

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

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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.
MAGUIRE, Larry	Arthur-Virden	P.C.
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.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
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.
Vacant	Fort Whyte	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, November 15, 2005**

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

*PRAYER*

**House Business**

**Hon. Gord Mackintosh (Government House Leader):** Just on a matter of House business, Mr. Speaker, I wonder if there is leave of the House to consider either at eleven o'clock or at the conclusion of private members' bills in the first hour the resolution of the honourable Member for St. Norbert (Ms. Brick) regarding Child Find.

**Mr. Speaker:** Okay, for the first hour we will do private members' bills and then at eleven o'clock we will do resolutions, and the resolution that the Government House Leader requested was Child Find. Is it the will of the House to follow that sequence? [*Agreed*]

**ORDERS OF THE DAY**

**PRIVATE MEMBERS' BUSINESS**

**SECOND READINGS—PUBLIC BILLS**

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

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, I seek leave to introduce, on behalf of the Member for River East (Mrs. Mitchelson), Bill 200. I move, seconded by—

**Mr. Speaker:** Order. Does the honourable member have leave to move Bill 200 on behalf of the honourable Member for River East? [*Agreed*]

**Mr. Cummings:** Mr. Speaker, I move, seconded by the member from Emerson, that Bill 200, The Manitoba Public Insurance Corporation Amendment Act, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Cummings:** Well, thank you, Mr. Speaker, and thank you to the House for providing leave. My colleague, the Member for River East (Mrs. Mitchelson), will be here momentarily and will have probably a lot more pungent thoughts to express on this bill than I do. But I do want to speak from the position of some conviction that this amendment is neither frivolous or unnecessary. It is

indeed necessary, if we in government believe that it is our responsibility to make sure that legislation that we have in place is supportive of the broader sections of society and does not unnecessarily leave people in positions of some vulnerability.

This amendment act was introduced last year, and is being reintroduced again this year because I believe, in good faith, the Minister responsible for MPI said that he was seeking further advice, and we assume that he might be introducing an amendment that would in fact accomplish what we wish to do with this bill.

Mr. Speaker, what we are concerned about is that where an accident victim receives an income replacement indemnity to keep any part of a disability benefit that is paid to the victim under Canada Pension Plan as a result of division of pensionable earnings that, currently, the act is required to reduce an income replacement indemnity paid to an accident victim by the amount of the disability received. Now that seems like a reasonable clause, in terms of maintaining total income that an accident victim may normally receive, I think would be the best way to characterize it. But this amendment allows the accident victim to retain, rather than have them claw back, any money received from CPP as a result of division of pensionable earnings from the victim's spouse, former spouse, common-law partner or former common-law partner.

It was brought to the attention of those of us on this side for case-specific reasons. A severely injured individual, injured in a car accident, was married to a disabled person who was receiving disability. After the accident she was compensated through MPIC for her disability. But following the accident, she and her husband became divorced, and when applying for income splitting was granted about \$160 a month. Afterwards this woman realized that this money was in fact being taken from her former disabled spouse, that that \$160 was being clawed back under no-fault legislation. Two disabled individuals, one who was injured through no fault of her own, with a disabled husband, two individuals living in very difficult circumstances that were being penalized. I think, for the record, Mr. Speaker, I want to indicate that my starting premise, and the one that is the most

important part of how we look at this is that, if the law is wrong, or if the law is punitive, than we have a responsibility to take a look at what happens as a result of the law being put in place.

\*(10:10)

There were certainly good reasons to put in place no-fault insurance. One wag commented to me at the time that no-fault insurance was being put in place that people were getting whiplash settlements from watching accidents, and I think that indicates the state to which society had deteriorated where it was costing the corporation, or any other insurance company in other jurisdictions, a fair bit of money to just have frivolous claims go away. In other words, there were claims being settled that were probably not founded in fact or being supported by enough facts to create a claim but they would be very expensive legally to deal with, so that companies were starting to settle for a portion of what it would cost them in legal terms to deal with claims. What we have here is a situation where two individuals, one of whom was disabled, being further disadvantaged by the legislation that we put in place.

I appeal to the social justice side of the government, if there are indeed some over there, and I suspect there should be, that is what they like to brag about, but it strikes me that saying it and doing it can be two different aspects. In fact, it strikes me that sometimes people such as those who sit on this side who think rationally and think in a caring manner, knowing that those who are truly disadvantaged in society need a hand up whenever we can possibly do it for them, we recognize that there is an inequity in what we are dealing with here today.

It is a very small issue. If the bill is not written the way MPI lawyers want it written, then give us a better example. We do not need to open a floodgate of claims, but what we need to do is recognize that where there are severely disadvantaged individuals in society, such as a disabled person that we are talking about in this case, we have a responsibility to look at the laws that we have written.

Having said that, Mr. Speaker, I want to put one other situation on the record to help make the case that no-fault insurance was well intended but it probably needs to be fine tuned, and it was always, always the intention. The same as it is with regional health authorities, that they should be reviewed regularly as to whether or not they are functioning in a manner that was intended. No one in this House

and none of our legal advisers are so wise that we will not have some errors or some changes that we should look at in legislation, and if we are so wilfully blind as to not consider that, then we probably are not doing our job.

The first claim, Mr. Speaker, that came through the MPI offices under no-fault, I am told, and this may be becoming urban legend, but the fact is the first claim appears to have been someone who said they got their head caught in a bus door. When questioned about the validity of their claim and told that perhaps this did not qualify under the new regulation said "Well, the last time this happened I got \$500."

I see my two-minute warning. Thank you, Mr. Speaker.

I appeal, on the basis of those kinds of situations that were dealt with, we may have inadvertently not dealt properly with situations such as this individual finds and there will undoubtedly on rare occasions be similar situations that will arise.

I see a lot of hand signals and negotiation going on here. I am more than pleased to speak in support of this amendment on behalf of my colleague from River East and I thank the House for giving me leave.

**Ms. Marilyn Brick (St. Norbert):** I move, seconded by the Member for Brandon East (Mr. Caldwell), that debate be adjourned. *[interjection]* I withdraw that, Mr. Speaker.

**Mr. Speaker:** Okay, the adjournment has been withdrawn.

**Mrs. Bonnie Mitchelson (River East):** Mr. Speaker, I apologize to the House for being a little late this morning getting in. I spent an hour and a half on the road from North Kildonan and I would venture to guess that MPI will be very busy over the next few days and weeks trying to sort out a lot of the mess. But I wish that all who are travelling on our roads and highways arrive at their destination safe, even though it might be a little late.

Mr. Speaker, I rise again, for the third time, and the third session to introduce this amendment to the Manitoba Public Insurance Corporation, and I would urge the government seriously to stand up and debate this amendment and pass it.

We are looking at two individuals who are doubly disadvantaged, both disabled, one being on

CPP disability and the other being on compensation from Manitoba Public Insurance for a motor vehicle accident which was not of her making or was not her fault, Mr. Speaker, a woman who ended up with brain damage as a result of a severe car accident.

Mr. Speaker, we have heard and many in this House have been here for the debate over the last three sessions to understand and know that we are not dealing with piles of money. We are dealing with a very unique circumstance through MPI. I know that my colleague the Member for Ste. Rose (Mr. Cummings) who introduced no-fault insurance when he was a minister within our government has admitted that from time to time we know that legislation that is introduced needs to be amended.

Most of the legislation that is passed in this House is amendments to existing legislation because there is a flaw, there is a loophole, there is something that needs to be fixed. We are indicating today, as we have for the last two sessions, that there is a flaw in the legislation that needs to be fixed, and that is why this amendment is here.

You know, Mr. Speaker, we just saw in the newspaper today that MPI has a surplus of \$58 million that they are going to rebate to Manitobans. Yet you look at two individuals who are living below the poverty line who are asking for a little bit of consideration from MPI for their plight, and we have a government that sits back and denies passage of this legislation year after year.

Mr. Speaker, I find it unconscionable that members in government can sit in their seats and say no to these two individuals who very, very dearly need just a little bit of additional support in order to make their lives a little bit more comfortable.

