

First Session – Forty-Third Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

*Published under the
authority of
The Honourable Tom Lindsey
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Forty-Third Legislature

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WOWCHUK, Rick	Swan River	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 3, 2024

The House met at 10 a.m.

The Speaker: O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

We acknowledge we are gathered on Treaty 1 territory and Manitoba is located on the treaty territories and ancestral lands of the Anishinaabeg, Anishinewuk, Dakota Oyate, Denesuline and Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit. We respect the spirit and intent of treaties and treaty making and remain committed to working in partnership with First Nations, Inuit and Métis people in the spirit of truth, reconciliation and collaboration.

Please be seated.

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

House Business

Mr. Grant Jackson (Deputy Official Opposition House Leader): Pursuant to rule 34(8), I am announcing that the private member's resolution to be considered on the next Thursday of private members' business will be the one put forward by the honourable member for Morden-Winkler (Mrs. Hiebert). The title of the resolution is Expanding Use of Narcan.

The Speaker: It has been announced that, pursuant to rule 34(8), that the private member's resolution to be considered on the next Thursday of private members' business will be the one put forward by the honourable member for Morden-Winkler. The title of the resolution is Expanding Use of Narcan.

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Mr. Jackson: I would like to announce to the House today that the following bills will be called this morning for debate in this order: 203, The Occupiers'

Liability Amendment Act, to be considered from 10 a.m. to 10:30 a.m.; and Bill 217, The Men's Mental Health Awareness Week Act, to be considered from 10:30 a.m. to 11 a.m.

The Speaker: It has been announced that we will resume debate on second reading of Bill 203, The Occupiers' Liability Amendment Act, followed by resuming debate on the private member's resolution—oh, sorry, second reading debate on Bill 217, the men's mental health awareness act, commemoration of days, weeks and months act amended.

**DEBATE ON SECOND READINGS—
PUBLIC BILLS**

**Bill 203—The Occupiers' Liability
Amendment Act**

The Speaker: So now we will resume debate on Bill 203, The Occupiers' Liability Amendment Act, standing in the name of the honourable member for Lagimodière (Mr. Blashko).

Is there leave to—for the bill to remain standing in that member's name? Agreed?

So we'll try this one more time. Is there leave for the debate to remain standing in the name of the honourable member for Lagimodière?

An Honourable Member: No.

The Speaker: I hear a no.

So then we move on to the next person in the rotation, which is the honourable member for Selkirk.

Mr. Richard Perchotte (Selkirk): I'm very happy to be back in the Chamber this week and to have the opportunity to stand and talk to the member from Steinbach's bill, Bill 203, The Occupiers' Liability Amendment Act.

As somebody who has been named in a slip-and-fall accident, I can certainly attest to the importance of this amendment. Having the ability to prepare a defence is 'paramont' in any situation that you're facing any form of liability.

Currently, the act has a very large gap of time from the time the injury occurs to the time when the person can make notice to the property owner. And during that time, many things can happen.

We're all have collectively—we have busy lives. So to remember a date back in time, if somebody says, I was at your property on November 16 of 2022 and I had a slip and fall, it would take a tremendous undertaking for myself to remember what was happening on that day and what was the conditions of my property; what—was there a fresh snow; was there icing; did I put any remediation on the sidewalk to make sure that there was no ice there, whether it had been sand or salt; what was—was there a blizzard at that time? Going back that amount of time is very difficult to try to keep in mind.

In this day and age where we have technology available, we have the ability of ring cameras or we have other security devices, and we've been talking about that in the Chamber. And often these recordings are held to the cloud or on databases for a certain period of time.

* (10:10)

And as that time goes on, it gets overwritten or gets lost, so somebody tells me that 17, 18 months ago they're on my property and they had a slip-and-fall injury and they're—they want to hold me liable for that injury. The evidence that would have been available at the time had I been given proper notice might not be available any longer, so it becomes a debate of the facts.

And then, you have to take into consideration: Were they actually on my property? Judging by that amount of time, do they—could there be an error in the fact that maybe they're on a neighbour's property or one street over or a house that looks similar? And they've come back now and they come back and say, in fact, I was at your property, when it could be an error in judgment and they actually were not there.

The amended act here, The Occupiers' Liability Act, would force people within 60 days to notify the property owner of any intentions of moving forward of a claim, or at least putting them on notice that there's been an injury.

To put that into context, I understand that often, after an injury, whether it be a slip and fall, a car accident or any type of sports injury, immediately after the injury you get up and you shake it off and you go, ah, I feel okay, I feel okay, things are good.

But certainly, as time progresses day after day, you feel that injury and you need to have an ability to make sure that injury doesn't occur again to anybody else, to make sure that you can seek legal representation, to make sure there's any liability or negligence

that has happened by the property owner, that you would have an opportunity for compensation to at least prepare you to be better equipped for the future.

And we know that injuries tend, medically, to show up very quickly, whether you have a sprain, a fracture, a muscle tear. This'll happen very quickly so it's very, very reasonable that, within the 60-day period, you would know for certain if you have an injury. You probably would know for certain if you have an injury within the first 10 days if it's a catastrophic injury.

Having the ability to notify—a requirement to notify the property owner within that 60 days gives everybody the opportunity to preserve evidence, to gather the information that you would have had on those video recording equipment, to—perhaps there was some photos taken in the area by people doing candid shots, maybe it was Christmastime and they were taking pictures of the yards for decorations. Or it could be even in the springtime and people are taking pictures of the new trees coming out, where you have the ability to canvass people and say, hey, you know, anybody take any pictures around my property of this time? And you have an opportunity to gather that evidence so you can move forward and make sure that if there is any potential liability, that it's addressed, and if there is an opportunity to present a defence, that it is there.

If somebody says they've fallen on my property and I can go back over the last 60 days of video recordings and they've never been on my property, that's pretty substantial evidence that the incident did not occur on my property, and perhaps the person who's given notice should be looking back at where they made the error.

This is not the first time that this type of legislation has been brought forward. In fact, it—in 2021, the province of Ontario passed this legislation recognizing that in due interests for the public, for both the plaintiff and the person potentially being sued, that their interests are both taken care of, so that evidence can be held in a manner that would protect each of the parties and it be gathered correctly.

We need to make sure that we have—we increase the 'transparency' and accountability of not only the property owner, but of people making the claim, so we don't have frivolous claims occupying our courts. We don't have people just being on a witch hunt that they slipped and fell at home when they want to blame somebody else.

And I would hope that doesn't happen very often, but this would be an opportunity that somebody could be malicious and try to discredit somebody or to gain financial proceeds that are not due to them.

If we have a mechanism in place, then people have to place an onus on the person who's been injured to report that injury. No different than in workers compensation; if you have an injury, immediately you have to notify your employer, immediately you have to fill out a card. And as a supervisor on the job, you would take the information down from the person who has had the injury, you document that injury and you would move that forward in the corporation to make sure that that injury is fully documented, fully investigated, and it does not happen again.

If we have a mechanism in place in our province that ensures that this happens throughout our province, we would reduce the amount of slip and falls, because it would be apparent that these injuries that are happening are being reported very quickly, and we can take a look at those and make sure that we reduce those numbers moving forward. And everything we do here should be for the betterment of everybody in our province and protecting everybody in our province.

So when it comes to the Bill 203, The Occupiers' Liability Amendment Act, I would suggest that we take a look at the definition of the bill and make sure that we support this moving forward for everybody in our province.

Thank you.

MLA Mike Moroz (River Heights): Really appreciate the round of applause on our first day back. First time I have an opportunity here in this new sitting to rise and speak to some legislation. It's great to be back, it's great to be back in this space and very much hoping that, as we move forward over the course of the next weeks, that we find a way to take the temperature down across the aisle.

There are days that it is a challenge, sometimes, to be here, and it's often needlessly so. If we can stay focused, of course, on the legislation that we're—have in front of us, stay focused on the issues related to that, I think we're in a better place both for ourselves all around, as well as for Manitobans.

I would be remiss if I didn't identify, as well, or celebrate for a moment—oh, thank you—celebrate for a moment the fact that it is the one--year anniversary of our election as a government and the day in which I officially became the member for River Heights. It

has been a tremendous honour over the course of that year to assume this position—

The Speaker: Order, please.

