our province and make it difficult to attract and retain residents and businesses; and

WHEREAS under the NDP government, Winnipeg has consistently had among the highest murder rates of any major Canadian city; and

WHEREAS under the NDP government, Winnipeg has consistently had among the highest rates of break and enters of any major Canadian city; and

WHEREAS under the NDP government, Winnipeg has consistently had among the highest rates of auto theft of any major Canadian city; and

WHEREAS under the NDP government, Manitoba has seen the growth of the drug trade and the growing availability of new and deadly drugs such as crystal meth; and

WHEREAS under the NDP government, gangs such as the Hells Angels and the Banditos have established chapters; and

WHEREAS under the NDP government, street and youth gang problems have increased across the province and in particular in communities such as Winnipeg, Brandon and The Pas; and

WHEREAS under the NDP government, conditions of bail, probation and conditional sentences are often not checked or monitored; and

WHEREAS police officers in Manitoba do an exceptional job with the limited resources they are provided to deal with increasing crime and violence.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urges the provincial government to consider providing sufficient resources to law enforcement to deal with increased crime rates in Manitoba; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider ensuring that those convicted of serious crimes in Manitoba face sentences that are both a specific and general deterrent; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the Provincial government to consider ensuring that conditions of bail, probation and conditional sentences are vigorously monitored.

*Motion presented.*

**Mr. Murray:** Mr. Speaker, I rise on this private members' resolution because I want to start off by putting a quote that the Minister of Justice (Mr. Mackintosh) said. He said, and it is in Hansard, May 10, 2004, that we are determined to create a hostile environment for organized crime. Those were the words that the minister said in this House.

Well, Mr. Speaker, I guess the question then has to be asked: Just exactly how determined is this minister? Because I think the facts will speak that this is a minister and an NDP government that, frankly, are not determined at all with respect to public safety in our communities.

For example, Mr. Speaker, the NDP has failed to get to tough on crime and they have now allowed gangs to rule our streets. Under the watch of this Premier (Mr. Doer) and this NDP government, the facts show, and I know it is sensitive for members opposite, I know they are very sensitive when we put these facts forward, but whether he has talked to the Winnipeg Police Service or well-documented historians on the issue of gang violence, it is very

clear that, under this NDP government, the Hells Angels moved in and set up a chapter. Not only them, but as well as the Bandidos, the Mad Cowz, the African Mafia, they have all set up shop right under this so-called determined Minister of Justice to get tough on crime in the province of Manitoba. There are now over 3000 gang members in Winnipeg who are preying on our young people, terrorizing innocent victims and undermining the safety of our communities.

Mr. Speaker, that in itself should raise some red flags for this NDP government but, unfortunately, there is much more. When you look at those crime stats, and I know that the NDP government do not like statistics because statistics always tell the truth, statistics always tell the truth, so when you look at some of the crime stats in Manitoba, Winnipeg was the murder capital of Canada for 2004 among major cities and Manitoba had its second-highest rate of homicides per 100 000 since 1961.

In the year 2004, Mr. Speaker, the murder rate for Winnipeg nearly doubled from the previous year to 34. There were 50 murders in total in Manitoba. In 2004, Manitoba had the highest rate of homicides committed with guns in Canada. In 2004, violent crime and property crime rates in Winnipeg were at or near the top compared to other jurisdictions. In 2004, Winnipeg led the nation on a per capita basis in homicides, robberies and auto thefts. It was third in the country for break and enters.

Again, Mr. Speaker, I go back to how determined is this NDP government to ensure the safety of Manitobans? Clearly, the statistics would say not very determined. The number of RCMP that we have, for the past year the NDP have been telling Manitobans that they have added 28 police for rural Manitoba. That is the political spin, but the reality is that we have since learned from the RCMP, those that should know and those, certainly, that we would trust, the RCMP say that it is not true and that the Doer government did not even ask for the officers last year. That is coming from the RCMP.

In fact, in October of 2005, in Ottawa, D Division Commanding Officer Derrill Madill testified before a parliamentary committee that the RCMP was 46 officers short and that none of the new 28 officers were in Manitoba and none were coming until at least April of 2006. Well, Mr. Speaker, when you listen to what the commanding officer—he also acknowledged that no approval came from the Manitoba government last year for the

promised officers. The NDP like to say one thing, but the facts always show something different, misleading from this NDP government.