So, Mr. Speaker, I would urge members of the government today to stand up, to stand in their places, debate this legislation or pass it on to committee so that we can hear from the public and ensure that these two individuals possibly receive a little bit of that \$58 million that MPI has sitting in surplus. We have a government that sits in their seats and does nothing to try to ensure that individuals who really need this kind of support do not get it.

\*(10:20)

So, Mr. Speaker, I would ask that they again look seriously at this legislation. The money that has been taken from the husband that was on CPP disability is being clawed back by MPI, and we are

not talking about huge amounts of money. With a \$58-million surplus we are looking at approximately \$160 per month, \$160 that could go into the hands of a brain-injured individual to maybe help a little bit, just a little bit in improving her quality of life. This is not a rich individual. This is an individual who, again, through no fault of her own, has experienced the necessity to live below the poverty line. This woman could benefit significantly from the additional \$160 per month that we are talking about, and we are not talking about breaking the bank at MPI.

We are not talking about nearly any amount that would equate to the \$58 million in surplus that has been ordered to be repaid to individuals throughout the province on their Autopac insurance. We are talking about a family, a couple, who, on the one hand, has had part of their CPP disability taken away in order to split the pension as a result of a marriage break-up, and another individual who was injured in a car accident through no fault of her own, and the money that has been taken from her disabled husband and provided to her is being clawed back by MPI.

Now, Mr. Speaker, when you look at the big picture, and you look at fair treatment for individuals, I cannot understand why this government that talks the talk about social justice and talks the talk about supporting the poor and the underprivileged within our society cannot walk the walk, cannot take a look at this amendment and show some compassion for individuals in our society who cannot speak for themselves. We have a sister of this young woman who has been her advocate, who has worked hard, who has appealed to Manitoba Public Insurance and has been told that the only way that this can be rectified is through this amendment to the legislation and, you know, we have the government time and time again, the minister responsible for MPI who indicates that he is not prepared to support this amendment, that it might open the floodgates.

Well, Mr. Speaker, we have never seen any evidence of that from the minister responsible. I do not believe that you would see many families in this situation or circumstance throughout the province of Manitoba, and I would encourage this government to show some compassion, to show that they really care and support this amendment. Pass it this year, let us get it to committee, let us get it passed and let us provide some justice and some support to two very

disadvantaged people in our society. Thank you, Mr. Speaker.

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I welcome the opportunity to put a few words on the record in regard to Bill 200, The Manitoba Public Insurance Corporation Amendment Act. I think my colleagues have spelled out some of the circumstances here which would come into play and which really are not covered by the act as it reads currently.

Quite clearly in Manitoba, when we get the type of weather we do today, we are bound to have some accidents occur. As my colleague from River East pointed out, I am sure Manitoba Public Insurance will be busy over the next little while in dealing with claims. I think that is something Manitobans forget when we do get the first real good snowfall of the year, that there is a whole set of driving conditions out there that they have to be aware of, and they sometimes do not take the time to be aware of those. In fact, this morning I had to stop and push some people out of the snowbanks as well. Those sort of things do happen.

Mr. Speaker, when Manitobans buy a product from Manitoba Public Insurance through Autopac and the Autopac product, they have an expectation that they are going to be serviced when they have a claim. I have found, just in my brief period of time here as critic for MPI, there are a number of issues that have come forward where Manitobans feel that they have not been treated fairly in their Autopac claim.

In my previous life, when I sold the Autopac product as an insurance broker, we as brokers wanted to make sure that we were selling a good product. We wanted to be comfortable because, those clients that we were selling the product to, we wanted to be sure that we were selling them a product that they could count on at the end of the day if they did have an insurance claim and, unfortunately, that is not always the case.

Mr. Speaker, I just have some numbers here. I am looking at some legislation last year. I look at some of the numbers going back, and the numbers that are filed through the Appeals Commission. Back in 2003-2004, there were 189 appeals. Going right back to the year 1999-2000, 164 appeals. So there were quite a few appeals that were going back through the Appeals Commission.

So, clearly Manitobans feel that they are not being treated fairly in their Autopac claims. I think this particular legislation just speaks to one aspect of the act. It will not have an impact on a lot of Manitobans, but certainly, those few Manitobans that are being impacted by this particular act will want to have it addressed and will want to have it moved forward so that they feel that they are being treated fairly.

Mr. Speaker, when you look at some of the reports to even the Office of the Ombudsman, when you look at even just the phone calls received, and these, again, are people dealing with Manitoba Public Insurance, I go back to the year 2000, and there are 264 phone calls to the Office of the Ombudsman regarding MPIC claims. Those numbers actually increased up to the year 2003 when we had 361 phone calls reported to the Office of the Ombudsman regarding MPIC issues.

In fact, when you look at the actual number of claims open at the Ombudsman's office, they range anywhere from 58 in 2001 up to a high of 78 in 2002. So clearly, Mr. Speaker, there are some issues there with Manitoba Public Insurance and how they are dealing with claims. We have constituents that come forward on a fairly regular basis that have issues with Manitoba Public Insurance and how their claims are handled, and, as critic for Manitoba Public Insurance, I guess I get to see a lot of those claims and a lot of those issues come forward. So we certainly try to deal with them where we can.

Again, when you go back to that product, and that Autopac product, because it is the only option available to Manitobans, Mr. Speaker, Manitobans have to be dealt with in a fair and equitable manner because, quite frankly, there are no options for them. If they looked at, let us say, a private house insurance, in fact, if you felt that your claim was being dealt with in fair manner, well, you have the option to go and look at another firm to purchase your insurance product through. I think Manitobans should be dealt with in a fair and equitable manner when it comes to the claim handling process because they do only have that one option.

\*(10:30)

I know the government here has made some changes through to Manitoba Public Insurance. I know one thing we did last year was make some changes to the appeal commission itself in terms of the numbers of commissioners who sit on the board, so hopefully that will speed up the appeal process

when people are there. Again, that process was being backlogged because of the number of claimants that were coming forward through the appeal commission.

Something else that was passed two years ago was the claimant adviser office that was passed in the Legislature over two years ago and it took a year for the government to get that claimant adviser office up and running. It is now just up and running and hopefully it will be helping Manitobans through that whole process.

The unfortunate part, Mr. Speaker, is that what we seem to be developing is a whole bureaucracy of appeal. There is certainly a level of frustration with Manitobans out there as they go through the process. Once they are denied then they have another avenue to appeal, and if that is turned down, then they have another avenue to appeal so Manitobans are frustrated with that process. It is dragged out and they are dealing with bureaucracy after bureaucracy.

The other thing that they are frustrated with is all those people through that bureaucracy are employed with Manitoba Public Insurance, so they almost feel like their fight is ongoing and it is still with the same corporation. There is not a feel that it is an independent appeal process as they go through. We have developed a long and bureaucratic and convoluted process of dealing with claims when issues do arise. I think the government has an onus to have and allow Manitoba Public Insurance to deal with the claims in good faith. I think if we just go back to the root cause here and deal with these claims in a very effective manner from day one, move the claims forward in good faith, then we would not have a problem with the claim process.

Now this particular bill will amend the act and allow the victim who receives an income replacement indemnity to keep any part of a disability benefit that is paid to the victim under the Canada Pension Plan as a result of the division of pensionable earnings. So it is a fairly straightforward amendment to the act and, again, I say it will not impact very many Manitobans, but those Manitobans that it does impact, I think, it will be very important that we move it forward.

This bill was introduced, certainly, by the Member for River East (Mrs. Mitchelson), and it was a very case-specific issue in her situation, but I do know there are other Manitobans out there that will be facing the very same situation as they go forward.

As was pointed out, it is only \$160 a month, so in reality that will have a very small impact on the \$58-million rebate that we are going to be going through over the next year. In fact, the rate stabilization fund of MPI at the end of fiscal year 2004-2005 had a reserve of \$135 million in it. Quite frankly, Mr. Speaker, there is lots of room for Manitoba Public Insurance to be paying out Manitobans on a fair and equitable manner.

I think that is all I need to say this morning, Mr. Speaker, but I certainly had hoped that the government of the day would look seriously at this bill and move this bill forward to the benefit of those few Manitobans that it would affect. Thank you very much.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I speak briefly just to indicate support for this bill. I think that people who are in this situation should be treated fairly and that this is a positive step forward.