I would remind the member to keep his comments relevant to the bill that we're actually debating.

MLA Moroz: The relevance, I guess, at this level, is that I am now fortunate to be here, to be able to talk about Bill 203, The Occupiers' Liability Amendment Act.

I want to begin by talking about a couple of the key issues as—certainly as our side of the House sees it. We do, in fact, both sides of the House, want to make sure we prevent injuries and keep Manitobans safe. As well, we want to make sure that property owners and managers are kept accountable if they are not upholding reasonable health and safety practices.

* (10:20)

However, this amendment for a 60-day notice is too short for most people, especially if they are hospital bound or are only sort of discovering the extent of their injuries over time, okay? While injuries need to be avoided at all costs, when they do happen, Manitobans should have the right to report and seek justice for an unjust injury without an undue burden, frankly, on either party.

So my concerns in relation to this particular bill begin with the lack of flexibility. The amendment very much puts the onus on the victims themselves, who are already hampered to pursue legal counsel when they should be focusing on recovery.

I want to think, on one hand, of certainly the seniors, who are most vulnerable to injuries on slip and falls, but I also worry at great length about those that are younger who bounce back up. Member—like my friend from Portage la Prairie, young and vigorous. It may take him some time before he realizes, in fact, that he's been injured in a slip and fall, right?

And here I'm going to tell, it's not strictly comparable, but as a young adult, I was involved in a winter highway traffic accident that, at the time, we all got out of the vehicle and seemed quite fine. It was only 20 years later that I discovered that in fact there had been a hip injury and created some bone spurs that ground down the cartilage in the hip.

So I'm not suggesting that at any level that we should have that kind of latitude, but when you're young and vigorous like my friend from Portage, it

does sometimes take time to discover the extent of the injury that you're facing.

I do want to, at this point as well, raise some concerns about a couple of things my friend from Selkirk raised. And I want to stress that at no level do I think that a busy schedule in our lives—the people—in the lives of the people who might be litigated around things like this in any way outweigh the potential health impacts on those who have been injured. And so as an argument against a longer period, I have some difficulty with that.

I also have some concerns about the suggestion that in some way this bill does anything to reduce the number of frivolous claims that might be brought up. Timelines, if the claim is frivolous, timelines are meaningless. Timelines are only important in cases where we want to ensure that those with legitimate health concerns as a result of a fall, that those have been accounted for, okay? So if part of the purpose of this bill is to reduce or stop frivolous claims, the bill is a failure, okay?

I want to move on a little bit, as well, to some other concerns and that they relate to the section around small contractors. The amendment is vague on how this would impact small snow removal contractors. They are often farmers finding work in the winter or simply single-person operations. The NDP government wants to ensure that we're balancing the safety of Manitobans and the workers themselves who are trying to earn a little extra money to feed their families.

I want to talk a bit, too, about the potential impact on the access to justice. The proposed amendment could significantly impact access to justice for Manitobans, particularly those who are marginalized or vulnerable. It may disproportionately affect individuals with limited resources or those who are unfamiliar with the legal process, further widening access to justice.

As well, there is a potential for prejudice to defendants. While the amendment aims to protect defendants from prejudice, it fails to consider the potential prejudice inflicted upon injured parties who are unable to comply with the notice requirement. Denying individuals the opportunity to pursue their claims due to procedural hurdles undermines the principle of fairness and equity in the legal system.

I think there's also a need, Honourable Speaker, a need for consideration of exceptions. While the amendments includes exceptions for causes of death

or reasonable excuse, these exceptions may not adequately address the diverse circumstances faced by injured parties. There is a need for more comprehensive provisions that account for factors such as medical emergencies, mental incapacity or the lack of awareness of legal requirements.

And bills like this are critically important, Honourable Speaker, here in Manitoba. While we might not be the snowiest place in the world, we certainly deal with unimaginable weather conditions. Property owners should be adequately prepared to handle the winters we generally can expect every year.

For example, in February 2022, Manitobans were hit with the longest lasting blizzard in 25 years. With wind gusts between 40 and 80 kilometres an hour and snow reducing visibility for nine hours at the Winnipeg airport. And over the last 10 years, annual snowfall totals have averaged between 90 to almost 170 centimetres. If we can, we should all be equipped—be as equipped as possible in keeping our properties and our communities safe with snow and ice maintenance.

Back in 2017, CBC reported on mediation services being overloaded with calls on disputes between Winnipeg neighbours and snow shovelling. As the snow piles up across the province, we all need to take responsibility if and where we can to make it safe for others and the community around us.

I do want to continue, Honourable Speaker, by talking a little bit about the landowner's need to be kept accountable for maintaining health and safety practices. There are simply too many stories of individuals experiencing critical brain injury or broken bones due to the ice on private properties, driveways and parking lots.

In 2016-17, there was nearly 9,000 hospitalizations—

The Speaker: Order, please. The member's time is expired.

And just before we move on to the next speaker, I just want to clarify that, as leave was denied for the bill to remain standing in the name of the member for Lagimodière (Mr. Blashko), that member loses his opportunity to speak in rotation.

Hon. Jamie Moses (Minister of Economic Development, Investment, Trade and Natural Resources): I appreciate the opportunity that I have to speak, put some words on the record with respect to Bill 203, Occupiers' Liability Amendment Act.

And before I begin, I just want to show my gratitude for the opportunity to be in this Chamber. It's the one-year anniversary since the election. And so I want to show gratitude to the folks in St. Vital who gave me the great honour of continuing to represent them for another term. I'm very thankful. I'm going to be working hard for you for the next—and continue to work hard for you for the next three years until the next election date.

And I think it's—a lot of my colleagues around the table can share that same gratitude and appreciation to all the people, to help bring us into this Chamber to represent their values and their interests.

Honourable Speaker, you know, regarding this bill, I think it's important to really understand the—where the motivation is for the member who brought forward and moved this bill, the member from Steinbach. And understand the intention of Bill 203.

And as I begin to describe it, I do want—also want to take a moment to just recognize and thank all of the people who we haven't had a chance to see over the summer. And so, Honourable Speaker, I want to thank you. It's great to see you. I had a chance to be—

* (10:30)

The Speaker: Order, please.

When this bill is next before the House, the honourable minister will have nine minutes remaining.

**Bill 217—The Men's Mental Health
Awareness Week Act
(Commemoration of Days, Weeks
and Months Act Amended)**

The Speaker: The hour being 10:30, we now move on to debate on second reading of Bill 217, The Men's Mental Health Awareness Week Act (Commemoration of Days, Weeks and Months Act Amended).

It's standing in the name of the honourable member for Waverley (MLA Pankratz), who has nine minutes remaining.

Is there leave for it to remain standing in the honourable member for Waverley's name?

Some Honourable Members: Agreed.

Some Honourable Members: No.

The Speaker: I hear a no. Therefore, the honourable member for Waverley will lose his remaining time speaking in debate.

And we'll move on to the next speaker, the honourable member for Morden-Winkler.

Mrs. Carrie Hiebert (Morden-Winkler): I'm very touched and moved that I'm able to stand up today on behalf of the member from Dawson Trail to speak about Bill 217 today, the men's mental health awareness week. I'm just going to read it so we all know exactly what we're talking about.

Whereas in Canada, men account for close to 75 per cent of deaths by suicide, which is the second leading cause of death among men under 50;

And whereas the increased rate of men experiencing mental health difficulties in rural Manitoba has been described as a silent crisis;

And whereas a sign—where signs and symptoms of mental health conditions may present themselves differently in men, which can result in men being undiagnosed and untreated;

And whereas men can be reluctant to talk about their mental health and to seek help;

And whereas a growing number of men throughout Manitoba who have experienced mental health challenges are sharing their stories and leading supports to others;

Whereas raising awareness of men's mental health increases the public's understanding of how mental health conditions may present themselves differently in men and reduces the stigma that often present—prevents men from seeking help;

Whereas the following is proclaimed throughout Manitoba.

Men's mental health awareness week: in each year, the week before the third Sunday of June, Father's Day, is to be known as men's mental health awareness week.