\* (11:20)

In 2004 the complement of 626 officers was short up to 50 officers at any given time. Well, Mr. Speaker, this is information that Manitobans should know because these are facts. When you come back to how determined is this NDP government to make our communities safer, not very determined. In terms of police officers in the Winnipeg Police Service, there are more offences per police officer in Winnipeg than in any other city of similar size. That is why the PC caucus came forward with a policy platform called Enough is Enough! We simply listened to Manitobans and that is what they were telling us. With this soft-on-crime NDP government, enough is enough.

One of the things of the many that we have called for in that platform was for 100 additional officers for the Winnipeg Police force with a recommendation of 30 permanent officers dedicated to drug and gang activities. That is getting tough on crime. That is showing determination, unlike what we have seen from this NDP government.

With conditional sentencing, Mr. Speaker, there need to be clear parameters put in place when conditional sentence recommends are not appropriate. Surprisingly from a supposedly determined minister, this NDP government signed on willingly to the federal government's flawed legislation on conditional sentencing. Why would they do that if they were determined? I would say when it comes to conditional sentencing, this NDP government is not very determined.

With respect to crystal meth and other drugs, we believe, Mr. Speaker, that parents of children with drug addictions should be given the ability to get their children support for breaking the addiction. That is something that we believe. The other side does not seem to believe that.

By reducing the number of the RCMP highway patrol, which I spoke earlier on, the NDP government has made Manitoba a prime target for drug smugglers, and, as a result, Mr. Speaker, the Canadian marijuana for U.S. meth trade could increase significantly. We know that organized crime is rampant under this NDP government, Mr. Speaker. When it comes to crystal meth and other drugs, this NDP government says they are determined. The facts

say that this NDP government, when it comes to dealing with crystal meth and other drugs, is not very determined.

Under the issue of guns, Mr. Speaker, in our platform talking about enough is enough, we proposed an integrated police unit dedicated to reducing the availability of guns because in 2004 Manitoba had the highest rate of homicides committed with guns in Canada, the highest. Guns and drugs are the currency that gangs trade in. If the minister and this NDP government were determined, when you look at those statistics it is very clear that when it comes to guns, this NDP government is not very determined.

Electric monitoring: If an offender wearing the bracelet leaves their home, it will trigger an alarm for a monitoring centre. The fibre optic bands will be strapped around the ankles of offenders, and if removed or cut, it will also trigger an alarm. In September of 2005, Mr. Speaker, the Alberta government launched a year-long pilot program to track offenders serving weekend sentences at home after they discovered that 25 percent of offenders were violating their curfews.

In August of 2005, we called on this NDP government, this so-called determined NDP government, to use electronic monitoring and GPS technology to track sex offenders. The Minister of Justice (Mr. Mackintosh) said one of the reasons it was not feasible was the problem of dead batteries. I find that incredible for somebody who is supposedly determined. When it comes to electronic monitoring, the excuses that we hear from this NDP government says that they are not very determined.

When it comes to probation, probation officers carry an average of 50 files. We are leaving criminals to police themselves on the so-called honour system. Well, Mr. Speaker, this NDP government, they have many violent offenders and sexual offenders who have breached conditions of their probation in the last five years. Again, if probation was an issue that really this NDP government was determined on, the facts show that this NDP government, when it comes to probation, is not very determined.

All of these things, Mr. Speaker, that I speak of are, unfortunately, a direct reflection of this NDP government's soft-on-crime approach in Manitoba. We need to get tougher on crime. We need to stand up for victims, not supporting gangs and ensuring that gangs have the opportunity to grow and flourish

the province of Manitoba as we have seen under this very undetermined minister.

Mr. Speaker, I stand in my place to support our police officers, our front-line service officers, because they serve our province so well. They are the determined ones. We are determined on this side to support them. Unfortunately, this NDP government is undetermined. Thank you very much.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I appreciate the opportunity to put some remarks on the record with regard to this resolution, Mr. Speaker.