**Ms. Brick:** Mr. Speaker, I move, seconded by the Member for Brandon East (Mr. Caldwell), that debate be adjourned.

*Motion agreed to.*

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

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I move, seconded by the honourable Member for Minnedosa (Mrs. Rowat), that we adjourn debate. Can I do that?

**Mr. Speaker:** No. Just for clarification of the House, I will call the bills, and if members wish to proceed, we will proceed. If the House decides not to proceed, then we will leave it and we will move to the next bill. So, I am calling Bill 201, The Child and Family Services Amendment Act (Grandparent Access). What is the will of the House?

**An Honourable Member:** Stand.

**Mr. Speaker:** It is not standing. It is just going to be left on the Order Paper. So I am going to move on to Bill 202, The Good Samaritan Act.

**Bill 202—The Good Samaritan Act**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill 202, The Good Samaritan Act; Loi du bon samaritain, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Gerrard:** Mr. Speaker, The Good Samaritan Act is an important piece of legislation which I hope that members on all sides of the House will support. This is legislation which is designed to provide some legal protection from liability for somebody who helps somebody else at the time of an accident, injury, someone who is suddenly ill, or for any other reason.

What it does is to provide legal protection from liability except in the case of gross negligence, so that somebody who is in a situation where there is gross negligence would not be protected, but somebody who comes forward in good faith and does their best to assist another person who has been in a car accident, a snowmobile accident, a skiing accident, somebody who has had a heart attack, somebody who is in a position where they have been out swimming and got into trouble and maybe has the potential of drowning, that in all these situations it provides some legal protection from liability.

Now why would we need such legislation? I think the answer is simple. It can be well illustrated by an actual incident which occurred in British Columbia. In British Columbia, there was a circumstance where a 19-year-old was in an accident. I think it was a car accident. He was thrown from his car. There were 12 people nearby and they watched and this 19-year-old died. There were two people there who told others who were standing by, "You had better not get involved because there might be legal complications or problems or lawsuits if you do get involved." Well, of course this raised a hue and cry in British Columbia, it raised a lot of concerns, people being reluctant to get involved because of a fear of liability.

What happened in British Columbia then was, as a result of this, as a result of support from groups like the registered nurses in British Columbia, there was widespread support for a full Good Samaritan act in British Columbia, which protected anybody, whether they were nurses, doctors, paramedics, people from St. John's Ambulance and, indeed, ordinary citizens who do not necessarily have a lot of medical training, who are there to help out.

\* (10:40)

This legislation in British Columbia passed and has been in place since 1978, and it is about time that we had it here in Manitoba. We want it here in Manitoba before such an incident happens here, not after. We want to make sure that people are aware that they will be protected from legal liability by

getting involved so they will not hesitate to get involved when they are needed rather than to have a similar sort of incident occur here because we as legislators failed to pass this Good Samaritan legislation. Let us make sure we pass this legislation before the problem arises here and not after because what we are about is creating conditions to encourage people to do good things, in this case, to come forward and help others.

Clearly the people in the Legislature and elsewhere will know the story of the Good Samaritan, how a man was robbed and injured by the side of the road and people, prominent people, passed by and a Good Samaritan came along and helped the injured person and looked after him. In the common law, which is the basis of our current law, there is not a requirement that you get involved, but what we want to do with this act is to say to people "Look, if you get involved, then at least you will have some protection from liability."

Such legislation as this Good Samaritan Act is already present in seven provinces. It is already present in two territories, in the Yukon and the Northwest Territories, and it is present in all 50 states in the United States and in the District of Columbia. Now, you can understand perhaps why the move to put such legislation might move faster in the United States because it is, indeed, a more litigious society than we have here and, indeed, polls have shown that more people in the United States, or a higher percentage, would be reluctant to get involved without such protection. In Canada it is less of a problem, but what we want to do is to reassure anybody and everybody that they will have this protection in Manitoba. We want to make sure that the law says what we think is a good thing and that is "Get involved and we will provide some protection to you."

The provinces which have passed this legislation would include British Columbia, Alberta, Saskatchewan, Ontario, all the provinces around us. It includes Nova Scotia, Prince Edward Island. Québec does not have this legislation but there may be in part a reason for that. Under the civil code in Québec and in Québec law there is, indeed, a requirement that you get involved if somebody is injured, so it is quite a different legal situation and that may well be in part the explanation for why Québec has not moved, and if we then exclude Québec out of the provinces which have common-law-based legal civil law, then seven of the nine provinces already have a Good Samaritan act, and



Manitoba is one of the last to come forward and put in place a Good Samaritan act. It is important that we act now and that we use our position here in the Legislature to emphasize the fact, which would be common sense to most of us, that if somebody is injured it is just ordinary decency to come forward and help to the extent that you can and the extent of your abilities.

So, Mr. Speaker, let me sum up that this is legislation which we have followed or modeled on what is in other jurisdictions, is needed here, and it is about time that we pass this legislation. I would ask all the members to come together and support Good Samaritans in this province.

**Mr. Harry Schellenberg (Rossmere):** I move, seconded by the Member for Selkirk (Mr. Dewar), to adjourn debate.

*Motion agreed to.*

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

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I move, seconded by the honourable Member for Inkster (Mr. Lamoureux), that Bill 203, The Health Services Amendment and Health Services Insurance Amendment Act; Loi modifiant la Loi sur les services de sante et la Loi sur l'assurance-maladie, be now read a second time and referred to a committee of the House.

*Motion presented.*

**Mr. Gerrard:** Mr. Speaker, I rise to put forward the reasons why this bill, which introduces the fundamental principle of accountability into the delivery of publicly funded health care services in Manitoba, is so important.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

This introduction of the principle of accountability has been discussed for quite a number of years. It has clearly, in Manitoba, been badly needed. And out of the discussion after a number of years came the recommendation in the Romanow report, health care across Canada, that accountability should be made a sixth fundamental principle of medicare in Canada.

We have an opportunity here in Manitoba to be the first province to introduce the principle of accountability, and it is high time that we do so. It is abundantly clear that there is a need for accountability in health care in Manitoba. We spend

a large number of public dollars every year in health care. People of Manitoba should have an accountable health care system in this province, a system which is based on a principle of accountability and which follows from top to bottom the principle of accountability.

Let us provide some examples. We have a government which, in 1999 when they faced an election, the NDP said: "Well, we will address and eliminate hallway medicine; we will solve this problem of waiting lists; we will get a health care system which is working." Well, after now more than six years, there is still hallway medicine. There is still long waiting lists for quite a number of procedures, and the fact is that, after six years, we do not even have the principle of accountability accepted, let alone accountability within the system.

\* (10:50)

I will give you another example. The former Minister of Health, when I asked him about the approach to diabetes, an epidemic in this province, an epidemic, he said that they had the best strategy in all of Canada. It had been acknowledged as the best strategy. But then when there was a change in Health ministers, the new minister got up and he said the strategy had never been implemented. They had to bring in a new strategy because the former Minister of Health's strategy for diabetes had never been implemented. We still had an epidemic, and the numbers are still going up because the problem had never been adequately addressed because there was not accountability within the system.

When it comes to problems which are important in terms of the dollar cost to Manitobans, in accordance with their issues that they cause not only for health care but education, family services and justice, like fetal alcohol spectrum disorders, we had a registry that was keeping track and giving us some information as to whether the incidence and the prevalence were going up or not. That registry had its funding cancelled in '93 or '94 under the Tories, but it has never been reinstated under the NDP.

**An Honourable Member:** Shame on those Tories.

**Mr. Gerrard:** Shame on both Tories and the NDP for not having measures of accountability. The fact is that we need accountability in the system. We need accurate measures of what is being done. It is no longer good enough to throw money at problems without having outcome measures and accountability. It is time there be a fundamental shift

in this province and having a process, a delivery system, which recognizes at every level the principle of accountability as an important step forward.