We want to raise awareness of men's mental health by commemorating one week a year as men's mental health awareness week.

I think this is so—such an important week that we should have and I'm amazed that we don't have it yet. Creating a day of awareness for men's mental health is important as the signs and symptoms can present themselves differently in men, like we talked about in the—in what I just read.

There is a need to reduce the stigma surrounding mental health issues so that they may feel comfortable

coming forward and asking for help. Health organizations across Canada have dedicated—there's either a specific day, week or month to men's awareness meant for mental health.

Men's suicide has been called a silent epidemic, and it's time to change that. Silent epidemic describes the lack of general awareness regarding men's suicide and the severity of the situation. Spreading awareness by drawing attention to men's mental health and initiatives will make talks of topics like depression and suicide more commonly accepted.

Societal and cultural influences perpetuate the myth that men seeking help for mental health struggles are weak. These ingrained beliefs have profound consequences and contribute to the alarming rates of undiagnosed and untreated mental health issues among men.

Suicide is the biggest killer of men aged—under age 35 and the biggest killer of men—sorry, one of the biggest for people under 35 and the biggest killer of men under 50.

Let's talk about the stigma around men's mental health. Statistically, men tend to fall into dangerous self-destructive behaviours rather than seeking professional help for their mental health. They avoid or delay seeking treatment because concerns about being treated differently, or due to perceptions that having mental health issues diminishes their masculinity.

What happens to a man working in an environment where they need to be strong, assertive and the hero in their profession, in their job, such as a firefighter, a police officer, the leader in a job, or even just the leader of your home? Men have a big pressure, a hard—heavy pressure on them in daily life.

And we need to acknowledge that they don't feel comfortable or safe coming forward around their friends and people around them. They believe that they are showing weakness if they ask for help, or even if—to let co-workers know that they are struggling. What will the—those they are helping think of them? Will they lose the confidence in their abilities? These are all heavy things that weigh on a man that's already struggling with mental health.

Will they be looked over for a promotion or talked about when they are not around to hear? Or worse, will there be wrath by their colleagues unintentionally?

It's time to shine light on men's mental health and eliminate the stigma, to let all men know that they are

valued and they are allowed to hurt, and not feeling okay is okay. To ask for help, to know that telling their loved ones and seeking help is not weakness, but is the strongest form of masculinity they could every exhibit. It takes immense strength to seek help when you are mentally not well.

I want to ask you, please, to support this bill for the firefighter that took his life this last year, for the police officers who are struggling, for my friend who just lost her brother this last month. It's time for us to do something positive and proactive in our jobs here as elected officials.

I'm asking you to support this bill for every man who feels he can't talk about his mental health because he's scared to say, I'm not okay. To let those around him know about their struggles. This is not a partisan—this is a non-partisan bill. This is about doing what everyone should be doing. We need to reach out and touch and help those that need the help.

This is not about getting rid of—this is about getting rid of the stigma for men. This is about bringing awareness that it's okay to every man in our province, and just letting him know that it's okay to talk about it and how to—and giving them tools on how to support each other as men. I think that's something that we need to—that we could work with, and bringing awareness.

Let's get the word out with this special week to support men. Let's bring awareness, let's do this for each of—for each other, for our families, for the men in our lives, for our fathers, our brothers and our sons. For every man that is suffering in silence.

Please consider voting for Bill 217. I ask you, please, to consider voting for this and let's make a change for the positive for the men in our province.

Thank you.

The Speaker: Are there no other members wishing to speak?

Hon. Malaya Marcelino (Minister of Labour and Immigration): It is my honour to come forward today to speak on this very important bill. I've actually had the chance to speak with the member opposite, who has put forward this bill, and I commend him for his leadership in Manitoba for the efforts that he's bringing to raise awareness on men's health.

Honourable Speaker, a few months ago, I had the honour of meeting with members of LiUNA, Local 1258. LiUNA is Laborers' International Union of North America. Most of these members work in the

construction trade, and they could be labourers or specialized workers in the construction trade. They have their headquarters at the Manitoba Building Trades building on 225 McPhillips.

And, you know, we have lots of different topics to talk about with union members, normally. We have a very, very ambitious labour agenda as our government has tried to put forth this year. But the top of their list, actually, for—thank you—for the LiUNA members was actually mental health.

* (10:40)

There have been a lot of suicides among construction workers, the folks at LiUNA were telling me, and part of it they were saying could be because of the very, you know, very masculine environment that they're in.

A lot of really hard work and long hours and just the inability for folks to not be able to talk about what's going on at home. You pile that on in addition to a lot of stressors that are happening in our lives as many Manitobans are facing, like, affordability challenges and affordability crisis.

And just the different things that happen in people's lives. And when men don't have the, in their minds, the ability to even talk about their feelings or about different kinds of problems that's going on, we know that that can really, really build up.

There is a stigma that these folks at LiUNA were telling me that, especially in construction, you don't talk about your feelings. So they have this—in response to the amount of suicides and the type of violence that self—and self-harm that many of their members had experienced, they have this campaign now about hard-hat stickers. They have these hard-hat stickers with slogans on them, and they have, like, you know, it's okay to not be okay and other types of slogans to try to reduce stigma about mental health.

And the hard-hat stickers even have, like, contact information for how to ask for help, because sometimes you don't want to go up to, you know, a board somewhere, and, you know, you're going to be copying down a phone number for where you're going to actually need that help. It's on your hard hat. It's on your hard hat. The sticker, the information for how you're going to be able to get help is on your hard hat, and everybody's got that sticker on there.

And so this is one way that this group of men are working together to support each other, to raise

awareness even in their own industry, and I just wanted to share that with the House.

It's an important endeavour, and just as this endeavour that the member opposite from Dawson Trail is also putting forward, one of those phone numbers is on that hard-hat sticker for LiUNA: 1-800-663-1142. And that's a way to get confidential help if you're experiencing a mental health crisis.

So thanks to those LiUNA folks for caring about their members like that and trying to reduce stigma bit by bit and, hopefully, with the—with this measure that they're doing and the measures that members opposite are also putting forward bit by bit, we can reduce the stigma about mental health, especially as it relates to men.

As a mom of two little boys, this is also important to me. You know, women, we're okay with crying sometimes here, even in this House with different things that happened. But and when—as I'm a mom now of two little boys, I hear the messages that people say to them, you know: don't cry, this is nothing to cry about.

But I do let my kids cry. I do let them to be—let them be in touch with their feelings and, you know, hug it out. Let them know that what they're feeling is valid, whether it's anger or sadness or anxiety, just to let them sit with that feeling in their bodies and let them know that their feelings are justified.

And then afterwards, maybe work through it on a more rational level, but the first part, just the emotional part, it's okay to feel what you're feeling and to acknowledge that in a moment, and to just let them know that their feelings are valid and to support them through that time.

And it is okay to cry, and it's okay to not be okay.

Our NDP government is fully committed to supporting the mental health of all Manitobans. Our team recognizes the experiences of men and their mental health. And we uplift and support all those who are living with mental health issues as well as the many mental health workers across our province who are working diligently to improve the quality of life for Manitobans. Our government is investing in important mental health supports for all Manitobans to improve accessibility, service and timeliness.

And it was, you know, early days in our government, and as the MLA for River Heights pointed out, it is our one-year anniversary this year.

And I think one of the great first steps that the Premier (Mr. Kinew) made was to actually combine, for the very, very first time, a unique department that had never been—that never been put together before: Mental Health, Housing and Addictions together in one department, led by a very compassionate minister who has a lot of lived experiences herself and with those around her in her community to lead her in the day-to-day heart work that this ministry really, really needs in order to accomplish some very, very lofty goals. But we know they're achievable, to end chronic homelessness in two terms.

And we are providing a lot of support to this minister and to their department in order to achieve that goal that Manitobans have actually given us a mandate to do. And I'm proud of the many Manitobans who supported us in this mandate.

In each year, the week before the third Sunday in June, Father's Day, is to be known as men's mental health awareness week. This is the purpose of this bill. The increased rate of men experiencing mental health difficulties, especially in rural Manitoba, has been described as a silent crisis. And raising awareness of men's mental health increases the public's understanding of how mental health conditions may present themselves differently in men and reduces the stigma that often prevents men from seeking help.