First of all, Mr. Speaker, Manitobans, of course, recognize that the challenges of crime and the need for greater public safety is a matter that affects us all, and, therefore, has to engage us all. We recognize in this country that the criminal laws, certainly, provide the context for the criminal justice system in this country. Then, in terms of the role of the province, there is a responsibility with regard to the administration of justice. As well, provincial governments have a role to promote crime prevention, as do other levels of government. And, of course, when we look at public safety, we also have to look at how we engage families, schools, communities and neighbourhoods as well.

When it comes to law enforcement, Mr. Speaker, those are the people that we entrust on the front lines to protect our safety, and we have heard, I think, more from law enforcement than anywhere else, the call for others, citizens, to become involved to assist the police in their efforts, whether by way of Neighbourhood Watch or, for example, citizen patrols which provide a role as eyes and ears for police. But, of course, when it comes to preventing crime, we also have to turn our mind to opportunities and hope for youth and many others. We have to ensure that people grow up in communities where there is the ability to contribute in a meaningful way to society. So the solutions to crime, in conclusion, are certainly complex and go beyond mere suppression strategies that we hear so often from members opposite. When we talk about public safety, we have to talk, in a balanced way, about both suppression activities and prevention.

Mr. Speaker, I notice that the members opposite have talked about a plan that they have put together, which, by the way, contains many ideas that are already underway or have been enforced, but it is all one-sided. It is all on the side of the role of the courthouse, if you will, in terms of countering crime.

Members on this side recognize it, when we come to the challenge of public safety, that we have to, as well, put in place prevention efforts, both in terms of directed prevention and crime prevention through social development. In western Canada, we certainly have historically suffered disproportionately high rates of crime, and so that really calls on western Canadians to take more innovative approaches, stronger approaches to countering crime.

Throughout the 1990s, unfortunately, Manitoba suffered the highest violent crime rate of all the provinces. Mr. Speaker, today we no longer have that unfortunate distinction and Manitoba is now 25 percent below the province with the highest violent crime rate, and violent crime is now down for two years in a row. But that means that we have to remain increasingly vigilant because, as I said, the incidence of crime in western Canada and in Manitoba is an issue of serious concern to this government and to all Manitobans.

I know that members opposite continue to talk about Winnipeg being, as they call it, the murder capital of Canada. It is interesting that, actually, I see headlines west of Winnipeg that say another city is the murder capital of Canada. I would urge members opposite, when they are characterizing this wonderful city, that they actually look at the statistics that Ottawa provides through the Canadian Centre for Justice Statistics and puts on the public record an accurate portrayal.

\* (11:30)

But, Mr. Speaker, one murder is too many, and it is way too many. We know that first-hand from what impact that has, not just on the immediate survivors but sometimes on generations in a family who must suffer an incomprehensible tragedy. So, we have to take enhanced efforts, and that is what our Province and this government has done from the moment it came into office.

When it comes to murders, first of all, it should be noted that Manitoba introduced a firearms amnesty, Mr. Speaker, in the month of June. Three hundred and fifteen unwanted firearms were turned in. Those are the firearms that police advise are most at risk of getting stolen and being used then by criminals against law-abiding citizens. There were over 30 handguns that were turned in as a result of that amnesty. We also have brought in one of Canada's strongest prosecution policies when it comes to firearms so that our prosecutors are given some guidelines on how they can seek the stiffest

sentence as possible from the courts when it comes to firearm offences.

But, Mr. Speaker, we have also called on our federal government to work with us and to significantly enhance the penalties in the Criminal Code for firearm smuggling and trafficking. It is important that we be more proactive, be more preventative in our Criminal Code provisions and make sure that there is a mandatory minimum of four years for those offences rather than waiting for the robbery with the firearm to impose a mandatory minimum of four years. Let us not wait, we say, for the crime to be committed. Let us get ahead of the challenge and send a clear message that Canada is not open to gun smuggling.

Mr. Speaker, I notice in the resolution there is a reference to break and enters. Break and enters, according to the analysis by Statistics Canada, that was down last year in Manitoba. We still, though, are the third highest of the provinces, which, in our view, is an issue that must be addressed. I understand that the rate last year is 15 percent below the rate of 1998. But we have seen the engagement of citizens like never before, both in terms of Neighbourhood Watch and the installation of alarms. We have seen citizen patrols, a wonderful grassroots movement in this province that is making a real difference out there.