We have been dealing recently with problems with a 20-year-old with a mental health issue who is involved in a stabbing in Assiniboine Park. That could have been prevented, I am sure, if there had been adequate diagnosis and treatment of the mental illness involved in this 20-year-old. It is important to all of us that serious mental health problems be addressed and treated quickly. Yet we have had a government which has had extraordinarily long waiting lists for PACT programs, for first episode psychosis. This is just not the way a health care system should be run.

*Mr. Speaker in the Chair*

It is time, indeed, it is past time, that we have and accept the principle of accountability in the delivery of health care services in Manitoba. We include in this bill both acts which are involved and provide for delivery of health care services just to make sure that we have covered all the bases, as it were. Clearly, I would ask all the members of this House to rise, to debate this legislation if they have objections, to pass the legislation and let us move on in providing for accountability in health care instead of going back to the old ways and the unacceptable ways in which health care has been run without this accountability principle in the past.

**Mr. Jack Penner (Emerson):** Just to put a few short comments on the record in support of this bill, I think it is long overdue that this NDP government be held accountable for its actions in health care or for the lack of implementing what they have promised time and time and time again. They told us originally that they would, within six months, do away with the waiting list. "Fifteen million dollars," he said, the Premier (Mr. Doer) said, "and we will do away with the waiting list."

They said they would provide services to all the people in Manitoba. Yet I met this past week with a young man 40 years old who had had back problems, who had not worked for five years. He was on morphine for eight years and he was not able to walk and was not being given any kind of services in this province other than spending huge amounts of money on medication to dull the pain. Yet, when it became evident that there was help available for this person, the government of Manitoba so far has refused to pick up the bill. I met him, and six months ago this man had his operation in Europe, which our

church in large part supported and funded the trip to Europe.

This person had just the day before I met with him on the 11th day of November, on Remembrance Day I met with him, he had the previous day been loading plywood all day. Six months prior to that could not walk. He spent \$40,000 getting an operation in Germany to fix his back. He said, "I have no more pain, and I am now an able-bodied contributor to the economy of this province instead of being a constant draw."

For that reason, Mr. Speaker, I stand in support of this bill. If there was a proper accountability, then an assessment would be done of individual cases where we spend huge amounts of money annually to support the drug habits or the drug requirements to dull the pain, and to be able to give comfort to those people who need the kind of technology and accessibility to the medical process that is available internationally. That would prevent us from having to send heart patients and other patients either to other countries such as the United States and/or Europe for these kinds of services. We would be able to provide them at home. Would it cost any more in the long term? I doubt it. I think we would initiate a significant savings to the economy of this province if we had some form of public accountability of the health care system to the taxpayers of our province.

It think it is high time, Mr. Speaker, that the rhetoric that we have heard from our Premier (Mr. Doer) be held to accountability. Let us hear him defend his rhetoric against the action that has been taken. We have many people that suffer because we do not allow them to be serviced here. We do not allow them the services that we should provide here, yet we cannot. If we did the accountability, if we did the assessment of the cost of maintaining these people on medication forever and a day instead of giving them the cure, providing them with access to the cure, we would probably see a significant cost saving in the long term to the people of Manitoba through our medical system.

I think there need to be significant changes made to not only how we deliver the system but how we, in fact, prescribe to the method of control and regulation of this system and who regulates it and controls it. Might they be the biggest benefactors? Might they be? That question needs to be asked. The public is starting to ask it more and more every day. When are our politicians going to stand up and be accountable to the people that pay the bills? When

are they going to be accountable to the people that suffer the pain and receive no care other than inject morphine into their veins and keep them out of pain?

It is time, Mr. Speaker, that this kind of legislation be enacted and this kind of protection and access needs to be given to the public—

\* (11:00)

**Mr. Speaker:** Order. When this matter is again before the House, the honourable Member for Emerson will have four minutes remaining.

## RESOLUTIONS—DRAW SELECTION

### Res. 1—20th Anniversary of Child Find

**Mr. Speaker:** The hour being 11 a.m., as previously agreed we will deal with the Resolution 20th Anniversary of Child Find.

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, I move, seconded by the Member for Brandon East (Mr. Caldwell):

WHEREAS in 2004, there were over 62 000 reported cases of missing children in Canada, with over 2700 of those reported cases from Manitoba; and

WHEREAS children are the most valuable, but also the most vulnerable members of any community; and

WHEREAS as a result of their vulnerability, children are more susceptible to being exploited, to have their rights violated and to go missing than any other segment of the population; and

WHEREAS 20 years ago, Manitobans were galvanized to work for the rights of children and their safety following the disappearance and murder of 13-year-old Candace Derksen; and

WHEREAS in April 1985, Child Find Manitoba, a non-profit organization, was formed which dedicated itself to the personal safety of all children; and

WHEREAS Child Find Manitoba is devoted to assisting in the location of missing children, to reducing the incidence of sexual exploitation of children, to prevention programs on child personal safety and sexual exploitation as well as increasing awareness and advocating on issues related to missing and exploited children; and

WHEREAS Child Find Manitoba works in conjunction with other non-profit organizations,

police forces, government departments and agencies as well as local schools in ensuring that missing children are found as well as educating the public about issues surrounding child safety and missing children; and

WHEREAS for 20 years, Child Find Manitoba has helped protect and educate the people of Manitoba, ensuring that all children retain the potential for a full and bright future.

THEREFORE BE IT RESOLVED that the Legislative Assembly congratulate Child Find Manitoba on its 20th anniversary as well as for its tireless commitment to the welfare of children; and

BE IT FURTHER RESOLVED that this Assembly urge the provincial government to consider continuing to support the important educational and preventative work done by Child Find Manitoba.

### *Motion presented.*

**Ms. Brick:** Mr. Speaker, in 2004, there were 62 000 reported cases of missing children in Canada, with over 2700 of those reported cases from Manitoba. We know that children are the most valuable, but also the most vulnerable members of any community. It is because of this vulnerability that children are more susceptible to being exploited, to have their rights violated and to go missing than any other segment of the population.

Twenty years ago, Manitobans were galvanized to work for the rights of children and their safety following the disappearance and murder of 13-year-old Candace Derksen. In April 1985, Child Find Manitoba, a non-profit organization, was formed as a registered charity which dedicated itself to the personal safety of all children.

Child Find Manitoba is a charitable organization dedicated to the personal safety of all children. Their goal is to reduce child victimization by providing programs and services to the Canadian public. Child Find Manitoba is devoted to assisting in the location of missing children, to reducing the incidence of sexual exploitation of children, to prevention programs on child personal safety and sexual exploitation as well as increasing awareness and advocating on issues relating to missing and exploited children. Child Find Manitoba works in conjunction with other non-profit organizations, police forces, government departments and agencies as well as local schools in ensuring that missing children are found as well as educating the public

about issues surrounding child safety and missing children.

Child Find Manitoba's activities include assisting in the location of missing children; advocating for the importance of child personal safety and issues surrounding missing and exploited children; educating children and their families about how to keep themselves safer; preventing harm to children through education and prevention programs; developing training material and programs for children, families, law enforcement, government and other non-profit organizations; researching better practice on how we keep our children safer; receiving and disseminating reports dealing with child sexual exploitation on the Internet.

Child Find Manitoba's goal is to reduce child victimization by teaching children effective personal safety strategies. One initiative of Child Find Manitoba has been the development of a school curriculum program called Kids in the Know. It is a safety curriculum designed to empower children and reduce their risk of being victimized. It focuses on building self-esteem through teaching critical problem-solving skills.

The program uses an inclusive community-based approach to heighten safety awareness. The core premise of the curriculum is based on key root safety strategies and environments which are reinforced and practised throughout every grade level.

Mr. Speaker, it is amazing to say that Child Find Manitoba has approximately 150 volunteers throughout the province. It is through the dedicated effort of these volunteers that they are able to provide such services as fingerprinting; camera operation; case workers who provide direct assistance to families of missing children; educational speakers who give education-related presentations to groups of children, parents, professionals and others. They distribute missing-children posters in the community. They participate in special events such as Fashion Find shows. They serve on special events committees, including things such as participating in tag days.

Mr. Speaker, I am very sad to be reporting to the House that in 2004 there were 2786 reports related to missing children. This included 4 cases of kidnap, 1 of accident, 78 of wandering, 6 of parental abuse, 2472 runaways, 209 unknown and 16 others.