And the member opposite is very—it's very well and good that he has raised this particular issue as it relates to rural men's health. We know that in rural and northern parts of Manitoba especially, there are less supports in general and certainly less mental health supports. So that is going to be a very, very difficult combination and a challenge for us as we try to move forward on this topic.

But the first step in any type of—when you're trying to solve and to find solutions is to raise awareness and to try to find out even more information and evidence to properly guide us in policy-making.

So men's mental health is an incredibly important issue, one that our NDP government takes seriously. We know that many men face different mental health struggles compared to the general population, especially when it comes to the social barriers that perpetuate stigma that hinder men from talking about their mental health challenges.

Men may also exhibit signs of a distinct what's called male-type depression, which is marked by irritability, anger and substance use. However, it is

also important to note that many men will not exhibit signs of a male-type—

The Speaker: Member's time has expired.

MLA Eric Redhead (Thompson): I'm not going to take up the full ten minutes, but I want to thank the member for bringing this to the forefront. It's a very, very important topic that's not talked about very often, right? So I'm glad to put a few words on the record.

I'm not sure if everyone in the room is aware but, you know, in my 20s, I spent a lot of time promoting mental health, teaching suicide prevention, teaching mental health first aid to some of the most underserved communities in our province, some of the most isolated communities in our province.

And so men's mental health is very dear to my heart, and I really, really want to thank the member for Dawson Trail (MLA Lagassé) for bringing this topic forward so that we're—we break down that stigma, right? It's okay to talk about these issues. And we need Manitobans to know that, that men's mental health does matter.

* (10:50)

And so I spent a lot of my life promoting mental health, helping people work through their mental health struggles. I've worked in psychiatry at Thompson General Hospital for almost 10 years, and then I moved into mobile crisis, where I travelled all over Manitoba, teaching people how to work through these things.

And it's very, very tough, especially for men, Indigenous men, because we're taught that this is something that we're not supposed to talk about. But in reality, we should. We should be able to talk about mental health openly and be supported, right? Because, unfortunately, we know that suicide rates among men are much, much more higher than the general population.

And, you know, the pandemic had a huge impact on people's mental health. It actually exacerbated the situation because we were so isolated from one another, and in a way, it kind of brought more attention to men's mental health, right? And we've seen a lot of people struggle with suicide, self-harm, and we need those supports in place for all Manitobans, so I really commend the member for bringing this forward.

So some of the things that we can do to help promote mental health is supporting friends and family through their mental health struggles and

paying attention to the signs, right? So a lot of the times we don't say things straight out, but there are subtle things that we put out to friends, to family, that they can pick up on, right? So learning about those and any substantial changes in mood, whether that's a lack of communication, the appearance of prolonged tiredness, or re-occurring negative comments about life, increased risk-taking, a lack of emotional connection, an increase in substance use.

These are some of the signs that we can pick up on as individuals and maybe reach out to our loved ones and people and say, hey, you know what? I've noticed these changes in your behaviour, in your mood. Is there something that I can do to help?

So it's really, really important that we do that.

You know, the second is to begin the conversation to talk about the things we've noticed and that we've been feeling. It's always important for us to be listeners to men in our lives who are experiencing mental health crisis.

It's important to acknowledge our limitations as friends and family, and encourage them to find official resources like counselling or, if needed, even a crisis line. These are resources that are in place that we need to encourage men to access when they need them. And we need to support that—those men seeking out those services.

So with those few words, I just want to again thank the member for Dawson Trail (MLA Lagassé) for bringing this forward.

Ekosi. Thank you.

MLA Mike Moroz (River Heights): I do want to put a few words on the record on this important issue. And I want to also begin by thanking the member for Dawson Trail for bringing this forward.

It is such an important issue. And it's with great humility that I stand and try and add a few words in support of this today.

I want to share a couple of stories, actually, just to give a sense of my own personal connection to this particular topic. And I want to begin with something that initially caught me off guard.

I was teaching high school on Vancouver Island and a friend of mine, her dad was diagnosed, after many years of struggling with a variety of issues, was finally diagnosed with having a mental condition. And she said it was a shock to the family. They weren't quite sure how to process it. She said if we'd been told

he had cancer, we'd have told everyone and we would have expected waves of support from the community, from family, from his employers.

He was a carpenter. And so he worked, you know, worked independently, picked up project as best he could from people who knew him, knew of him, and knew of his work. And she said if he'd have had cancer we'd have told people; they would have understood, and he would have continued to work.

But we're terrified to tell people of the condition he was diagnosed with for fear no one would employ him any more, right? Which gives you a sense, a clear sense, of certainly within that community on Vancouver Island at that time in the early 2000s, what the stigma around mental illness and men's mental health was. So I wanted to share that story with you as a place to begin.

I also want to share, again, from my own experience, how important mental health services were for me after the collapse of my marriage. Without the supports that I was able to access through the community as a result of being a teacher and being supported in that way through services—we had lots of additional benefits as a result—it would have been an even more difficult road to come through that horrible time in my life.

So, again, I want to stress a personal connection that I've got to the issue and again thank the member for Dawson Trail for bringing this forward.

This is an issue as well that I think we need to pay particular attention to over time. It's only going to get worse if we don't begin to address it, begin to talk about it, begin to support men now. Think about one area in which men's mental health is impacted that we haven't talked about that yet, and that is around how much of an individual's self-worth is tied into occupation, right?

The first question we're asked in any event that we go to, any gathering, from someone we don't know is, well, what do you do? What do you do for a living? And we celebrate that, we embrace that. Often a large part of our definition of self comes from what we do for a living. I'm a teacher, right? And I absorb that and that's how I view myself.

As the economy changes, as it shifts from long-term employment, good-paying jobs with benefits and potentially pensions, to support our family not just now but in time, to more precarious work, more gig work, less stable employment. That shakes us in the

way that we are able to view ourselves because that's been too much of our definition of who we are.

And so it's important that we start to recognize that, start to account for that and begin to talk about the importance of supports for men around mental health moving forward.

I want to make sure too that we're clear about the scope of the problem that's being addressed with this particular bill resolution. According to the Mental Health Commission of Canada, an estimated 4,000 suicide deaths in Canada occur each year. Close to 75 per cent of those, tragically, are men. Suicide is Canada's second leading cause of death amongst men aged 15 to 39. However, according to the Canadian Red Cross, men only account for 30 per cent of all Canadians who actually access mental health services.

Suicide is also influenced by several factors, including biological, environmental, psychological and sociocultural. This means that suicide affects different sociocultural groups differently, but there are some common factors that are shared by men across different cultures that increase their risk of completing suicide. The risk of suicide is also increased sixfold for men who are not heterosexual: queer, gay, bisexual, pansexual and asexual. Other subgroups among men are also at a higher risk of suicide including immigrants, refugees and racialized groups.

We also need to address the colonial effects and intergenerational trauma that have led to serious—

* (11:00)

The Speaker: Order, please.

When this matter is again before the House, the honourable member will have four minutes remaining.

RESOLUTIONS

Res. 20—Justice for Jordyn

The Speaker: The hour is now 11 a.m. and time for private members' resolutions. The resolution before us this morning is the resolution on Justice for Jordyn.

Resolution 20, brought by the honourable Leader of the Official Opposition. The title of the resolution is Justice for Jordyn.

Mr. Wayne Ewasko (Leader of the Official Opposition): Good morning.

I move, seconded by the MLA for Brandon West, that the resolution, Justice for Jordyn, is presented this morning. *[interjection]* Thank you.

Apologies, Honourable Speaker. I'll start that again.