When it comes to auto theft, which members talk about in their resolution, this indeed has been a most stubborn epidemic that really took off in 1993, Mr. Speaker, and unfortunately went unchecked. It became, unfortunately, a part of popular subculture that has impacted on almost every Manitoban. This is more than just an inconvenience; it is a threat to public safety. These vehicles often take flight from police. Sometimes they are used to commit other crimes. We have seen too many tragedies as a result of auto theft.

At the same time, the auto theft rate has, unfortunately, been driving our overall crime rate, and that is why a concerted action is now being taken, particularly with the involvement of MPI by way of a prevention initiative to ensure that approved immobilizers are installed in vehicles and to make sure that there is an enhanced probation supervision effort focussed on those who are most at risk of repeat offences. Mr. Speaker, auto theft is now down, and it is down in double digits, but we have to remain vigilant, and I urge all Manitobans to please look at the incentives for installing an immobilizer.

Mr. Speaker, when it comes to methamphetamine, this is a most serious concern for this government and our blueprint has now been unveiled. We are proceeding now in the coming months to flesh out that blueprint to make sure that we address both the supply and the demand challenges when it comes to this most destructive drug.

When it comes to law enforcement, Mr. Speaker, in this year members opposite voted against the budget that had the largest increase to policing ever in recent history in Manitoba, \$9.5 million or 13 percent increase to policing, which has been enhanced even more by an announcement last week that, in co-operation with the City of Winnipeg, another 23 officers will be deployed to that great city.

Prosecutions, increased investments of 73 percent since we have come into office; targeted units, 200 active gang prosecutions underway; in Corrections, an increase of 50 percent in investments there. I spoke about the auto theft initiative and also the criminal organization high risk offender unit focuses on high-risk offenders.

So, Mr. Speaker, we have introduced a very aggressive criminal justice reform strategy. We will continue to do that, to take every effort to reduce the risk of crime against the citizens of this great province. Thank you.

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I just wanted to put a few words on the record in regard to the resolution brought forth by the Member for Kirkfield Park (Mr. Murray) in regard to public safety and the concerns that have been raised by the resolution.

Mr. Speaker, as we are well aware, here in Winnipeg, particularly, we have got situations that, unfortunately, have led to some tragic events in regard to public safety right on the street in fact. I think we are all very, very aware of the tragedy that happened to the young boy that got caught in the crossfire between two rival gang members and the outfall from all that that was in the papers and in the press. I think there were a lot of people that were really outraged at the fact that these types of endeavours are still very, very prevalent here in Winnipeg.

I can relate very closely to Winnipeg, being an urban member, in conversations with constituents, and they are concerned about public safety in the

streets, in schools, and in all areas that there are public gatherings. In fact, that sometimes there is a crime committed and incidents where people are either hurt and, unfortunately, like we have seen lately, the young lad that was killed. We have got to look back at the efforts and the direction that this government has been taking since they have come into office in 1999.

Unfortunately, we have seen a lot of increase in gang activity. We have seen the formation of some very significant gangs come into Manitoba. I think we all are well aware of the Hells Angels, the Bandidos and the Mad Cowz and now the African Mafia and other things that we have been exposed to over the years. It seems that the Winnipeg police force, particularly, is trying very, very hard to try to get a handle on the activities that are happening in the community. I give great commendations to Chief Ewatski and his police force in their efforts. I know personally a few police officers and they are very cognizant of what is going on and yet they are very cautious in their comments because of the fact that they have a lot of areas that they have to cover in their duties.

I think, though, that what we have advocated for is we do have to increase our resources to the police. The amount of police on the street is something that has to be looked at. The resources for gang task force, if you want to call it, have to be strengthened. There has to be co-ordination of the various police officers throughout all of Manitoba. I am talking particularly of Winnipeg, but I think that, if you talked to a lot of our rural colleagues, rural MLAs, in their travels throughout their constituencies and talking to the coffee-shop people and the people in their communities, crime is something that is prevalent and growing in even the rural areas and small towns. We saw the unfortunate incident just recently in Thompson where a young lady, a taxi-cab driver, was murdered. These things are, like we say, unfortunate that small towns are becoming, well, Thompson is not a small town, but I mean in areas where we usually associate violent crime, in large urban areas, like Winnipeg, that are in that area. So these are some of the things that we have to be very, very aware of and how we can try to combat them.