Mr. Speaker, 2786 reported cases is far too many. Child Find Manitoba works with our

government, and they were instrumental in the development and implementation of Cybertip, an on-line program meant to prevent the sexual exploitation of children, first in Manitoba and then on a national basis.

Cybertip.ca is Canada's national tip line for reporting the on-line sexual exploitation of children. It is a centralized Web portal for receiving and addressing reports from the public regarding child pornography, luring, child sex tourism and children who are exploited through prostitution. Cybertip.ca also provides the public with information, referrals and other resources to help Canadians keep their children safe while on the Internet.

As a result of its successful pilot program in Manitoba between 2002 and 2004 pioneered by Child Find Manitoba and the provincial government, Cybertip.ca was officially launched as Canada's national tip line with support from government and law enforcement. Since the beginning of the pilot phase, Cybertip.ca has received 2000 reports of child sexual exploitation, including child pornography, luring, child sex tourism and children who are prostituted.

During Cybertip.ca's first year of operation, the tip line helped to triage services for law enforcement agencies across the country. The tip line forwarded 44 percent of the potentially illegal content to agencies enforcing the laws, helping to shut down as many as 100 Web sites hosting child pornography and providing information that led to the arrests of five individuals who were later charged with possession and distribution of child pornography.

Mr. Speaker, our Minister of Justice (Mr. Mackintosh) said that Manitoba is proud to have supported the development of Cybertip.ca and hosted the pilot phase. It is a huge success. As many as 400 Web sites have been shut down, and 10 arrests demonstrate that the critical importance of launching this service nationally is here. As a national reporting tool, Cybertip.ca will now allow all Canadians to engage in the fight against online sexual predators.

\* (11:10)

We are very proud to have been able to assist Child Find Manitoba with their services that they provide to Manitobans, and we want to congratulate them on their 20th anniversary. Thank you, Mr. Speaker.

**Mrs. Myrna Driedger (Charleswood):** To all children who teach us every day the power of love, forgiveness, hope, joy, courage, the human spirit, you are our inspiration, our future, and you deserve to be safe. Mr. Speaker, I am honoured to rise today to speak to this resolution, a resolution about an organization that has been a huge part of me for 20 years. I was also pleased to have been able to give them some support in planning for their 20th anniversary gala dinner.

On Friday, November 30, 1984, Candace Derksen went missing. Seven weeks later, Candace was discovered murdered in an old shed not far from their home. On April 12, 1985, Wilma Derksen, Candace's mom, and a group of dedicated volunteers started Child Find Manitoba. This group met regularly for hours at a time to set up the organization. They were, at the same time as they were trying to set up the organization, overwhelmed with requests for assistance that they were getting, whether it was assistance to address situations of missing children or whether it was assistance of an educational nature on how to prevent children from going missing or from being exploited, and it was a monumental task.

I am still in admiration of those early volunteers who moved ahead relentlessly and tirelessly to get Child Find Manitoba off the ground. I can remember sitting around some of those meetings in the very early days, and I have a great deal of respect for the people who gave so much of their passion and their time to deal with the growing pains of this organization and the overwhelming task that was before them and to Wilma Derksen who put her heart and soul into the evolution of this organization and who felt so strongly that there was a need for an organization like this in Manitoba.

I was the mother of a toddler at the time, and I wanted my son to be able to spread his wings and experience the best that life had to offer. I also did not want to be breathing down his neck and be too overprotective, but it was very, very difficult. Then three-year-old Ruby Adriaenssens went missing. She had been playing in the hallway of an apartment building, and she had been lured away by a young man who had a big teddy bear in his arms. He lured little Ruby away, took her out of the building into a shed, raped and murdered her.

We do not hear a lot about Ruby, but Ruby was the reason I got into Child Find. I could not sleep for

weeks after what happened to her. I cried a lot for a little girl I did not know. I would let my own son go outside, wanting him to play with his friends, but always worried, peeking through the drapes to be sure that he was okay. I thought if I felt that bad about something, then I better do something about it. So I volunteered for Child Find in their very, very early days as an educational speaker. As a nurse with a background in education, I felt that this was where I could offer something to this organization.

Before long, because of the intense work involved in this organization, there was a lot of burn-out, as you can imagine, in trying to get an organization like this off the ground. So a lot of people in those very early days decided to move on, and before I knew it I was in charge. I inherited a \$5,000 debt, no resources, no staff, two rookie board members. But behind the scenes there were some caring people who were willing to work with us to try to continue to move this organization forward.

It was the thoughts of Candace and Ruby Adriaenssens that was a driving force for us as an organization and Child Find Manitoba kept on going and kept on growing. But there were many years of struggling and many times when we were not even sure we would survive, but we did. And the programs kept on growing and developing and evolving because of the efforts of so many great volunteers and also with the support of the police services, whether it was the Winnipeg Police Service, Brandon, the RCMP, or any of the other police services across the world.

The desire to deal with the issues of missing and exploited children and to address the wrongs that were being done against children was a very, very strong motivator. Not to say that a lot of the early days did not have their challenges in all of the groups learning to work together, but, for the greater cause, they did, and programs evolved to protect children.

All About Me ID clinics in the early days setting up in the malls to fingerprint children and to do photo ID. There were a lot of the public that did not even want to think that these kinds of things happen to kids, so parents and others made wide berth around the fingerprinting tables because parents could not imagine that anything like this could ever happen to children. As the years went on, this grew to be one of the most popular programs that Child Find had.

Play TAG with your kids where tags were put on kids at big events in case they went missing from

their parents or got lost at an event. They could easily be reunited. It started with a football club, with the Winnipeg Blue Bombers, who were very, very supportive of this, and then evolved to the Red River Ex and other events.

SOAR: Sharing our Adolescent Resources, a brochure that identified resources for young kids on the street. 80 000 brochures have been handed out to Grade 7 students in Manitoba. Because Manitoba for years has had the highest runaway rate per capita in Canada, it was felt that it was very important to make sure that the kids in those circumstances had an opportunity to know where they could get help.

Kids in the Know educational program had its roots in the early days, too, and by December of 2004, that program has now been implemented in 30 percent of Manitoba schools.

Missing Children Services: There are 3500 missing children each year in Manitoba. Many are runaways. Some are parental abductions. There is the odd time when there is a stranger abduction. Very, very dedicated volunteers, who take special training, work with parents who are in a situation of having a child go missing. These are very, very dedicated people, who carry pagers 24 hours a day, seven days a week, that spend a lot of time talking with families, helping get posters made, get posters distributed, provide the emotional support to help them get through the pain of dealing with a missing child.

Some of the names that people may be familiar with are Sarah Kelly, a stranger abduction in The Pas, Manitoba, Kristen French, Leslie Mahaffey, Michael Dunahee, Jacob Wetterling.

If people ask me who are my heroes, there is absolutely no doubt in my mind as to who I would say, and it is these parents of missing children. I have had the privilege of getting to know a number of them, and I have great admiration for their ability to get through day by day after what they have gone through.

Mr. Speaker, there have been many times where, working with Child Find or volunteering with Child Find has not been the easiest thing, and as one volunteer said during May Missing Children's Month, "As the end of this month approaches, hug your children a little tighter, smile with their smiles, cry with their cries, and then try to imagine not being able to participate in these simple passages of their young lives." For some of us, we are so close to the search, we find it hard to cry anymore for somebody

like Michael Dunahee, but we persistently continue our search for the boy, frozen in time at the age of four.

It is for those children and those parents of these children that an organization like Child Find, whether it is in Manitoba or across Canada, that have put their hearts and souls into doing a job and working with a passion to try to address these kinds of situations that should never, ever occur.

\* (11:20)

Children are precious and children are special and they have the right to be safe. We as legislators, I think, have an opportunity and a responsibility to also, from our point of view here and our perspective here, be able to address these situations so that we can keep our children safe. Thank you, Mr. Speaker.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I am very pleased that the resolution, indeed, will be the first resolution discussed in this House and in Private Members' Business this session. It is very rare that a community organization would be respected and acknowledged and congratulated in the way that is happening here today. But when an organization like Child Find has made such great contributions to the well-being of our community, our province and our children, this is a deserved honour, Mr. Speaker.