I move, seconded by the MLA for Brandon West, that the resolution, Justice for Jordyn, be entered, and,

WHEREAS Jordyn Reimer was killed by an impaired driver on May 1, 2022 while acting as a designated driver for her friends; and

WHEREAS the Reimer family has tirelessly advocated for the individuals responsible for her death to be brought to justice; and

WHEREAS the driver was convicted, but the Crown Prosecutors decided not to prosecute the accomplice (JF) who gave the keys to the driver and allowed him to get behind the wheel; and

WHEREAS the Winnipeg Police Services (WPS) had reasonable grounds to believe that the actions of the accomplice (JF) directly led to Jordyn's death; and

WHEREAS WPS investigated and presented a package of evidence and recommendations to the Crown's office that charges be laid; and

WHEREAS the family of Jordyn Reimer have called for the prosecution of the accomplice and the decision to prosecute to be reviewed, but their calls have been unheard and unanswered by both the Minister of Justice and the Premier; and

WHEREAS the Provincial Government can review a decision to not lay charges by seeking Crown attorneys from another province to review the evidence; and

WHEREAS there is precedent for referring criminal files to extra-provincial Departments of Justice for review of decisions to not proceed with prosecution, most recently in 2022 the Peter Nygård file was referred to Saskatchewan by the then Minister of Justice and Attorney General, currently the Member for Steinbach; and

WHEREAS in New Zealand there is case law and precedent for charging and convicting individuals of aiding and abetting in the case of impaired driving when a passenger has given the keys to an impaired individual and permitted them to get behind the wheel.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to immediately seek Crown attorneys from another province to review the evidence in the decision to not prosecute the accomplice (JF) in the death of Jordyn Reimer.

Motion presented.

Mr. Ewasko: I know that this morning is going to be a difficult one, but I don't think it's as difficult of a debate or situation that I know that the family of the late Jordyn Reimer has had to go through.

I know that we're joined today by members of the family and friends, not only of the family but, of course, Jordyn. So on behalf of all members of the Legislative Assembly on all sides of the House and all political stripes, our condolences are absolutely with each and every one of you.

I would like to start by reading the resolution, Honourable Speaker.

Mr. Tyler Blashko, Deputy Speaker, in the Chair

So the resolution, Justice for Jordyn, starts off,

Whereas Jordyn Reimer was killed by an impaired driver on May 1, 2022, while acting as a designated driver for her friends; and

Whereas the Reimer family has tirelessly advocated for the individuals responsible for her death to be brought to justice; and

Whereas the driver was convicted, but the Crown Prosecutors decided not to prosecute the accomplice, JF, who gave the keys to the driver and allowed him to get behind the wheel; and

Whereas the Winnipeg Police Services, WPS, had reasonable grounds to believe that the actions of the accomplice, JF, directly led to Jordyn's death; and

Whereas WPS investigated and presented a package of evidence and recommendations to the Crown's office that charges be laid; and

Whereas the family of Jordyn Reimer have called for the prosecution of the accomplice and the decision to prosecute to be reviewed, but their calls have been unheard and unanswered by both the Minister of Justice (Mr. Wiebe) and the Premier (Mr. Kinew); and

Whereas the Provincial Government can review a decision to not lay charges by seeking Crown attorneys from another province to review the evidence; and

Whereas there is precedent for referring criminal files to extra-provincial Departments of Justice for review of decisions to not proceed with prosecution, mostly recently in 2022 the Peter Nygård file was referred to Saskatchewan by the then Minister of

Justice and Attorney General, currently the member of—member for Steinbach (Mr. Goertzen); and

Whereas in New Zealand, there is case law and precedent for charging and convicting individuals of aiding and abetting in the case of impaired driving, when a passenger has given the keys to an impaired individual and permitted them to get behind the wheel.

Therefore be it resolved, that the Legislative Assembly of Manitoba urge the provincial government to immediately seek Crown attorneys from another province to review the evidence in the decision to not prosecute the accomplice, JF, in the death of Jordyn Reimer.

Honourable Deputy Speaker, this morning's resolution, private member's resolution, I would like to thank, again, the family and the friends for being here in support of this resolution. And I'd also like to thank the MLA for Brandon West, our staff and our extended PC staff throughout various constituencies for helping connect and to bring this forward.

I do want to make it very clear that this is absolutely a non-partisan resolution, and I'm looking to all members in the Chamber today to support this resolution.

Because I think this is not necessarily a reflection on the prosecutors. I think we've seen, as mentioned in the resolution, that there is precedent, that it was set in Manitoba, that it's just those human things that end up happening in various different professions that we are all part of—all of us in this Chamber, doesn't matter what political stripes.

And sometimes, there's potentially errors made—not saying that one way or another. I'm not a lawyer by profession whatsoever. And I really do think that the final therefore in the resolution basically states the fact that all the family is looking to is that we have, from the Winnipeg Police Service, we've got evidence that've been brought forward to the prosecution. Prosecution made a decision, and here in Manitoba, there's just no appeal process in place right now.

But it does not stop the Minister of Justice or the Attorney General (Mr. Wiebe) from asking another jurisdiction to take, with the information from the Winnipeg Police Service, to take a second look at Jordyn's case.

And I really do think that another thing that I want to see come from this, as many people know in this great Chamber of ours, and I have many education colleagues in the Chamber as well, on both sides of

the Chamber, that I think education is key. I think we've got—we've come a long way on drinking and driving and the different challenges that come with that. But I think we still have a ways to go.

And it seems that there, in Jordyn's case, I think there's definitely something missing that I think we can all work on here in Manitoba. And that's the fact that if anyone had, let's just say—I mean, our crime rates are going up in this city and this province. But if somebody had stolen something out of a business or from a piece of property and they are in the getaway car, that person is found to be accomplice.

If the person, you know, hands—you know, unfortunately last night we had another fatal—some threats with edged weapons. If somebody had handed a person an edged weapon and they had gone and committed harm to another, possibly even committed murder, that person would be charged.

* (11:10)

If a person had a gun and a person came up and handed them the bullet for the gun and the gun was fired, that person would be held accountable, the person who handed over the bullet.

In this situation, and for many of you have heard the stories, because there's been well over a hundred media stories talking about Jordyn Reimer's case. Many of you know that that person in the passenger seat had actually handed the keys over to the driver. And I'm not telling anything out of school or that's in the court still or anything else, it's been reported on. And that driver was doing 100 kilometres an hour—plus in a 50 zone and had struck Jordyn's car after a night of Jordyn being a designated driver.

Many of us in this Chamber are parents. Many of us—have I says—I've said earlier are teachers, are educators, and we worked with students, educated students on the impacts and the potential risk and the death that can come from drinking and driving. And I know just recently, as a former Education minister, we brought forward some legislation in the anti-bullying form of empowering the bystander, and make sure that you are acting as a bystander on something that you're seeing that is just not right.

So I know that, you know, the Minister of Justice (Mr. Wiebe) or any other minister over there, is technically a political appointment. But in this matter, the Minister of Justice is more than that. He's the Attorney General of Manitoba. He's got the ability, the power, to take that second look and to move Jordyn's case over to a—for a second opinion, and that's what

we're encouraging here this morning, Acting Deputy Speaker.

Thank you for your time.

Questions

The Deputy Speaker: A question period of up to 10 minutes will be held. And questions may be addressed in the following sequence: the first question may be asked by a member from another party; any subsequent questions must follow a rotation between parties; each independent member may ask one question. And no question or answer shall exceed 45 seconds.

Hon. Tracy Schmidt (Minister of Environment and Climate Change): First of all, I'd like to say what happened to Jordyn Reimer is the worst of tragedies. And as a parent and as a Manitoban and as a member of the northeast Winnipeg community, and on behalf of our team, I'd like to offer our deepest and unreserved condolences to the family and friends of Jordyn Reimer that join us here today.

As a question to the member opposite, I would like to ask, what concrete steps that you would propose that might prevent—

The Deputy Speaker: The member's time has expired.

Mr. Wayne Ewasko (Leader of the Official Opposition): I didn't quite hear a question, but I think I knew—know where the member for Rossmere (MLA Schmidt) was going.

I think one of the first steps is to try to—the Winnipeg Police Service had done their due diligence on the information that they felt was able to bring forward to prosecute. I think these—first step is to, for the Attorney General (Mr. Wiebe) to move it to another, for another opinion in potentially even another jurisdiction.

Mr. Wayne Balcaen (Brandon West): I personally, and on behalf of our team also, want to express my deepest condolences to the family and friends that are here today. Having a career in law enforcement, I've dealt with these situations many, many times, and it's going to be difficult for me to speak on this today.

My question is: Why are you bringing forward this resolution?