We know the numbers of homicides in Winnipeg. Unfortunately, it was in 2004, there were, I think, 50 murders in total in Manitoba. Violent crime has increased, property crime has increased. Some of the areas that we have to try to concentrate on, too, are not only with the police force but in

Neighbourhood Watch associations and Citizens on Patrol. All these things are an outcome of trying to combat crime and come to some sort of reckoning of getting a handle on it.

\* (11:40)

The other thing that we have to be aware of is the growth of drugs and the proliferation of crystal meth in our society, and it has become more and more of a problem. I happened to be watching a program last night, in fact, when I got home later on in the evening, and it was from a United States television station, actually it was one in Minneapolis, and they were doing a profile of a young man and how he had changed because of his association with drugs. The transformation with him and his family was something that they had documented. They had talked to people in his church and in his workplace and his family and his children and how this individual got hooked, if you want to call it, on crystal meth and how it changed his life so dramatically, with all the hallucinations and the mind-altering situations that he was encountering, that it ended up him barricading himself in a small outbuilding on his property and shooting at people coming at him. Unfortunately, the police had to get involved and the police had to shoot him and he died, but it was related back to the use of crystal meth and the addiction that arose from it. It was quite compelling in how the people that were interviewed, the dramatic change, this young father, he was a young man, he was a father, a husband, had changed because of his involvement with crystal meth. This was in a relatively short time, this was in a six-month period that all this happened.

It brings to light the fact that here in Manitoba, here in Winnipeg and all throughout Manitoba, the proliferation of drugs and crystal meth is becoming such a problem that a lot of communities, the law enforcement are overwhelmed by the amount of this drug that is getting on the street, and young people are experimenting with it. It has been reported that even after one use of this drug it can sort of hook you and you are caught into a very terrible downward spiral of drug dependency. So it is something that we have to be aware of, something that we have to combat with. There is a government initiative with its advertising. The advertising is something that I think we have to be aware of, getting more information out into the public so that they can make accurate assessments of possibly what is happening, maybe, with their children, or what they recognize in the community.

So, Mr. Speaker, with those short words, I would recommend that we pass this resolution, in recognizing that some of the THEREFORE BE IT RESOLVEDs be passed as we debate these. So I thank you for the time to put these short words on record. Thank you.

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I rise to speak to Resolution No. 4 on Public Safety. I am pleased to speak to this very negative resolution and tell the House about all the positive initiatives and preventative measures of our proactive government. In fact, I have so many proactive items and initiatives and things that our government is doing that I do not think I can possibly read all of them into the record in the short time of 10 minutes that I have available to me.

**An Honourable Member:** We will give you leave.

**Mr. Martindale:** One of my colleagues offers to give me leave. I doubt if the opposition would take her up on that, but we can try.

We have many innovative and effective police strategies. For example, a new police fund was created to help sustain special units, including the Manitoba Integrated Organized Crime Task Force, the Integrated Child Exploitation Unit, the new integrated High Risk Offender Unit, the new integrated sex offender registry, the new RCMP street gang and auto theft units to operate as mobile strike forces; and the Winnipeg Police Service cold case and missing persons units.

Now, if I could provide some more detailed information about some of our programs, I would be happy to do that, time permitting. For example, the Organized Crime Task Force was established in 2003. It focusses on intelligence-led enforcement to seriously disrupt organized crime at the leadership level. The OCTF is made up of RCMP and Winnipeg Police Service staff with participation of Brandon Police Service staff and other municipal agencies. This year, in 2005, \$400,000 in provincial funding was added on to last year's \$1 million in funding to the Organized Crime Task Force.

The Manitoba Integrated Child Exploitation unit received the Commissioner's Commendation Unit Ensign for Outstanding Service earlier this year at RCMP "D" Division Headquarters in Winnipeg. This joint-forces unit is comprised of police officers from the RCMP and from the Winnipeg and Brandon

police forces. This highest award was given for outstanding work, at the national level stopping child exploitation across our nation.

Manitoba was featured in the *Calgary Herald* this spring for finding innovative ways to protect children. The Integrated Child Exploitation Unit cybertip.ca, specialized prosecutors and child-friendly courtrooms are all innovations introduced over the last five years by this government.