This is celebrating today, not just a Manitoba effort, but indeed an impact on the nation as a whole by Child Find Manitoba. You know, Wilma Derksen, really the key progenitor of Child Find Manitoba, is a remarkable person. I have gotten to know her quite well over the years, and, indeed, we now partner with a program that Wilma heads up called Victim Companion through the Mennonite Central Committee. She is an example of the strength of Manitobans and those who have survived the horror, the worst nightmare, and that is the loss of a child in a way that is incomprehensible to right-thinking people.

But Wilma went on to take that horror and that tragedy and make something good of it. It speaks to the power of the human spirit, and she continues to do that. Since Wilma's contribution in this way, we have seen many others who have come to Child Find Manitoba. Indeed, the Member for Charleswood (Mrs. Driedger), who is the past executive director, in her remarks today, again, just speaks highly of her commitment to children. I have always thought even

more highly of her because of her involvement with Child Find Manitoba.

Today, the board is very strong there, and the leadership with Lianna McDonald as executive director is remarkable. Lianna, I want to say, is indeed, I think, a great Manitoban and has this tremendous energy and this love, this calling to better protect our children right across this country.

I can go on about different initiatives by Child Find Manitoba, but I want to focus on one in particular. On a preliminary basis, I want to say that AMBER Alert is now in place here in Manitoba. It has not yet been activated. I hope it will never have to be activated. But I know the Member for Minto (Mr. Swan) has been more directly involved now as my legislative assistant in ensuring we have a robust AMBER Alert, that it is ready to go if it has to. There have been test runs, I understand, and perhaps the member will speak to that.

Kids in the Know, the program that has been launched, not just in Manitoba, by Child Find Manitoba is remarkable in that it has used the best scientific evidence on how to get into a child's head and make sure that a child has the resilience and has the tools to protect oneself. The whole curriculum component is colourful, and I think is the kind of work that can really change the level of safety among children.

But I wanted to really talk about Cybertip.ca, which is an initiative that I have been most involved with. It was shortly after coming into office, and we were determined that we were going to introduce as strong an initiative as we could to better protect child victims. As part of that dialogue with community organizations, I met with Lianna McDonald, and she raised with us the idea of a tip line. This was a very intriguing concept, and she explained that the tip line would be there for citizens, for youth, for others, for parents right online to be able to make complaints or send in reports of on-line child pornography or Internet luring. Lianna said that Canada was actually one of the few developed nations in the world that did not have such a tip line.

The concept was so interesting that the government was determined to be a part of the development of a tip line for Canada, so the Child Online Protection Committee was formed. It was co-chaired by the executive director of Child Find Manitoba, Lianna, and by Rob Finlayson, the director of Prosecutions for Manitoba. We contributed \$40,000 for the effort in order to go out

and start to plant the seed, get the research done in terms of what a robust and effective tip line looks like and look for funding partners; in particular, go to the federal government and see if they are willing to help to build a national tip line because of their expressed interest in child protection. Signy Arnason was hired as a result of that. She has since come to be the head of Cybertip.ca. Research was done in an extraordinary way. All the ins and outs of the U.S. tip line, the U.K. tip line and others were discovered. An extensive list of partners were pursued.

So, in 2002, the Manitoba pilot began, and I might add with the very generous commitment notably from the federal government as well as contributions from industry which we all really appreciated, because they should be partnering. Of course, the great moment for the tip line was this January when the national launch was announced at Ottawa. You know it is interesting that, until the launch of the national tip line, there had been 2000 reports to Cybertip.ca as the Manitoba pilot and this year, since the national launch, there have been 6600 reports. Now, we are not saying that that is good news, but the good news of that is that it has shown that there is an absolute need in this country for Cybertip. There has to be a place, using the same medium as the wrong, to convey eventually to law enforcement reports about on-line child pornography and luring.

I just received a fax this morning from Cybertip, and I think, well, the results speak for themselves: 576 Web sites have been shut down, those are child porn sites, Mr. Speaker, and 14 arrests so far. That is success. There is so much more to do and of course there are so many reports under investigation. They are being triaged out. I think this has been a great accomplishment in terms of reducing the pressures on law enforcement agencies, as well, the duplication that could result from multiple reports about one Web site. But the triaging and sending out of those reports to the different law enforcement agencies all over the world, not just in Canada, I think is a wonderful contribution.

Along with the Integrated Child Exploitation Unit of the police, along with our prosecution strategy and our child victim policy, Manitoba, in large part because of the involvement of Child Find Manitoba, has become recognized, I understand, as a leader in the battle for children's safety and against the exploitation of our children. I say to Child Find Manitoba, "happy anniversary." Working with Child

Find Manitoba, I know we can all go on to even greater contributions to the well-being of Canadian children, and I say that I think the expression of support for this resolution is not only about Child Find Manitoba, but it is also and ultimately about the children of Manitoba. Thank you, Mr. Speaker.

**Mr. Jack Reimer (Southdale):** I would just want to put some words on record in regard to the resolution that was introduced recognizing the 20-year anniversary or the recognition of Child Find here in Manitoba. When you look back on some of the notes and some of things that have been brought forth and mentioned by both the Member for Charleswood (Mrs. Driedger) and the Attorney General (Mr. Mackintosh), in looking back at 1985, Candace Derksen, when it was brought to the forefront and the formation of it, I can remember that. I can remember that particular time when that happened and the papers following it, and the anguish and the uncertainty and the optimism that the young girl would be found. As the days passed, the hope, I guess, and the frustrations and the anxiety started to creep in and then, finally, unfortunately, they did find the young girl dead.

\* (11:30)

The anguish that I guess parents must go through at that time, you can only envision it, is horrific. I know a lot of us have children in this Chamber and I think that to have that type of situation presented to us, we can relate to our children very closely and a lot of times, even the anguish of the small town, the odd time when you have had your child, especially when they are young and you take them into a shopping mall or you take them to a store, and all of a sudden you turn around and he is gone or she is gone, she is not beside you. You start to get very, very anxious, very, very fast in trying to find her and if the time sort of drags out more than two minutes, you get very concerned about where your child is and then finally you find him or her next to some item or toy that they are looking at. Your initial reaction is you are mad at them for leaving you but at the same time you are so grateful that you found them and they are okay.

If you can envision that and to expand it into the fact where that two or three minutes that the person does not find that child, it starts to drag on, and it drags on to a half hour or an hour and then maybe even into the rest of the day and maybe even day after day. How that must build up within the family, within the individual, the parents and the other

children that are possibly in that family of where is this child and why would he or she be missing. Does someone have this child, has someone abducted this child, has someone molested this child? I imagine there is just a myriad of things that go through this individual's mind as they are anguishing over the loss or the disappearance of this child.

Child Find does offer a system, an availability of trying to bring forces together to assist in trying to find this child. It has been pointed out by both the previous speakers of the AMBER Alert system, the Cybertip line that has been put into place, all of these things, Mr. Speaker, are after the fact, if you want to call it, after the child has gone missing, after the family has started to, or while the family is still going through a tremendous amount of anguish at the fact that their child is missing.

Looking at some of the reports here, the annual report of 2004-2005 of Manitoba Child Find, I was surprised and actually taken aback by the fact that in 2004, there were 2786 missing Manitoba children reported missing to law enforcements. Mr. Speaker, that is a huge amount of children that have been reported missing to the law enforcement. A lot of them, and hopefully most of them, were back with their parents, but the fact that there is that type of ongoing numbers is really something that we have to be very, very aware of. I guess you look at the system of parenting, you look at the system of schooling, there are a lot of factors that come into play as to why children are missing.

We know that there are, unfortunately, abductions that happen to children, of predators of various natures. We know that there are more and more access of people that are using the Internet for the exploitation and the attractiveness of trying to have children, be involved with children. These are things that I think that more and more people are aware of and they have to respond to, and it means possibly better control of the Internet in their own home.

The monitoring through the Cybertip line is something that is also very, very evident. In fact, between 2002 and March of 2005, the tip received over 3000 reports from the public, leading to 10 arrests and the shutting down of almost 500 illegal Web sites.