Mr. Ewasko: I think there's multiple reasons, Deputy Speaker, but first of all, I think justice for Jordyn's family: mom, Karen; father, Doug; Alex, Nikki and Andi, siblings; and all the friends. But also it's to get

that ball rolling so that hopefully in the future we can prevent some of this unnecessarily loss of life.

So those are the couple reasons, Deputy Speaker.

MLA Schmidt: Again, we know that this case and this debate here is a difficult one and that there is great grief and pain in the room, and we'd like to respect that grief.

But I think it's an important question to ask the opposition member how we can properly strike a balance between supporting victims and their families while also maintaining the integrity of the justice system and the administration of justice.

Mr. Ewasko: I'd like to thank the government member for the question.

I'm not a lawyer, Deputy Speaker, and the last time I checked, either is really the Justice Minister. But that being said, I think moving this resolution forward, knowing that we are all human and that there are errors and that there is substantial evidence moving it to another jurisdiction for a second opinion to bring some, not necessarily closure—

The Deputy Speaker: The member's time has expired.

Mr. Balcaen: To the member from Lac du Bonnet, can you advise this House and people that are viewing and the Reimer family and friends if there is any recent precedent that has been set in Manitoba engaging out-of-province services or opinions from another Crown counsellor?

Mr. Ewasko: I'd like to thank my well-respected friend and colleague, the member from Brandon West, for the question.

Precedent setting, yes, in December 2022, the then-minister of Justice, the Attorney General for Manitoba, the MLA for Steinbach had just felt that he had reviewed the case and that the prosecution office had reviewed the case of the Nygård case from Saskatchewan. And the opinion as a result, the member felt that it was necessary to get another opinion from another jurisdiction.

MLA Schmidt: Recognizing the devastating consequences of drunk driving in our community and in Manitoba, I would like to hear from member opposite about what concrete steps that he would propose that this House could take to ensure that tragedies like this don't happen in the future and going forward.

Mr. Ewasko: I appreciate, Deputy Speaker, the minister who—I must remind the minister that she's

now in government, that again, I'm not necessarily a lawyer. Or, in fact, I'm not a lawyer at all, not necessarily, but I see that there is potentially some loopholes in our system as many of the members of government had pointed out over the last few years in opposition as well.

* (11:20)

And I think working together with the family, with the Justice Minister, with the Attorney General (Mr. Wiebe), I think we can close some of those loopholes and make it better, hopefully prevent more losses like Jordyn's in the future.

Mr. Balcaen: The final question that I have for my friend and colleague, Leader of the Official Opposition (Mr. Ewasko), I know it's difficult. You have young family, I have young family with grandchildren and children that were the same age when this tragedy happened.

Is there any final thoughts you would like to share before we head into debate on this resolution?

Mr. Ewasko: Thank you to, again, my colleague from Brandon West.

You know, this might be a simple question that somebody would have asked the family, about the colour purple, right? So Jordan's favourite colour. That's it. That's why we're wearing purple ribbons today.

As I've shared before, and many people know this, as a teacher, a guidance counsellor, working with students with varying degrees of different social behaviour and economic issues within their own lives, I think this is—

The Deputy Speaker: Member's time has expired.

Any further questions?

Mr. Derek Johnson (Interlake-Gimli): Can I ask the member to continue on please?

Mr. Ewasko: Thank you to our House leader for the opportunity.

I think in education and in this great province of ours, I think there's definitely things that we need to do better. And again, I'm not just saying condolences on behalf of our team on this side of the House; I'm saying condolences on behalf of absolutely everybody in this Chamber. And all Manitobans. Because I'm hoping with the passing of this resolution today, moving it forward, getting a second opinion in another

jurisdiction, hopefully, we can prevent these fatal, fatal life changing events in the future.

And with that, Deputy Speaker, I thank you and I thank the family and friends for joining us here today.

The Deputy Speaker: The time for questions has expired.

Debate

The Deputy Speaker: The floor is now open for debate.

Hon. Matt Wiebe (Minister of Justice and Attorney General): My—wanted to join with the Leader of the Official Opposition (Mr. Ewasko), my colleague, the Minister of Environment and Climate Change (MLA Schmidt) and on behalf of the Premier (Mr. Kinew) and all of our caucus to once again express our deepest condolences to the family, to Doug and to Karen, to Jordyn's siblings and all the family who—many of whom who have joined us here today.

And we also wanted to express and extend our condolences to the entire community. This tragedy has impacted so many, and I know that the outpouring of grief and support collectively from the community is evidence of how much this has affected so many and how this has impacted so many throughout the community.

I also want to thank the family, once again, for taking the time to be here, to be reminding us of Jordyn's memory and advocating on her behalf and on behalf of all families who have lost a family member to impaired driving. I can only imagine the pain of losing a child and to be able to turn that into something positive is—and to turn it into advocacy, ultimately, is so powerful.

And I've met a few families now, Honourable Speaker, who have been able to do that. I spent some time with the Derksens, with Wilma Derksen, and her tragedy, and the work that she does because of that. And of course, Karen Wiebe, who is with the Manitoba organization of victims assistance—unbelievable work coming from such pain is something that means a lot to me.

And I've had the chance to sit down with other victims of impaired driving, victims of impaired driving causing death. It's unbelievable to me that these families can find the strength, community can find the strength, to look to the next steps, but I appre-

ciate the family being here and continuing that advocacy.

I know that this tragic case was a stark reminder of the toll that drunk driving takes on our society. Impaired driving kills innocent people and inflicts irreparable harm on families too often on our roads. Jordyn's picture—I shared this with the family—Jordyn's picture sits on my desk. I don't have any family pictures in my office yet. I haven't had a chance to get around to put up pictures of my own kids. I have Jordyn's picture on my desk every single day and I look at it every day that I come into this Legislature. And it's a daily reminder for me that we need to do more on impaired driving, and that's the commitment that I've made.

As Attorney General, it's my expectation that every crime be taken seriously and that each is prosecuted to the fullest extent of the law. Ultimately, that's what happened here. The driver, we know, was prosecuted. He was convicted—in fact, convicted to the harshest penalty, sentenced to the harshest penalty that's ever been handed down in an impaired driving case in Manitoba.

We also know that prosecutors were able to prosecute the—and convict the mother of the accused and her role in aiding in his criminal conduct by obstructing justice and covering up the facts of the crime. It was an important step that we were able to take.

The Manitoba Prosecution Service carefully considered other charges that could be also laid against the passengers. Ultimately, the Crown's office concluded that an offence could not be proven to the criminal standard of proof, and the details of that were outlined to the public in a clear statement. I also was able to communicate those directly with the family.

After that decision was made, though, Honourable Speaker, and as soon as I became minister, I asked our team to take another look. Ordinarily, in all fatality cases, proposed prosecutorial decisions are reviewed by our most experienced Crown attorneys at a case conference. But I asked that we do it again in recognition of the seriousness of the case and for this original decision to be reviewed at a case conference again. Again, with some of the best lawyers that we have in the province.

The second case conference included a different group, a totally different group of senior Crown attorneys specifically to review and assess the decision and to ensure that the right choice was made

and was reached in the law. In this case, the charging standard was not met and so a prosecution against the passenger could not proceed.

After carefully and thoroughly reviewing all the facts, I know that this case was appropriately reviewed and I am confident in the decision that was reached. And ultimately, Honourable Speaker, as Attorney General, I'm responsible for the administration of justice for all Manitobans across this province. It's critical that we maintain confidence and integrity in our justice system, and that the Attorney General perform this role completely independent of any partisan influence or political influence.

It's a foundational principle of how we operate here in a free and democratic society. And that's why individual cases, the AG relies on our Crown attorneys.

* (11:30)

We rely on those experts to make Prosecution Service decisions and to exercise their professional judgment objectively, dispassionately and ultimately in accordance with the law.

As I said, that is what has happened here, and I have complete confidence in the Crown attorneys and the Manitoba Prosecution Service and the process that was followed in this case, and I appreciate the extra work that was done to satisfy the concerns brought forward by the family—that I was able to communicate and ensure that there was good connection and good conversation and communication between the parties.