In 2004, the Winnipeg Police Service's Green Team was introduced, resulting in the closure of 105 marijuana grow operations and the seizure of 3800 kilograms of marijuana.

I would like to talk also about our government support for the police. This year, \$9.5 million in new funding will be provided for policing, an increase of 13 percent from last year, for a total of \$81 million. Investments will be used to fund 54 police officers in Winnipeg, Brandon, rural and northern communities over the next two years, exceeding the 40 officers announced in last year's Throne Speech. Twenty-three positions are being added to the Winnipeg police force, two new police officers for the Brandon Police Service. Also, funding for Aboriginal police increased by 16.7 percent. We recently announced funding for the 23 more police officers in Winnipeg. Funding for policing has increased by 42 percent since 1999 when we formed government. In the six years prior to this government, that is from 1993 to 1999, there was only a 12 percent increase in funding to police.

There has been innovative legislation to help our police services. For example, we made amendments to The Highway Traffic Act in 2004, allowing police to put an immediate halt to racing behaviours by empowering them to seize and impound vehicles. Police did not have clear authority prior to this legislation.

We passed The Cross Border Policing Act, the first of its kind in Canada, assisting policing across provincial boundaries by ensuring that officers do not lose their status if they leave their home province. It empowers officers to enforce the law in urgent situations, carry out arrests and continue investigations beyond provincial boundaries.

Manitoba has been recognized for having some of the nation's most innovative programs to combat crime and violence to help make our communities



safer. For example, our Gang Prosecutions Unit. This specialized team, established in 2003, will be expanded to 16 positions over the next year, including 5 new prosecutors as well as support staff. The unit will enhance the targetting of youth and gun cases, strengthen links with police, provide constitutional expertise and greater assistance for regional prosecutors. The unit has achieved 237 convictions or guilty pleas since it was established two years ago.

We have Canada's first community prosecutor. Downtown Winnipeg is the first area to be targeted for a new, proactive prosecution strategy that works with Winnipeg police and local stakeholders to target street crime and other locally identified priorities for both aggressive prosecution and co-ordinated prevention strategies. There are those words again, proactive and preventative, things that we are doing.

Providing more police: Nine new Aboriginal police officers will be stationed in northern Manitoba. These resources are in addition to the 54 police officer positions that were announced in the budget in 2005 including 23 in Winnipeg and two in Brandon, and, as I said, we recently announced funding for 23 more police in Winnipeg.

\*(11:50)

We are closing down more gang houses. Three Public Safety Investigation Unit teams instead of one will be in place to enforce The Safer Communities and Neighbourhoods Act and The Fortified Buildings Act.

I would like to expand a bit on The Safer Communities and Neighbourhoods Act because it is a very important piece of legislation that our government brought in, and it is being used in the inner city in the North End including in my constituency. I know about this because I have phoned the Public Safety unit and complained about houses that were causing a nuisance in the neighbourhood and requested that they be investigated and if possible closed down. Now, I know that they have a policy of wanting citizens to make complaints directly. They really do not like taking complaints from third parties, but in spite of that policy they have taken complaints from me because, as I have pointed out, sometimes it puts citizens' lives in danger or potentially in danger.

For example, I phoned to complain about a house where the tenants downstairs believed that upstairs there were prostitutes and possibly drug

dealers living and doing business. I felt that for the tenants on the main floor to complain about this could have put them in a situation where they might have faced retribution from the people going up the stairs to the top suite. My complaint was accepted and this house was investigated and, in fact, the tenants on the second floor were evicted and the house was placarded. There was a notice on the front door saying that it was ordered to be vacated, but the tenants on the main floor were allowed to stay because they were not causing the problem nor should they have been forced to leave. So this law is being applied very effectively and very strategically to target the people who are the problem, and it is not being used to evict everybody in a building but only those who are causing the problem. We very much appreciate having this in place so that we can keep these people on the run and stop them from causing problems.

The Safer Communities and Neighbourhoods Act targets properties that adversely affect the safety and security of neighbourhoods by their habitual use for prostitution and related activities or for the possession, sale and/or use of drugs or the sale of liquor without a licence or the use or sale of intoxicating substances and the possession, use or sale of non-potable intoxicants. The act represents a new tool for Manitobans to combat criminal organizations by having an experienced team investigate complaints received by concerned citizens. The Public Safety Investigation Unit which enforces this act received the 2005 Manitoba Service Excellence Award for Innovation.