These are ongoing and very commendable processes that bring awareness of the fact that children are vulnerable. They are the most precious



commodity that we have, and it is something that we have to try to not only protect but to educate to be aware that there is this possibility of exploitation through various means and individuals.

So Manitoba Child Find in its 20 years here in Manitoba is now, I understand, one of many, many Child Find offices right throughout Canada into the United States. The mention was of AMBER Alert which is a system of getting a notice up on reader boards in very, very short order when there is the notification of a child missing.

I happened to be in the United States one time, this is a few years ago, and I remember driving down one of the highways there, the freeways where they have a lot of overhead reader boards. They are mostly used for traffic flows, telling you where there is a possibility of delay and everything else, and all of a sudden what they call an AMBER alert came up. I did not know what that was at that time because they had flashed on the reader boards about this young child being missing, and I could not understand why they were doing this until I realized that this was what they called the AMBER Alert program. It was one of the first times that they were using it or one of the first times I saw it, really. So, Mr. Speaker, it is something that is also used to get people aware that there is a child missing, that they have to be aware of trying to find this child.

So I congratulate Manitoba Child Find on its 20 years of operation here in Winnipeg and can only hope that their caseload goes down, not up, over the next years and that they do not have as many calls, they do not have as many incidents. Instead of encouraging them to expand, I am encouraging them to go down in their numbers. Thank you, Mr. Speaker.

**Mrs. Leanne Rowat (Minnedosa):** I, too, am honoured to be able to speak in support of the resolution recognizing and congratulating Child Find Manitoba. In looking through a book that is on my desk here, *A Walk Down Memory Lane*, one of the quotes is, "A missing child is everyone's responsibility." Mr. Speaker, that sings true to all Manitobans and actually to all individuals who have at some point been touched by Child Find.

I listened very closely to the Member for Charleswood's (Mrs. Driedger) words as she shared her fears when she learned of a child who was abducted in Winnipeg and the concerns that she had

for her own child and how that led to her involvement and support of Child Find Manitoba.

As a parent, we all worry about the safety and well-being of our children. Living in a smaller community, you worry and are concerned about the well-being of children down the street and in your children's class, as I am sure in an urban community people feel the same. But in a community the size that I live in, of 2000, you do understand the challenges each family faces on a personal basis.

When you learn of situations where a child is missing, it definitely tugs at your heartstrings and you feel at a loss and want to somehow contribute and support.

\* (11:40)

Child Find Manitoba is a charitable organization, and they are dedicated to an unselfish cause of providing personal safety for all children. I know that this summer at Minnedosa, there was an opportunity for my daughter Mackenzie and I to participate in a fingerprinting exercise where she was able to go through the process with her mom and get her fingerprints put into a book. It led to so many questions, Mr. Speaker, and I answered the questions the best I could to my nine year old at the time. It is unfortunate that situations occur in society that take away the innocence from youth. Mackenzie looked at me with big eyes and, actually, to some degree, some fear of wondering, "Will I ever have to use these fingerprints, this fingerprint booklet to look for her." I applaud Child Find in their efforts to provide programming such as this. It breaks my heart that we, as parents and as individuals, have to utilize these services and appreciate the supports.

Child Find Manitoba's mandate is to assist in the loss or the location of missing children. Mr. Speaker, in 1994 my son Cameron was born, and I remember quite clearly, as a new mom, paying attention and listening very closely to the news on the Sarah Kelly situation in northern Manitoba. As a new mom, you protect your child and you look at it and you hope and pray that you never are put in a situation which you have to deal with, as I am sure the Kelly family had to. In speaking to the Member for Charleswood (Mrs. Driedger), and listening to her words on how it affected her, I applaud and I am most impressed by her willingness to give her time and effort to help strengthen an organization such as Child Find Manitoba.

Erin Chorney was a young woman who lived in Brandon, Manitoba, in a community that takes for granted the safety and well-being of its citizens. Again, my family and my neighbours and my friends were all touched by the situation that was taking hold in Brandon. Actually, Erin has family that is connected to my family, so we shared in the pain and the understanding and appreciation of the heartache that was occurring, not only in the Chorney family but the extended family and friends that were associated with that loss. Again, Child Find played a key role, and again, I congratulate the organization in providing the supports that a family needs when they are going through a crisis such as this.

When you are going through a situation that is just totally unbelievable and have absolutely no idea what to do next, you know that you can rely on people who know what they are doing, are going to provide you with the right supports that you require and are doing everything they know in their power to help you come to grips with what is happening, and you pray that the outcome would be positive. Unfortunately, in Erin's situation, it did not. Unfortunately, in Sarah Kelly's situation, it did not.

Several organizations I think reflect the supports for community and look at the resources they provide that reflect the culture and understanding of the community. Ganawenimig, which loosely translates as taking care of children, from the Cree and Ojibway culture, is another organization that again is looking at the sensitivity of understanding and appreciating the culture and the supports that are required that address those cultures. I think that organizations that partner with Child Find or work at ways to provide programming and supports that are understanding and appreciating of individuals or culturally diverse needs is critical to an organization, and I give Child Find credit for identifying ways to expand their supports and care for individuals in Manitoba.

Recently, when Holly Jones disappeared in Ontario, again, it raised questions with my young ones on, you know, Mommy, what do I do if somebody talks to me, you know, what do we do if we know of somebody who is asking questions? Again, I have to applaud the school programs that are available, especially the Kids in the Know curriculum, because what it does is it provides and empowers not only the teachers to educate the children and provide an opportunity for question and answers, it also empowers the parents to be able to open and create dialogue with their children and

actually within their own community, because not only do these programs they are offered within the school curriculum but they are often talked about and shared at the hockey rinks and at the soccer fields, and it creates supports for families to say how they best felt they could deal with questions and answers with their children. So I applaud organizations and areas that provide those supports.

In closing, Mr. Speaker, I again want to congratulate Child Find Manitoba on its 20 years of support and care for our children, and I do believe that it is a two-edged sword of the services and the supports that they provide. Child Find Manitoba has provided supports for many, many families in Manitoba. They are dedicated to providing supports for these families, and I, again, applaud the efforts and I look forward to providing my support and good will to such an organization. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, we love our children. The greatest treasure that a society has is, in fact, our children and it saddens me greatly when I walk in certain communities or drive down many of our streets, whether it is in urban Winnipeg or rural Manitoba, when we see children who are exploited, children who are not provided the opportunity, as many other children are provided because of the more functional type of homes that they might be living in or the different circumstances, and I truly believe that there is a role that needs to be played by government, by society as a whole. Society as a whole has many different organizations, and the Child Find organization is one of those outstanding five-star, gold-star, organizations that has really done wonders in terms of education, in terms of prevention, and has really highlighted the importance of an issue that is critically important to all Manitobans, as I started off by saying, that we all love our children.

I suspect that if you canvass this House and we had one-minute time limits on this speech you would have 57 speeches, Mr. Speaker, supporting the intent of this resolution, supporting Child Find as an organization. I know my own leader, Dr. Gerrard, I am sorry, the member from River Heights, who has been a child doctor, has worked with children, feels very passionate about children. When I presented the resolution to him, his initial and instant reaction was "This is a good resolution, we should do what we can to ensure that this resolution passes" because in his heart, as I suspect in the hearts of all of us, we see the value and the contribution over the years from

individuals who have provided their time and their energies through Child Find to highlight what is such a critically important issue.

Mr. Speaker, one can only imagine the terror or the horror that goes on in a person's mind when a child, when they wake and their child might not be in their house or, as has been pointed out, you go to a mall and a child disappears. We can have as much sympathy as possible for it but it is hard to get the type of empathy unless you have really had to have gone through that experience. I just admire with the greatest respect those individuals who have sacrificed so much in order to bring this issue to the public's attention, to educate our children, because, sadly, we live in a society in part where we have a lot of weirdoes, quite frankly, a lot of people who should not be out on our streets. We have to do what we can, and I applaud the efforts of Child Find this year, their 20th anniversary.

\* (11:50)

With those few remarks, I can assure the House that the Manitoba Liberal Party, as I am sure all members of this Chamber are, is in full support of this resolution. Thank you.