Our Crown prosecutors did a job that is very admirable, in this case, in making sure that everyone was heard. But, ultimately, nothing can ever replace what was taken away from the Reimers and from other victims who have faced similar cases where lives have been lost to drunk driving.

What we can do, and what I've been committed to doing, is strengthening the administrative penalties for impaired driving by developing new legislation. And I've made that commitment directly to the Reimer family, to all victims across the province and to the people who have been affected in community.

We know that there is opportunity here. I heard the Leader of the Official Opposition (Mr. Ewasko) talk about ways we can work together, about possible legislation in fact that we can work on together—we can bring forward. This is a bipartisan issue and it is an issue that I'm happy to work with all members of

the House, members of community and of course our stakeholders in this regard.

We know that we've had success under the past NDP government. In fact, Manitoba was leading the country with regards to some of the toughest laws in Canada for impaired driving, and it's my intention to get there again, to be leaders across the nation.

Our laws are still among some of the toughest in Canada, but there's more to do. I will not be complacent on this.

As we work towards this, the department has done some good work already, reaching out to key stakeholders: working directly with MADD Canada and I appreciate the constant communication we have with them; we're also working, of course, with Manitoba Public Insurance, pulling all the levers that we have to ensure that we step up through MPI to ensure that we develop programs that have an impact on impaired driving.

But there's too—still too many people who are at risk when they're—when we're talking about impaired driving.

Earlier this year, I was able to introduce, as my first set of bills in this House, amendments to The Highway Traffic Act, to ensure that those who'd been charged with impaired driving and have not complied with an ignition interlock requirement are prevented from appealing the suspension—very small step, but a step that shows our commitment in real terms on what we can do, and I applaud all members who are willing to work with me.

As I said, as Minister of Justice, I want to reinforce that our government will continue to work tirelessly to ensure that our laws against impaired drivers are strengthened, they're enforced, Honourable Speaker, and that ultimately our roads are safer each and every day.

I've met with the family multiple times. I'm willing to meet with any victims of crime, and that strength that they have will help me to carry on in the work that I do. I ask all members to join me in that work and to ensure that we make our roads safer and we find true justice for Jordyn.

Thank you, Honourable Speaker.

Mr. Wayne Balcaen (Brandon West): Well, thank you, Honourable Deputy Speaker, and I'd like to reflect on some of the words that the Minister for Justice just put on the record in this House and the fact that, you know, there is opportunity: there is oppor-

tunity here for us to work together; there is opportunity to help us move along laws for impaired driving to ensure that this doesn't happen again.

Those opportunities, I'm willing to work on. I know our team is willing to work on. But I don't have the opportunity, I don't have the power and I don't have the ability to complete this resolution. Only the Attorney General (Mr. Wiebe) for the Province of Manitoba has that ability.

With great power comes great responsibility, and I hope that the tireless advocacy from the Reimer family, who joins us here today in the gallery, 45 or 50 members of the family, friends are here to support the Reimer family in their continued efforts. They have followed every step of our system, every possible step that they can to advance this and to move this forward and to find justice for Jordyn.

The Minister for Justice and the Attorney General stated that the driver has been convicted. That's true. The mother has been convicted, and that's true. But there's still one piece missing. That's the person who provided the keys, provided the bullet to the gun, if you will, in this situation. And, again, only the Attorney General for the province of Manitoba has the power to do this.

And there's been precedent set. And I'd like to thank the member for Steinbach (Mr. Goertzen) who set that precedent in our province, set that precedent in motion. And I know, from discussions with the member from Steinbach, that was not an easy decision.

It was contrary to what we heard, and the minister put on—today's minister put on the record that the Crown decided it did not meet the standards. I think we were told the same thing in the Nygård case. But it didn't sit well with our then-minister of Justice, the member from Steinbach.

And he stood alone and made a great decision to move this case forward and set the precedent that the now minister can follow. Doesn't have to be a trailblazer in this; it's already been set. I would actually offer, if I can. I will write the letter for you. I will seek out the Crown's—I don't have that authority, but with your signature, it can be sent.

Last night, I got a phone call from my daughter, putting our grandchildren to bed, so I had a FaceTime conversation. My daughter said, what are you doing, Dad? And I said, I'm working on a very important matter that I'm going to be speaking on tomorrow, which is this morning in our House, and the matter is

what's called Justice for Jordyn. And my daughter said to me: Dad, is that Jordyn Reimer? And I said, yes, it is. Said, Dad, I knew Jordyn. And this is the first time that I found this out. She said Jordyn was an awesome person; she was so, so nice. That impacted me last night.

There's a connection with my daughter and her friend who worked with Jordyn at Manitoba Public Insurance. And that's kind of ironic that she works at Manitoba Public Insurance, a place where, you know, we seek remedies and some of the suspensions and issues for impaired driving.

So again, I shared that with Karen last night, and, yes—it's something that each of you: you have family. You have children. You have grandchildren. My daughter is the same age as what Jordyn Reimer would've been.

I think it's also very important to note that Jordyn Reimer was doing the right thing. She was a designated driver. She was a sober driver. And what many of you may not know, and for the public that are viewing may not know, this was her second trip that night to pick up friends and to make sure that they arrived home safely.

* (11:40)

She was doing the absolute right thing. And for that, she paid the ultimate consequence.

I reached out, as I was saying, to the family last night. I wanted to make sure that they were doing okay before we come in here today, because this is a difficult conversation. This is very, very human issue, and it's non-partisan. And I wish I had the power to do something more, but I'm hoping my power is in the words today and our advocacy on behalf of the family.

I would like to share with you what Karen sent me last night. And this is difficult because it was, in Karen's words, hard to put into paper because she has lots more to say.

But I will read it out: Jordyn Reimer was an innocent victim acting as a designated driver when she was killed by an impaired driver. She represents and could be every Manitoban's innocent loved one. Her tragic death compels us all to confront the harsh reality. Impaired driving is not only a purposeful and reckless act, it is a criminal one, and it must be treated as such. The—this extends in some cases beyond the driver.

In Jordyn's case, the actions of the accomplice were overt, calculated and directly responsible for her

death. Had this individual driven a getaway car during a robbery, handed over parts for a bomb or supplied a knife or bullet for a weapon that led to someone's death, they would be prosecuted as an accomplice. The fact that these actions involved keys to a vehicle does not make them any less criminal. This was not an accident. It was a violent crime, and it resulted in the worst possible outcome: the loss of Jordyn's life.

This is not a matter of politics, but of morality and justice. Prosecutors are entrusted with the responsibility to bring criminals before the courts, not to serve as judge and jury. We learned in the Nygård case that prosecutors are human, and human error occurs. Making an error is not the problem. Standing behind an error at all costs is the problem. Integrity and transparency must be the standard.

The decision not to prosecute this individual is—as an accomplice is a grave mistake and deserves a second opinion from an independent prosecution office outside of the province. We cannot allow this kind of criminal behaviour to be normalized or excused. Justice must be served, not only for Jordyn, but for the safety of all Manitobans.

Thank you for those powerful words, and thank you, Honourable Deputy Speaker.

The Deputy Speaker: I would ask the member to table the document he was quoting from. A page can—sorry, I'll just clarify. Was that a private document you were quoting from? *[interjection]* And in that case, we'll have to ask you to table it. We're obligated by the rules.

Mr. Balcaen: Yes, Honourable Deputy Speaker, this was sent to me from the family, and I do not have copies of it here with me. I have one copy. I apologize; I didn't bring copies, but I would be happy to share that with the clerks to put on record.

The Deputy Speaker: So we can either have the page make the copies or you could table it this afternoon when we come back. *[interjection]*

Sorry, the honourable member for Brandon West.

Mr. Balcaen: I jumped the gun, Honourable Deputy Speaker. Thank you, and I would like the opportunity to table these documents this afternoon as I have written notes on these.

Thank you.

Hon. Lisa Naylor (Minister of Transportation and Infrastructure): I—first of all, I want to begin by acknowledging Jordyn's family and friends that are

here today, and to thank them for their ongoing advocacy for justice to be done.

And I want to acknowledge the incredible tragedy that their family experienced at the hands of an impaired driver in—when Jordyn was killed by an impaired driver.