The act empowers law-abiding citizens to take an active role in their communities' well-being in a safe and effective manner. When citizens phone my office, whether they are talking to me or talking to my constituency assistant, we encourage them, we urge them to phone the Public Safety Branch and put in a complaint because in most situations it is better for the resident to put in a complaint because they are the ones who are observing the activity. They are the ones who can tell the police whether there is a lot of traffic going in and out of the house or what kind of activities they suspect are taking place there. This act has been used to shut down 121 operations, so every time we speak about this bill we know that more and more houses are being shut down by this innovative legislation. One inspection revealed a marijuana grow operation valued at \$1.4 million in a fortified home.

We believe in swifter offender accountability. The award-winning domestic violence Front End Project will now expand beyond domestic violence cases. This project led by the Chief Judge to ensure matters go to trial sooner will extend to all adults in custody—

**Mr. Speaker:** Order.

The honourable member's time has expired.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak to this resolution, and I will be brief so that we have an opportunity, hopefully, to put this to a vote.

I would suggest that the NDP, who are trying to make claims that they have things under control, are clearly not in touch with what is going on in the streets of Winnipeg and that, clearly, there are some major, major problems. We have had people killed who got caught in cross-fire between gangs, we have had all sorts of problems over the last little while, and it is not a matter of how much money or how many programs, it is a matter of whether you can get the job done and the NDP clearly has not been doing this as well as it needs to be done.

The second point that I would like to make is based on the story of the people who were living along a river and had to constantly pull people who were drowning out of the river. This became a huge problem of people drowning in the river and having to be pulling them out. They worked hard and as fast as they pulled people out, there were more people drowning. They could not understand what was happening. It was an impossible situation until they discovered that somebody was throwing these people in around the bend and that once they had stopped people from throwing people in around the bend, then they were able to get on top of the problem.

When we are dealing with crime, one of the problems here is the conditions which cause the crime and one of the problems is the way that the NDP are running the health care system and the child welfare system.

In talking with police and with people who have been involved with the health care system, and the mental health care system specifically, one of the major problems is that people with mental illness are not getting the adequate care that they need as a result of the mismanagement by the NDP

government and they end up having to be looked after by the police. The police end up taking these people with mental health problems to the emergency room and waiting for hours. It is quite a dysfunctional and inappropriate way to run the mental health care system in this province and it is causing a lot of extra activity and a lot of extra pressure on the police and, of course, that creates more demand for resources. The answer here is to get the mental health care system working properly in this province.

The other problem is the child welfare system in this province. At age 18, too many young people who have some behavioural problems, sometimes FASD, sometimes significant problems, are being, essentially, thrown out on the street without any transition programming and, of course, before you know it, all too many of these individuals get involved with drugs and gangs and crime and so on and that creates more problems for the police. We would have a much better situation if there were a transition program for young people at age 18, if the child welfare system was working much better than it is, and that would decrease the demand for police resources.

These are clearly areas where we should be addressing in a major way and those, Mr. Speaker, are my comments.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I am pleased to put some words in the record with regard to this resolution, and I would like to take the perspective of someone who has spent a lot of time in the classroom and someone who is also involved with the Restitution and Reconciliation Committee for Youth Justice in my community of Gimli.

Now, as someone sitting on that committee, there were some things that were quite evident with respect to behaviours that would lead to individuals selecting to offend. Of course, one of the things that became very evident was that recidivism was a big issue in this regard, as well, where, I believe, the statistics are that 85 percent of crime are committed by 7 percent of criminals.

But what was one of the common threads about the behaviours that would have been exhibited by individuals that would find themselves in front of the Restitution and Reconciliation Committee there was a variety of socio-economic factors, a variety of

issues of peer pressure, things of that nature, and as Minister of Education, Citizenship and Youth in this capacity today I recognize that relationship between opportunities that are available for our children and engagement of our children and investments in our children and a relationship—

**Mr. Speaker:** Order. When this matter is again before the House, the honourable Minister of Education will have nine minutes remaining.

The hour being twelve noon, we will recess and we will reconvene at 1:30 p.m.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, December 1, 2005**

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