**Mr. Andrew Swan (Minto):** Mr. Speaker, I would like to congratulate my colleague and my friend the Member for St. Norbert (Ms. Brick) for putting forward this resolution, and I would like to offer my congratulations to Child Find Manitoba on its 20th anniversary.

Mr. Speaker, I have been very privileged as the legislative assistant to the Minister of Justice (Mr. Mackintosh) to have the chance to work directly with Child Find Manitoba, and I, as does each member of this House, I am sure, support the efforts of Child Find to locate missing children, to reduce the incidence of the sexual exploitation of children, to create prevention programs on child personal safety and to increase awareness and advocate on issues relating to missing and exploited children.

Child Find Manitoba is so effective because it works in conjunction with other non-profit organizations, police forces, with government departments, other agencies, as well as our schools to ensure that missing children are found and to educate the public about issues surrounding child safety and missing children.

I want to put a few words on the record about Child Find's efforts respecting the AMBER Alert program. The AMBER Alert system began in 1996 in Texas when broadcasters teamed with local police to develop an early warning system to help find abducted children. Amber stands for America's Missing Broadcast Emergency Response and was created as a legacy to a nine-year-old girl, Amber Hagerman, who was kidnapped while riding her bicycle in Arlington, Texas, and brutally murdered.

Other jurisdictions began to develop their own AMBER Alert plans as the idea was adopted across North America. There are now AMBER Alert plans in all 10 Canadian provinces and all 50 states, and today I want to acknowledge the important role that Child Find Manitoba has played in bringing together law enforcement, broadcasters and government.

I am pleased to confirm, Mr. Speaker, that Manitoba's AMBER Alert plan is in place. It is supported by many broadcasters. It is supported by all police forces, the Winnipeg Police Service, the Brandon Police Service, other municipal police forces, as well as Aboriginal police forces and, of course, by the RCMP. I think we can all say thankfully that the AMBER Alert system has never had to be used in Manitoba, and I think from the bottom of our hearts we all hope that it never will. But thanks to the efforts of Child Find and the co-operation of these various partners, it will be ready to protect our children, if needed.

So I will leave it to others to mention other worthy projects of Child Find. The Minister of Justice (Mr. Mackintosh) spoke about Cybertip in which Child Find Manitoba partnered with Manitoba Justice to take a national lead in protecting our children. I hope we will have time to hear about Kids in the Know which provides long-term benefits to our children by making them aware of the dangers of sexual exploitation.

Mr. Speaker, I look forward to working with Child Find Manitoba to continue protecting our province's most valuable resource, our children. I urge all members of this Legislature to support this resolution. Thank you.

**Mr. Denis Rocan (Carman):** Mr. Speaker, I take this opportunity this morning to put a few remarks on the record. First of all, I would like to compliment

the Member for St. Norbert (Ms. Brick) for bringing this worthwhile resolution before us today.

I preface my comments with the fact that, indeed, my colleague the Member for Charleswood (Mrs. Driedger) actually brought this to my attention many years ago when I found out that she had worked with Child Find, and not really knowing the Child Find mandate and the expertise and the knowledge that they might have that they were willing to share with other individuals, and in listening to the comments, my colleague the Member for Southdale (Mr. Reimer) touched on it.

As I was growing up, for many years one of the things that always stayed in my mind was for those of us who remember the Eaton's store as being that wonderful gathering place where everybody would go, and the story my mother used to tell me, and I get goose bumps thinking about it again because mom took her three little children to Eaton's one day for shopping.

I guess we must have come on the bus, went downtown and were doing her shopping, but somewhere in the afternoon my mother turned around and she looked and there was only two of us, my sister and myself. But my little brother, one year younger than myself, Ron, who was three years old, was not to be found. Well, I not knowing any different, I am only about four years old or five years old, and I really did not know what all this urgency was, and mom was hunting up and down all the aisles and got every manager in the store to try and help her.

Apparently, the story is that it was later in the afternoon, and the entire network of staff at Eaton's downtown were trying to find this little boy, and they could not find him. They just could not find Ron anywhere. I guess it is silly today, when I think about it, the way mom was explaining it to us. But it actually came closing time and Ron was not found. In those days, I mean everything was safe and secure. You had no problem, little kids taking a bicycle going downtown or going to school or wherever you would go. Nothing was going to happen. We lived in a very secure environment.

But closing time showed up and unfortunately no Ron. Mom is crying her heart out. The store manager is saying, "Well, Mrs. Rocan, we got to close up, we have cleaning staff and will keep

looking for your son, but we got to close the store." The store has to close. Mom does not want to close the store because she wants her kid. You can understand the frustration and the emotion going through her. They have to close the store, Mrs. Rocan. All right. Mom walks out, two kids in hand, crying her heart out, wondering what is she going to tell her husband. As she tells the story, "What am I going to tell your dad? I have lost his youngest son." She is just crying and shaking.

We walk out of Eaton's store. Well, lo and behold, who was sitting there on the curb, watching the water go by and throwing little stones in it? There was Ron. I do not want to say on the public record today, but it was not a good moment for my son Ron, I have got to tell you. But for my mother, it was indeed a worthwhile experience because she had her little son back.

I guess I never knew the emotion that would go through a person at that time. I would not have known except that it is only a few years ago, a couple of years ago, where we are in great occasion, we all go, we leave this building, and we participate in the Brandon fair. I was fortunate enough I had taken my granddaughter and my grandson with me. That was a great occasion. I mean, here is grandpa, he is taking the two little gaffers, and we are going to tour all this wonderful event. Well, we get taken into the showroom on this horse-drawn buggy.

Unfortunately, one of my colleagues thought he would be cute and try to lift something out of my pocket, hopefully I was not going to notice it, and I did. I got distracted for a moment, a moment. That is the length of time it took, because my granddaughter, in that moment, she disappeared. Then the fear, the fear set in. Now where is this little girl who is this tall, the joy of my life, and where is she? What is with this AMBER Alert? How was that going to help me right there and then, I did not know.

But, I mean, I was beside myself. I had everybody trying to assist me to find my granddaughter. We were running up and down the aisles trying to find her. Well, we did find her, because eventually the thought process kicks in a little bit, where she was and who she was with. I did notice that she had gone with one of the members, their daughter. I asked, "Where is your daughter," and lo and behold, there they were sitting there having a wonderful time.

I congratulate Child Find Manitoba for everything that they have done in order to assist people who have lost their children. I was fortunate, I found mine. My mother was fortunate, she found hers. I think I am going to have to cut my comments quite short because it looks like we want to pass this thing, because it is indeed worthwhile. This is something that we, on this side of the House, with the involvement of the Member for Charleswood (Mrs. Driedger), and indeed the Member for St. Norbert (Ms. Brick) for bringing it, we are most appreciative. So, with that, Sir, I would like to thank you very much.

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

The question before the House is the resolution 20th Anniversary of Child Find.

Is it the pleasure of the House to adopt the resolution?

**Resolution agreed to.**

**Mr. Speaker:** The time being 12, we will now recess and reconvene—the honourable Member for St. Norbert.

**Ms. Brick:** Mr. Speaker, could I have that reflected that it was unanimous?

**Mr. Speaker:** Is it the will of the House for the resolution to be passed unanimously? *[Agreed]*

The hour being 12, we will now recess, and we will reconvene at 1:30 p.m.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Tuesday, November 15, 2005**

**CONTENTS**

<b>ORDERS OF THE DAY</b>		Bill 203—The Health Services Amendment and Health Services Insurance Amendment Act	
<b>PRIVATE MEMBERS' BUSINESS</b>		Gerrard	355
<b>Second Readings—Public Bills</b>		Penner	356
Bill 200—The Manitoba Public Insurance Corporation Amendment Act		<b>Resolutions—Draw Selection</b>	
Cummings	349	Res. 1—20th Anniversary of Child Find	
Mitchelson	350	Brick	357
Cullen	352	Driedger	359
Gerrard	353	Mackintosh	360
		Reimer	362
Bill 202—The Good Samaritan Act		Rowat	363
Gerrard	353	Lamoureux	364
		Swan	365
		Rocan	365