Like many other parents have mentioned today, this perhaps hits particularly hard for parents. My own daughter is almost exactly Jordyn's age and has certainly done her share of designated driving over the years. So I remember when this occurred; I remember the fear as a parent and the distress of it as a parent. But also, I could imagine the pain of the Reimer family in a very real way.

When I was a child, my father was killed by a drunk driver. It's been 52 years, and I still know your pain. Our family was robbed of a beautiful man, and I legitimately didn't think I would get so emotional or emotional at all about this today, because it's been the reality of our life. But when we talk about this, the pain is very real, and as I've been listening to the stories, I'm really feeling this deeply.

Losing a loved one under any circumstance is horrifying, that no family should have to endure.

As the Minister of Transportation, I am responsible for Manitoba highways. There are many nights I go to sleep thinking about the tragedies that have occurred on highways in Manitoba and thinking about how they can be prevented. I get to see the RCMP investigation reports, and I am frequently alarmed at how often drugs or alcohol play a part in fatalities that happen on our highway.

And it's kind of horrifying to me that, 52 years after my father was killed, when there was a lot less attention being paid to the crisis of impaired driving, that after all of these years, that we still know tragedies like this. That we still have so much to do to prevent people losing their family members because of someone making a very bad decision, someone making a mistake, making bad choices.

There are going to be people in this room that have made bad choices in their lifetime and had one too many drinks when they got behind a wheel. There's going to be people in all of our families who've made bad choices like that over time. Sometimes those bad choices become fatality and ruin a family's life.

So we need to do a lot more as a Province about education. I am very proud of our Justice Minister, so

proud of his commitment on this issue. As the Minister of Transportation responsible for The Highway Traffic Act, we've had the opportunity to work together, and our departments have worked together on ways that the act can be strengthened. I'm so proud of his commitment and funding commitments to strengthen the laws in our province.

But also, you know, through MPI, doing a lot more education. I believe that the Justice Minister already mentioned the fact that, you know, under the previous NDP government, Manitoba was the toughest jurisdiction for impaired driving penalties. And this has significantly changed.

* (11:50)

In 2016, 1,871 people were convicted of impaired driving in this province, and in 2023, it was only 928 people. People haven't stopped drinking or using drugs, getting behind the wheel. We need to get better at convictions, we need to become the toughest jurisdiction again, but we also need to educate people. We need to make sure that people fully understand the consequences of driving while under the influence.

Cannabis is a whole new deal in our lives now, and I'm not sure when cannabis legislation and legalization was rolled out that we—that this province did a good job of educating youth on the impact of driving under the influence of cannabis. It's a different kind of drug, but it still has an impact when people are driving.

And so we need to strengthen education. We need to strengthen penalties for people who do make that choice to get behind the wheel. We need to hold those people accountable for the bad decisions that they've made. And we also need to help people make better decisions in the province.

So having friends like Jordyn, having friends like my daughter has been to her friends, to be the person to literally get out of bed and go pick up their friends at a party and drive them home, sometimes more than once in an evening. We need to encourage our kids to be that person.

We need to, as adults, to take on that role. We need to encourage, when there's public events, for people to take Ubers and taxis and not be driving to events. I think all of us in this Chamber have the opportunity to attend many banquets and dinners where there's wine flowing and wine on the table and people at the bar. But are we always checking how everybody walking out the door, how they're getting home? How

safe they're going to be? How safe we're going to be on the road with them driving near us?

So I want to encourage all of us, as a Legislature, to take this responsibility in our own lives to exercise extreme caution with the choices we make when we're driving a vehicle, to exercise extreme caution with the events that we host and to educate the people in our lives to step up and be a designated driver when you get the opportunity.

And I want us to support the future legislation that comes forward from our Justice Minister to strengthen impaired driving laws in this province or—and to strengthen the penalties that happen. There should be no resistance from the opposition on strengthening these laws in our province. This is the route that we have to go. And I'm looking forward to seeing a better job of convictions on our highways and further education.

So again, I apologize to the House for as getting as emotional as I did. I did not intend and I did not want to take away from the grief of the Reimer family, but these issues run personal, for all of us, for many of us.

I thank you for your time and I will cede the rest of my time.

Thank you.

MLA Jelynn Dela Cruz (Radisson): I, first and foremost, want to put some words on the record thanking the Reimer family, Jordyn's loved ones.

Jordyn knew how to love and be loved, and it is evident in the stories that I hear from my own family and friends in the community, from each and every single one of you, from many in this House—in this Chamber. And I thank you for your advocacy, and I express my heartfelt grief on your behalf.

I, as your elected representative, am honoured to be here doing this work and to be working with the rest of the House to strengthen this legislation in Jordyn's name, and I thank you again for taking the time for being here.

Jordyn was 24 years old when she was killed on the boundary of Radisson and Transcona. She's the—she was the same age as I am currently, standing here today. We share friends, we share neighbours, we share classmates.

And the reason I bring up age is not to name and shame my generation, but to point to the opportunity that each and every single one of us have to call our

friends in, to be that person that checks in on our friends and ensures that they know their options to get home.

You know, those 18 to 24 years old are among the highest percentage of weekly and monthly heavy drinkers, and that presents an opportunity for each of us in our generation to spread awareness, to express compassion and to say to our friends, hey, I'm really worried about how you're getting home tonight, and I'm worried about who that could impact.

Jordyn could have been me. Jordyn could have been the member for Brandon West's (Mr. Balcaen) daughter. But it shouldn't have to be anybody.

And so, that being said, it's been two years since Jordyn's death has sent shockwaves across not just northeast Winnipeg, not just Winnipeg, not just Manitoba, but the country. And there is this sacred responsibility that I feel to ensure that Jordyn's death does not go in vain, that we do justice by who she was as a person, how she was able to love each and every single one of her friends, her family, her neighbours, and truly, sincerely, you know, spread that love across our community in her honour.

Thank you, Honourable Deputy Speaker, for the opportunity to put those words on the record.

MLA Billie Cross (Seine River): The opposition mentioned there is educators in the room, and there are many of us.

I'm an educator that worked at John Gunn middle school, where Jordyn attended school with her sister, Nicole, who I actually coached. I've known Karen as a parent who would come to games. I know that family to be one of the best families that I've ever met. The daughters that they've raised to be impeccable young women, I've followed their journey playing hockey through social media. My children went to school with Karen's and Doug's children. My son was in Jordyn's class. My daughter went to school with Nicole and played basketball with her.

This was an unspeakable tragedy, and I never thought, being elected and being in this place, that I would ever have to stand up and speak about a student that I knew.

And I want to talk a little bit about education because I don't think we're doing enough. I just left the school system a year ago. I worked in high schools, I worked in middle schools, and I didn't hear enough in the school to tell students, to teach them, to remind

them that we don't do these things. We don't drive while we're impaired.

We need to do more. We haven't done enough. We've failed Jordyn by not making sure that we have continued this educational path for our children.

The sad reality is that it could be, like the member from Radisson said, it could've been any one of our children. It could've been any one of our family members. I would not wish this tragedy on anyone in the world.

I have three kids. I have grandchildren. I worry about my kids even as adults driving. I check on them, I want to make sure they're home, so I can't imagine what this family is going through.

But I do know that the Attorney General (Mr. Wiebe) and the Justice Minister is a person of impeccable integrity and heart and empathy. And I know that if there was something that could have been done, he would've done it. He understood the relationship some of us in this caucus had with this family and how we've felt about this—*[interjection]*—and I know that if we were able to do something, we would've done something.

Point of Order

The Deputy Speaker: Point of order from the Leader of the Official Opposition.

Mr. Wayne Ewasko (Leader of the Official Opposition): Deputy Speaker, I'm asking for leave to not see the clock until everybody has had the opportunity to put words on the record and then call this to a vote.

The Deputy Speaker: It is not a point of order, but is there leave to not see the clock until everyone has spoken?

Some Honourable Members: Agreed.

An Honourable Member: No.

The Deputy Speaker: I hear a no.

And it's now past 12 o'clock, so the—*[interjection]*

Order. When the matter is again before the House, the honourable member for Seine River will have eight minutes remaining.

The hour being 12 p.m., the House is recessed and stands recessed until 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 3, 2024

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